RATING THE RESPONSE: HATE CRIME LEGISLATION, REPORTING, AND DATA COLLECTION IN THE UNITED STATES
When we began researching for Underreported, Under Threat in September 2017, we had no intentions of publishing a supplemental resource guide. However, our research demonstrated the need for comprehensive hate crime reporting and data collection reform, and that a significant potential for improvement rests at the state level. As a clearinghouse for hate crime-related information pertaining to each state and the District of Columbia, Rating the Response is designed not only to educate and empower communities across the country, but to encourage informed policymaking as well.

A handful of civil rights and advocacy organizations monitor legislation relating to hate crime and provide accessible online resources for both victims and communities. Content is updated on a regular basis to reflect recent or pending developments, such as amendments to existing hate crime statutes or provisions for mandatory reporting and data collection. In recent years, organizations have also developed collaborative platforms to assist hate crime victims.

In response to the recent escalation of bias-motivated violence, a coalition of grassroots and national organizations launched an initiative to streamline resources to a wide range of communities, providing legal services, survivor assistance, counseling, relevant local contacts, and information on hate crime laws. For more on members of the Communities Against Hate initiative and related efforts, readers should consult Appendix C: Select Resources.

As perhaps the most comprehensive freestanding resource on state-level hate crime legislation, reporting, and data collection in the United States, Rating the Response is unprecedented in its breadth. Furthermore, our resource guide is the first publication to develop a rating system to rank, compare, and assess each state’s overall response to hate crime. While we have identified the various laws, policies, and programs designed to address hate crime in each state, the enforcement of such measures does not factor into our rating system. Our approach to Rating the Response is discussed in the following pages. Readers should take note of our rating methodology before turning to learn more about their state.

Rating Methodology
States are judged on a 100-point scale, with a perfect overall score denoting strong commitment to addressing and reporting hate crime. To achieve the highest rating, states must demonstrate the following:

- An inclusive hate crime statute.
- A mandatory hate crime reporting and data collection statute.
- A mandatory law enforcement training statute on hate crime.
- An annual hate crime report that includes Anti-Arab and Anti-Islamic (Muslim) hate crime statistics.
- Consistent participation in the FBI hate crime statistics program.

Only six states receive a perfect rating of 100, denoting a strong response to hate crime. Those states are: CA, CT, IL, NJ, OR, WA.

The remainder demonstrate varying levels of readiness to addressing and reporting hate crimes, which is measured according to the criteria listed above.
To achieve a perfect rating, a state must have an inclusive hate crime statute. A hate crime statute provides enhanced penalties for crimes committed because of bias against certain protected characteristics. An inclusive hate crime statute offers protections for race, ethnicity, or ancestry, religion, sexual orientation, disability, gender, and gender identity. These protections are virtually consistent with current federal law (18 U.S.C. § 249), which defines hate crime as an offense committed because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of any person.

As of June 2018, 45 states have hate crime statutes. Of these states, only 14 have inclusive hate crime statutes, with the remainder offering near-inclusive or limited protections. In some states, hate crime laws provide additional protections, such as for political affiliation, age, or homelessness.

In order to rank, compare, and assess each state’s overall response to hate crime, we have designed our rating system to differentiate between states according to the protections offered in their hate crime statutes. In addition to an automatic 10 points, states with a hate crime statute receive 5 points for each protection offered in the statute. Therefore, a hate crime statute offering protections for race, ethnicity, or ancestry, religion, sexual orientation, disability, gender, and gender identity would receive 40 points. A hate crime statute with protections for race/ethnicity/ancestry, gender, and religion, but without protections for sexual orientation, disability, or gender identity, would receive 25 points.

While not criminal statutes, some states have civil laws that may be applicable to certain hate crime offenses. Additionally, a state may have a criminal statute that prohibits specific offenses against an individual’s civil rights. If a state does not have a hate crime statute, but does have a law permitting civil action on behalf of a hate crime victim, or a criminal statute that prohibits interference with civil rights, that state may be allocated a provisional 5 points.

According to our rating methodology, 14 states receive a perfect score of 40 points, indicating a criminal statute that offers inclusive protections for hate crime victims. Those states are: CA, CT, DE, HI, IL, MD, MN, MO, NV, NJ, NM, OR, VT, WA.

A total of 11 states receive a score of 35 points. These states have hate crime statutes offering all required protections but one. Of these states, nine have hate crime statutes without protections for gender identity. The remaining states, Colorado and Massachusetts, have hate crime statutes without protections for gender. The District of Columbia, which has a hate crime statute that offers protections for physical disability, but not mental disability, also receives 35 points.

Fig. 1: Hate crime statutes in the United States
To achieve a perfect rating, a state must have a mandatory reporting and data collection statute. A data collection statute requires a centralized state repository to collect hate crime data submissions from participating law enforcement agencies. A mandatory reporting and data collection statute requires law enforcement agencies to submit hate crime data to a centralized state repository, which is in turn required to collect, compile, or analyze that data and prepare statistics.

As of June 2018, 28 states have data collection statutes. Of these states, 23 have mandatory reporting and data collection statutes. An additional state, New Mexico, has a statute requiring law enforcement agencies to report hate crime incidents to the FBI. The New Mexico statute does not require state-level data collection.

In order to rank, compare, and assess each state’s overall response to hate crime, we have designed our rating system to differentiate between states according to their data collection statutes. A state receives 15 points if it has a mandatory reporting and data collection statute. A state receives 5 points if it has a statute that requires data collection but not reporting, or vice versa.

According to our rating methodology, 23 states receive a perfect score of 15 points, indicating a statute that requires law enforcement reporting and data collection on hate crime. Those states are: AZ, CA, CT, FL, HI, ID, IL, IN, IA, KY, ME, MD, MA, MI, MN, NJ, OK, OR, PA, RI, TX, VA, WA.

A total of six states and the District of Columbia receive a score of 5 points. These states have statutes requiring either hate crime reporting or data collection, but not the other. The remaining states receive no points.

Fig. 2: Data collection statutes in the United States
To receive a perfect rating, a state must have a mandatory law enforcement training statute. A mandatory law enforcement training statute requires law enforcement training schools or academies to provide mandatory instruction relating to investigating or reporting hate crime incidents.

As of June 2018, 15 states have mandatory law enforcement training statutes. In most states, a designated agency is required by law to prescribe the curriculum for law enforcement academies or basic police training schools within the state. Therefore, even in states without a mandatory law enforcement training statute, hate crime might still be a topic of instruction at law enforcement training schools or academies. A total of seven states fit this description. In one additional state, Idaho, hate crime training materials have been distributed to all law enforcement departments within the state.

In order to rank, compare, and assess each state’s overall response to hate crime, we have designed our rating system to differentiate between states according to their law enforcement training statutes. A state receives 15 points if it has a mandatory law enforcement training statute. A state without a mandatory law enforcement training statute may receive 5 points if other policies or programs seem to indicate that a majority of law enforcement officers in the state receive some type of hate crime training.

According to our rating methodology, 15 states receive a perfect score of 15 points, indicating a statute that requires law enforcement training schools or academies to provide mandatory instruction relating to investigating or reporting hate crime incidents. Those states are: AZ, CA, CT, IL, IA, KY, LA, ME, MA, MN, NJ, NM, OR, RI, WA.

A total of eight states and the District of Columbia receive a score of 5 points. These states have policies or programs to deliver hate crime training to a majority of law enforcement officers. The remaining states, even those for which we have identified some indication of state-sponsored hate crime training, receive no points.

Fig. 3: Law enforcement training statutes in the United States
To achieve a perfect rating, a state must publish an annual hate crime report that includes both anti-Arab and anti-Islamic (Muslim) hate crime statistics. An annual hate crime report is a statistical publication based on hate crime data submissions from reporting law enforcement agencies. Annual hate crime reports are often published in accordance with a state’s data collection statute. Anti-Arab and anti-Islamic (Muslim) hate crime statistics represent the number of hate crimes reported each year that law enforcement agencies determine are motivated because of bias against people of Arab descent or Muslims. Annual hate crime reports can be tabulated according to the number of incidents, offenses, victims, or offenders per aggregate or disaggregated bias motivation category. Aggregate bias motivation categories reflect the protections offered in a hate crime statute, such as disability or gender identity. Disaggregated bias motivation categories are more specific, referring to certain types of biases entailed in those protections, such as Anti-Physical Disability or Anti-Gender Non-Conforming. Anti-Arab and Anti-Islamic (Muslim) are disaggregated bias motivation categories within the aggregate categories of Race/Ethnicity/Ancestry and Religion.

As of June 2018, 37 states and the District of Columbia publish annual hate crime reports. Of these states, five publish annual hate crime reports that present hate crime data tabulated according to aggregate bias motivation categories, thus precluding anti-Arab or anti-Islamic (Muslim) hate crime statistics. A total of 24 states publish annual hate crime reports that include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. The remaining nine states publish annual hate crime reports that include anti-Islamic (Muslim) hate crime statistics, but not anti-Arab hate crime statistics. Among the 24 states that publish anti-Arab hate crime statistics, 18 states present hate crime data tabulated according to all categories identified in *Hate Crime Statistics*. These states publish statistics in accordance with current UCR data collection standards.

In order to rank, compare, and assess each state’s overall response to hate crime, we have designed our rating system to differentiate between states according to their annual hate crime reports. A state receives 10 points if it publishes an annual hate crime report, 5 additional points if that report includes anti-Islamic (Muslim) hate crime statistics, and another 5 points if the report also includes anti-Arab hate crime statistics. According to our rating methodology, 24 states receive a perfect score of 20 points, suggesting compliance with UCR data collection standards. Those states are: CA, CO, CT, HI, IL, IA, KY, MD, MA, MI, MO, MT, NE, NV, NH, NJ, NY, OR, PA, RI, SD, TN, TX, WA.

A total of nine states receive a score of 15 points, indicating annual reports with hate crime data tabulated according to disaggregated bias motivation categories. An additional four states and the District of Columbia receive a score of 10 points. These states publish reports with aggregate bias motivation categories. The remaining 13 states receive no points.

**Fig. 4: Annual hate crime reports in the United States**
To achieve a perfect rating, a state must be a consistent FBI hate crime statistics participant. An FBI hate crime statistics participant is a state that submits hate crime data, in the form of incident reports or zero data, to the FBI Uniform Crime Reporting (UCR) Program for publication in the annual report, *Hate Crime Statistics*. A consistent FBI hate crime statistics participant is a state that has submitted hate crime data, in the form of both incident reports and zero data, in each of the last five reporting years. An incident report is a hate crime data submission referring to a single hate crime incident. Zero data is a hate crime data submission indicating that no hate crime incidents occurred within a jurisdiction during a particular reporting period.

In 2016, 49 states and the District of Columbia participated in the FBI hate crime statistics program by submitting hate crime data for publication in *Hate Crime Statistics*. Hawaii does not submit hate crime data to the FBI. For the reporting years 2012-2016, 47 states submitted at least one incident report per year. Mississippi failed to submit hate crime incident reports to the FBI in 2015. Wyoming failed to submit hate crime incident reports the previous year. By submitting only zero data, law enforcement agencies in Mississippi and Wyoming indicated that no hate crime incidents occurred within their states during those particular years. Based on data from the Bureau of Justice Statistics, media accounts, and reporting from leading civil rights and advocacy organizations, this is highly unlikely.

In order to rank, compare, and assess each state’s overall response to hate crime, we have designed our rating system to differentiate between states according to their participation in the FBI hate crime statistics program. A state receives 10 points if it is a consistent FBI hate crime statistics participant.

According to our rating methodology, 47 states and the District of Columbia receive a perfect score of 10 points, indicating five continuous years of reporting at least one hate crime incident to the FBI. Hawaii receives no points, because it is not an FBI hate crime statistics participant. Mississippi and Wyoming receive no points, because they are not consistent FBI hate crime statistics participants.

**Fig. 5: FBI hate crime statistics participation in the United States**
OVERALL SCORING BREAKDOWN

To achieve a perfect rating, a state must meet the criteria identified in the preceding pages. To reiterate, those criteria include:

1. An inclusive hate crime statute.
2. A mandatory hate crime reporting and data collection statute.
3. A mandatory law enforcement training statute on hate crime.
4. An annual hate crime report that includes both anti-Arab and anti-Islamic (Muslim) hate crime statistics.
5. Consistent participation in the FBI hate crime statistics program.

Only six states receive a perfect rating of 100, denoting a strong response to hate crime: CA, CT, IL, NJ, OR, WA.

The remainder score along a wide spectrum of commitment, with some states receiving relatively high or near-perfect ratings, and others receiving relatively low or near-zero ratings. A plurality of states score somewhere in the middle, above 50 points, but not beyond a rating of 75.

Depending on its overall score, a state can receive one of five different classifications to reflect its commitment to addressing and reporting hate crime. In descending order, those classifications are: STRONG, MODERATE, AVERAGE, LIMITED, and MINIMAL.

STRONG – 6 states: CA, CT, IL, NJ, OR, WA.

MODERATE – 9 states: AZ, IA, KY, ME, MD, MA, MN, RI, TX.

AVERAGE – 17 states: CO, ID, FL, HI, LA, MI, MO, NE, NV, NH, NM, NY, OK, PA, TN, VT, VA.*

LIMITED – 13 states: AL, AK, DE, IN, KS, MT, NC, ND, OH, SD, UT, WV, WI.

MINIMAL – 5 states: AR, GA, MS, SC, WY.

*While the District of Columbia receives an overall score of 65 according to our rating methodology, certain factors warrant conditional scoring. We have therefore allocated a conditional rating of 85, denoting a moderate response to hate crime. The justification for a conditional rating is provided in the District of Columbia’s individual profile.

The figure on the opposite page demonstrates the scoring breakdowns particular to each state. Readers should note that due to the nature of our rating methodology, states can achieve the same rating based on a combination of different scores. Such is the case for CO, MI, MO, NE, NM, PA, and VT, each of which receives an overall score of 70 points, denoting average commitment to addressing and reporting hate crime. While the seven states in question receive an identical rating, Fig. 6 demonstrates unique scoring breakdowns among them.

In Fig. 6, states are organized alphabetically in descending order based on overall score and are separated into the five classifications discussed above. Each criterion can be identified according to its own corresponding shade and hue.
Fig. 6: Overall score breakdowns by state
RATING THE RESPONSE IN THE UNITED STATES

Map showing states rated on their response to hate crimes, with ratings:
- **STRONG (100)** - CA, CT, IL, MA, NJ, OR, WA
- **MODERATE (80-95)** - AZ, DC, IA, KY, ME, MD, MN, RI, TX
- **AVERAGE (55-75)** - CO, FL, HI, ID, LA, MI, MO, NE, NV, NH, NM, NY, OK, PA, TN, VT, VA
- **LIMITED (30-50)** - AL, AK, DE, IN, KS, MT, NC, ND, OH, SD, UT, WV, WI
- **MINIMAL (0-25)** - AR, GA, MS, SC, WY
Alabama is the 24th most populated state and has the 20th largest Arab American population.

The Alabama Law Enforcement Agency, Criminal Justice Information Center (ACJIC), is the state agency responsible for the collection and publication of crime data. The ACJIC does not publish annual hate crime statistics.

**HATE CRIME STATUTE**
Ala. Code § 13A-5-13 provides enhanced sentencing for crimes motivated by a victim’s actual or perceived “race, color, religion, national origin, ethnicity, or physical or mental disability.” Such penalties can be imposed only when the perpetrator’s bias motivation against the victim can be proven “beyond a reasonable doubt.”

The current Alabama hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, gender, or gender identity.

**DATA COLLECTION STATUTE**
There is no Alabama statute that requires hate crime reporting or data collection. Ala. Code § 41-9-621 requires the ACJIC to compile and publish annual statistics on the “level and nature of crime” in Alabama.

The ACJIC is one of 12 “legacy agencies” that comprise the Alabama Law Enforcement Agency (ALEA). All criminal justice agencies within the state are statutorily required to submit crime data, in the form of uniform crime reports, to the ACJIC. Pursuant to Ala. Code § 41-9-631, the information contained in such reports is subject to the prescriptions of the ACJIC Commission.

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Alabama statute that requires specific law enforcement training on hate crime. According to Ala. Code § 36-21-45, the Alabama Peace Officers Standards and Training Commission (APOSTC) is required “to study, consider, and make reports...concerning the work and the curriculum and courses offered by law enforcement training schools in the state and to make recommendations for improving the schools, curriculum, and courses.”

The current APOSTC basic training curriculum does not appear to include hate crime as a mandatory topic of instruction.

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UNIFORM CRIME REPORTING (UCR)

By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Alabama UCR program is one of 15 state programs that still rely exclusively on SRS data. The ACJIC implemented a voluntary incident-based reporting (IBR) system in 1977. As of 2016, 99 percent of Alabama law enforcement agencies were participating in the IBR. In conjunction with the University of Alabama’s Center for Advanced Public Safety, the ACJIC provides software designed to facilitate the transition of reporting agencies to electronic UCR submissions. The software, known as the UCR Local Template for Reporting and Analysis (ULTRA), enables law enforcement agencies to submit UCR reports to the ACJIC via the Internet, free of charge. According to the Bureau of Justice Statistics, Alabama has received funding through the National Crime Statistics Exchange (NCS-X) Initiative and is in the midst of NIBRS implementation.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Alabama Criminal Justice Information Center
Suite 300
201 South Union Street
Montgomery, Alabama 36130
(334) 517-2400
www.acjic.alabama.gov

DATA COLLECTION & STATISTICS
Housed within the ACJIC, the Alabama Statistical Analysis Center (SAC) publishes annual reports on statewide crime statistics. The reports are based on UCR submissions from law enforcement agencies across the state. The Alabama SAC also publishes specialized crime reports, including Domestic Violence Crime Statistics and Drug-related Crime Statistics. The 1977-2016 editions of Crime in Alabama and other specialized Alabama crime reports can be found on the ALEA website. Pursuant to Ala. Code § 41-9-631, Alabama criminal justice agencies are required to submit uniform crime reports to the ACJIC. Hate crime statistics are not provided in any of the ACJIC reports.

ANNUAL STATEWIDE HATE CRIME REPORT
The ACJIC does not publish annual state-level hate crime statistics.

- **ANTI-ARAB HATE CRIME STATISTICS**
The ACJIC does not publish annual statistics on anti-Arab hate crime.

- **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
The ACJIC does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE ALABAMA CRIMINAL JUSTICE INFORMATION CENTER DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in Alabama in 2016. Alabama law enforcement agencies submit hate crime data to the FBI UCR Program through the ACJIC.

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FBI HATE CRIME STATISTICS (2015-2016)

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8 Ctr. for Advanced Public Safety, Univ. of Alabama, ULTRA, http://www.caps.ua.edu/software/ultra.
### FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”[^16]

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.[^17]

### FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Alabama submit hate crime data to the FBI UCR Program through the ACJIC. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 14 hate crime incidents were reported in Alabama in 2016.

According to the Bureau of Justice Statistics, there are more than 400 law enforcement agencies in Alabama.[^18] In 2016, four of the 28 Alabama law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Alabama either did not participate in the national hate crime statistics program or submitted only zero data.

As the ACJIC does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

### PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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### SUMMARY

The current Alabama hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, gender, or gender identity. Furthermore, Alabama does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Alabama Law Enforcement Agency, Criminal Justice Information Center (ACJIC), maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Alabama* can be found on the ALEA website but do not include hate crime statistics. In 2016, 4 Alabama law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 24 participating agencies provided only zero data. A total of 2 participating agencies recorded blank data in at least one quarterly submission period. Alabama receives an overall score of 35 points, denoting a limited response to hate crime.

ADVOCA CY RESOURCES - Alabama

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Alabama receives an overall score of 35 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Alabama should promote the following:

1. The current Alabama hate crime statute offers protections for race, color, religion, national origin, ethnicity, and physical or mental disability. The Alabama hate crime statute should be amended to include protections for citizenship status, age, ancestry, sexual orientation, gender or gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. Alabama state code does not require reporting, data collection, or specific law enforcement training on hate crime. There are more than 400 law enforcement agencies in Alabama. In 2016, 4 of the 28 Alabama law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing 2 of Alabama's 5 largest cities did not participate in the national hate crime statistics program.

   • Law enforcement agencies must report hate crimes to the Alabama Criminal Justice Information Center (ACJIS).

   • The ACJIS must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.

   • Alabama must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

   • The Alabama Peace Officers Standards and Training Commission must promote instruction relating to investigating and reporting hate crime incidents in law enforcement training schools throughout the state.

STATE CONTACTS
Advocates for an improved response to hate crime in Alabama should contact current state legislators and members of Congress.

Alabama Legislature
Senate Information: (334) 242-7800 | House Information: (334) 242-7600
http://www.legislature.state.al.us

United States Senate
Contact: Alabama
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Alabama
https://www.house.gov/representatives#state-alabama
Alaska is the 48th most populated state and has the 48th largest Arab American population.

The Alaska Department of Safety, Criminal Records Identification Bureau (CRIB), is the state agency responsible for the collection and publication of crime data. The CRIB does not publish annual hate crime statistics.

**HATE CRIME STATUTE**
Alaska Stat. § 12.55.155(c)(22) permits the imposition of a sentence above the presumptive range for a given offense if the defendant “knowingly directed the conduct constituting the offense at a victim because of that person’s race, sex, color, creed, physical or mental disability, ancestry, or national origin.”

The current Alaska hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation or gender identity.

**DATA COLLECTION STATUTE**
There is no Alaska statute that requires hate crime reporting or data collection. Alaska Stat. § 12.62.130 requires the Department of Public Safety (DPS) to compile and provide an annual report “concerning the number and nature of criminal offenses committed, the disposition of the offenses, and any other data the commissioner finds appropriate.”

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Alaska statute that requires specific law enforcement training on hate crime. Pursuant to Alaska Stat. § 18.65.220, the Alaska Police Standards Council (APSC) has the power to prescribe “minimum criminal justice curriculum requirements” for statewide law enforcement training.

13 AAC 85.050 requires APSC-certified basic police officer academies to include “civil rights, and disability awareness...and cultural diversity” as topics of instruction.

Information regarding the APSC, including current statutes and relevant regulations, is provided in the annual APSC Guidebook.
DATA COLLECTION & STATISTICS
Housed within the Alaska DPS, Division of Statewide Services (DSS), the CRIB publishes an annual report on statewide crime statistics. The report is based on UCR submissions from law enforcement agencies across the state. The 2000-2016 editions of Crime in Alaska can be found on the Alaska DPS website. Archived reports from 1976 to 1999 are located on the Alaska Justice Statistical Analysis Center (AJASC) website. Hate crime statistics are not provided in the Crime in Alaska reports.

Pursuant to Alaska Code § 12.62.130, criminal justice agencies are required to submit uniform crime reports to the Alaska Department of Public Safety.

ANNUAL STATEWIDE HATE CRIME REPORT
The CRIB does not publish annual state-level hate crime statistics.

- ANTI-ARAB HATE CRIME STATISTICS
  The CRIB does not publish annual statistics on anti-Arab hate crime.

- ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  The CRIB does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE CRIMINAL RECORDS IDENTIFICATION BUREAU DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

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<td>Anti-Islamic (Muslim)</td>
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According to supplemental data from the FBI, a single anti-Arab hate crime incident was reported in Alaska in 2015. Alaska law enforcement agencies submit hate crime data to the FBI UCR Program through the CRIB.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Alaska UCR program is one of 15 state programs that still rely exclusively on SRS data. According to the Bureau of Justice Statistics, Alaska has not received any funding through the National Crime Statistics Exchange (NCS-X) Initiative, which is designed to “implement efficient and minimally burdensome processes” for statewide transitions to NIBRS-compliant reporting.

Traditional summary-based crime reporting is constrained with respect to the various data elements that serve to put a particular incident in context, such as victim and offender demographics, the location of the incident, and whether an arrest occurred. NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Alaska Department of Public Safety
Criminal Records and Identification Bureau
5700 East Tudor Road
Anchorage, Alaska 99507
(907) 269-5526
www.dps.alaska.gov/statewide/ucr.aspx

THE FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
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Underreported/Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”12

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.13

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Alaska submit hate crime data to the FBI UCR Program through the CRIB. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 11 hate crime incidents were reported in Alaska in 2016.

In 2016, three of the 32 Alaska law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Alaska submitted only zero data.

As the CRIB does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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SUMMARY
The current Alaska hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation or gender identity. Furthermore, Alaska does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Alaska Department of Public Safety, Criminal Records and Information Bureau, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Alaska can be found on the Alaska DPS website but do not include hate crime statistics. In 2016, three Alaska law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 29 participating agencies provided only zero data. Alaska receives an overall score of 40 points, denoting a limited response to hate crime.

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Alaska receives an overall score of 40 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Alaska should promote the following:

1. The current Alaska hate crime statute offers protections for race, sex, color, creed, physical or mental disability, ancestry, or national origin. The Alaska hate crime statute should be amended to include protections for **citizenship status, age, ethnicity, sexual orientation, gender identity, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. Alaska state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 3 of the 32 Alaska law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the Alaska Criminal Records and Identification Bureau (CRIB).
   - The CRIB must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - Alaska must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.
   - The Alaska Police Standards Council (APSC) must prescribe instruction on hate crime for statewide law enforcement training. Already, APSC-certified academies provide civil rights, disability awareness, and cultural diversity training. This training should be expanded to include instruction relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Alaska should contact current state legislators and members of Congress.

**Alaska Division of Elections**  
Contact: (907) 465-4648  

**United States Senate**  
Contact: Alaska  
[https://www senate.gov senators contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**  
Directory of Representatives: Alaska  
[https://www house.gov representatives state alaska](https://www.house.gov representatives#state-alaska)
Arizona is the 14th most populated state and has the 12th largest Arab American population.

The Arizona Department of Public Safety, Access Integrity Unit (AIU), is the state agency responsible for the collection and publication of hate crime data. The AIU does not currently publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

Arizona Rev. Stat. §§ 13-701D.13 and D.15 permit the imposition of a maximum term for a given offense if the victim is over 65 or has a disability, or if there is evidence the defendant committed the crime “out of malice” toward a victim because of their actual or perceived race, color, religion, national origin, sexual orientation, gender, or disability.¹

The current Arizona hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**DATA COLLECTION STATUTE**

Arizona Rev. Stat. § 41-1750A.3 requires the Department of Public Safety (AZDPS) to “collect information concerning criminal offenses that manifest evidence of prejudice based on race, color, religion, national origin, sexual orientation, gender or disability.”² Pursuant to Arizona Rev. Stat. § 1-1750F, criminal justice agencies in Arizona are required to submit the information described above to the AZDPS.³

**LAW ENFORCEMENT TRAINING STATUTE**

Arizona Rev. Stat. § 41-1822A.4 requires the Arizona Peace Officers Standards and Training Board (AZPOST) to “prescribe minimum courses of training and minimum standards for training facilities for [Arizona] law enforcement officers.”⁴

Pursuant to Arizona Rev. Stat. § 41-1822A.4(a), training must include “courses in responding to and reporting all criminal offenses that are motivated by race, color, religion, national origin, sexual orientation, gender or disability.”⁵

The class descriptions currently listed on the AZPOST website do not ostensibly include a course or training on addressing or reporting hate crime offenses.⁶

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ARIZONA

<table>
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<tr>
<th>Hate Crime Statute</th>
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<td>Hate crime statute, with protections for:</td>
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<td>Religion</td>
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<td>Sexual orientation</td>
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<td>Disability</td>
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<th>Law Enforcement Training Statute</th>
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<td>Anti-Islamic (Muslim) hate crime statistics</td>
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| FBI Hate Crime Statistics Participant | 10/10 |

**TOTAL** | 90 |

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3 Id.
5 Id.
DATA COLLECTION & STATISTICS
Housed within the AZDPS, the AIU publishes an annual report on statewide crime statistics, including hate crime. The report is based on UCR submissions from law enforcement agencies across the state. The 2006-2016 editions of Crime in Arizona can be found on the AZDPS website.1 Earlier reports were obtained from the AZDPS UCR Program.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the AZDPS include data on anti-Islamic (Muslim) hate crime. The AZDPS tabulates hate crime data according to the number of offenses per disaggregated bias motivation category. The AZDPS does not currently provide anti-Arab hate crime statistics.

• ANTI-ARAB HATE CRIME STATISTICS
Ant-Arab hate crime statistics are provided in the 1991-2000 editions of Crime in Arizona. In recent editions, anti-Arab hate crimes are recorded under a composite ethnicity/national origin category. There was a significant increase of reported anti-other ethnicity/national origin hate crimes between the second and third quarters of 2001 (0 to 50).

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1995-2016 editions of Crime in Arizona. There was a significant increase of reported anti-Islamic (Muslim) hate crime offenses between the second and third quarters of 2001 (0 to 20). The 2016 AZDPS report suggests a resurgence of hate crimes targeting American Muslims.

CRIME IN ARIZONA HATE CRIME OFFENSES (2000-2016)

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<td>16</td>
<td>19</td>
<td>5</td>
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According to supplemental data from the FBI, 6 anti-Islamic (Muslim) hate crime incidents, involving 6 offenses, were reported in Arizona in 2016. This total conflicts with AZDPS statistics. Arizona law enforcement agencies submit hate crime data to the FBI UCR Program through the AZDPS.

FBI HATE CRIME STATISTICS (2015-2016)

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<th>Bias motivation</th>
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<td>Anti-Islamic (Muslim)</td>
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**FBI HATE CRIME STATISTICS**

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{12}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{13}\)

**FBI HATE CRIME STATISTICS PARTICIPANT**

Law enforcement agencies in Arizona submit hate crime data to the FBI UCR Program through the AZDPS. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 213 hate crime incidents, involving 291 offenses, were reported in Arizona in 2016.

In 2016, 18 of the 85 Arizona law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 3 agencies representing populations greater than 100,000 either submitted only zero data or failed to provide data in at least one quarterly submission period.

According to annual hate crime statistics published by the AZDPS, 236 hate crime offenses were reported in Arizona in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

![Graph showing hate crime statistics by year and category for Arizona 2012-2016]

**SUMMARY**

The current Arizona hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. Arizona has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The state’s current basic police training curriculum, however, does not appear to include hate crime as a mandatory topic of instruction. The Arizona Department of Public Safety, Access Integrity Unit, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Arizona* can be found on the AZDPS website and include anti-Islamic (Muslim) hate crime statistics. The AZDPS provided anti-Arab hate crime statistics from 1991 to 2000. In 2016, 18 Arizona law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The remaining 67 participating agencies provided only zero data. A total of 24 participating agencies recorded blank data in at least one quarterly submission period. Arizona receives an overall score of 90 points, denoting a moderate response to hate crime.


ADVOCACY RESOURCES - Arizona

IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Arizona receives an overall score of 90 points, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Arizona should promote the following:

1. The current Arizona hate crime statute offers protections for race, color, religion, national origin, sexual orientation, gender, and disability. While Arizona criminal code permits harsher sentences for crimes against victims aged 65 and over, age is not identified in the Arizona hate crime statute as a protected characteristic. The Arizona hate crime statute should be amended to include protections for **citizenship status, ethnicity, age, ancestry, gender identity, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. While Arizona state code requires reporting, data collection, and specific law enforcement training on hate crime, some shortcomings remain. Housed within the Arizona Department of Public Safety (AZDPS), the Access Integrity Unit does not publish statistics on anti-Arab hate crime. Furthermore, the Arizona Peace Officer Standards and Training Board (AZPOST) does not ostensibly provide basic training relating to investigating and reporting hate crime incidents.

   a. The ADPS must provide hate crime data corresponding to the bias motivation categories identified in the FBI UCR Program’s annual report, *Hate Crime Statistics*.

   b. As required by law, AZPOST must ensure that basic training for law enforcement officers includes instruction relating to reporting and investigating hate crime incidents.

3. In 2016, 18 of the 85 Arizona law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   a. Arizona must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS

Advocates for an improved response to hate crime in Arizona should contact current state legislators and members of Congress.

**Arizona State Legislature**
Senate: (602) 926-3559 | House: (602) 926-4221
https://www.azleg.gov/findmylegislator/

**United States Senate**
Contact: Arizona
https://www.senate.gov/senators/contact

**United States House of Representatives**
Directory of Representatives: Arizona
https://www.house.gov/representatives#state-arizona
**ARKANSAS**

Total population: 2,988,248
Rank of Arab American population by state: 39

AR does not publish annual hate crime statistics.

Arkansas is the 33rd most populated state and has the 39th largest Arab American population.

The Arkansas Crime Information Center (ACIC), Statistical Analysis Center, is the state agency responsible for the collection and publication of crime data. The ACIC does not publish annual hate crime statistics.

**HATE CRIME STATUTE**
Arkansas is one of five states, along with Georgia, Indiana, South Carolina, and Wyoming, that do not have a hate crime statute. Ark. Code § 16-123-106 authorizes civil action on behalf of a victim subjected to acts of intimidation or harassment, violence, or vandalism of property, “where such acts are motivated by racial, religious, or ethnic animosity.”

The Arkansas civil rights law does not qualify as a hate crime statute, as it does not provide enhanced penalties for crimes motivated because of certain forms of bias. Furthermore, the law is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

**DATA COLLECTION STATUTE**
There is no Arkansas statute that requires hate crime reporting or data collection. Ark. Code § 12-12-217 requires the ACIC to submit an annual report on the number of persons arrested for each criminal offense classification with comparisons between individual reporting agencies.²

The annual report must include a racial breakdown of all persons arrested in each criminal offense classification.³

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Arkansas statute that requires specific law enforcement training on hate crime. Ark. Code §§ 12-9-113 through 12-9-116 prescribe minimum standards for training on certain issues in a law enforcement context, including domestic violence, sexual assault, and “the dynamic of relating to a person with a disability.”⁴

Pursuant to Ark. Code § 12-9-104(4), the Arkansas Commission on Law Enforcement Standards and Training (CLEST) is responsible for establishing “minimum curriculum requirements” for law enforcement training schools throughout the state.⁵ Additional curriculum requirements include courses of instruction on cultural diversity and racial sensitivity, in accordance with Ark. Code § 12-12-1404.⁶

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DATA COLLECTION & STATISTICS
Housed within the Arkansas Crime Information Center, the Arkansas Statistical Analysis Center (SAC) publishes an annual report on statewide crime statistics. The 1998-2016 editions of Crime in Arkansas can be found on the ACIC website. The SAC report does not provide annual statewide hate crime statistics.

Pursuant to Ark. Code § 12-12-1007, Arkansas criminal justice agencies are required to report information on crimes occurring within their respective jurisdictions in a manner specified by the ACIC.

ANNUAL STATEWIDE HATE CRIME REPORT
The ACIC does not publish annual state-level hate crime statistics.

Bias motivation is a mandatory data element in all NIBRS submissions. As Arkansas is 100 percent NIBRS compliant, all crime data submissions from Arkansas law enforcement agencies indicate bias motivation. The ACIC collects these submissions and forwards the data to the FBI UCR Program. Given the state’s NIBRS status, Arkansas is better equipped to publish annual state-level hate crime statistics than other non-reporting states.

ANTI-ARAB HATE CRIME STATISTICS
The ACIC does not publish annual statistics on anti-Arab hate crime.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
The ACIC does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE ARKANSAS CRIME INFORMATION CENTER DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

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</tbody>
</table>

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Arkansas in 2016. Arkansas law enforcement agencies submit hate crime data to the FBI UCR Program through the ACIC.

FBI REPORTED HATE CRIME INCIDENTS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Arkansas UCR program is one of 16 state programs that rely exclusively on NIBRS data.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Arkansas Crime Information Center
322 South Main, Suite 615
Little Rock, Arkansas 72201
(501) 682-2222
www.acic.org

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Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Arkansas submit hate crime data to the FBI UCR Program through the ACIC. According to the FBI UCR Program's annual report, Hate Crime Statistics, 12 hate crime incidents were reported in Arkansas in 2016.

In 2016, 5 of the 288 Arkansas law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing three of the five largest cities in Arkansas either did not participate in the national hate crime statistics program or submitted only zero data.

As the ACIC does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>17</td>
<td>5</td>
</tr>
<tr>
<td>2013</td>
<td>20</td>
<td>8</td>
</tr>
<tr>
<td>2014</td>
<td>27</td>
<td>4</td>
</tr>
<tr>
<td>2015</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>2016</td>
<td>12</td>
<td>12</td>
</tr>
</tbody>
</table>

SUMMARY
Arkansas is one of five states, along with Georgia, Indiana, South Carolina, and Wyoming, that do not have a hate crime statute. Furthermore, Arkansas does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Arkansas Crime Information Center, Statistical Analysis Center, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Arkansas can be found on the ACIC website but do not include hate crime statistics. In 2016, 5 Arkansas law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 283 participating agencies provided only zero data. A total of 6 participating agencies recorded blank data in at least one quarterly submission period. Arkansas receives an overall score of 15 points, denoting a minimal response to hate crime.

ADVOCACY RESOURCES - Arkansas

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Arkansas receives an overall score of 15 points, denoting a minimal response to hate crime. Advocates for an improved response to hate crime in Arkansas should promote the following:

1. Arkansas is one of five states without a hate crime statute. The Arkansas General Assembly must enact legislation for a new criminal statute prohibiting crimes motivated because of *citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness*, or association with a person or group with one of these actual or perceived characteristics. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute.

2. Arkansas state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 5 of the 288 Arkansas law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   - Law enforcement agencies must report hate crimes to the Arkansas Crime Information Center (ACIC).
   - The ACIC must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - The Arkansas Commission on Law Enforcement Standards and Training must prescribe instruction relating to investigating and reporting hate crime incidents for law enforcement training schools throughout the state. As required by law, the present curriculum already includes courses of instruction on cultural diversity and racial sensitivity.

STATE CONTACTS
Advocates for an improved response to hate crime in Arkansas should contact current state legislators and members of Congress.

**Arkansas General Assembly**  
Senate: (501) 682-2902 | House: (501) 682-6211  
http://www.arkleg.state.ar.us

**United States Senate**  
Contact: Arkansas  
https://www.senate.gov/senators/contact

**United States House of Representatives**  
Directory of Representatives: Arkansas  
https://www.house.gov/representatives#state-arkansas
California is the most populated state and has the largest Arab American population in the country.

The California Department of Justice, Criminal Justice Statistics Center (CJSC), is the state agency responsible for the collection and publication of hate crime data. According to the CJSC’s annual publication, there were 19 anti-Arab hate crime incidents reported throughout California in 2016.

**HATE CRIME STATUTE**

Cal. Pen. Code § 4.22.6 prohibits a person from intimidating or interfering with any other person in the free exercise or enjoyment of their civil rights because of their actual or perceived disability, gender, including gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Furthermore, Cal. Pen. Code §§ 4.22.7-4.22.76 permit increased punishment and penalty enhancement for hate crime offenses, and require that hate crime be considered an aggravating circumstance in the punishment of felonies.

**DATA COLLECTION STATUTE**

Cal. Pen. Code § 13023 requires law enforcement agencies to report hate crime-related information to the California Department of Justice. Pursuant to Cal. Pen. Code § 13010, the Department is required to submit its analysis of this information, and other information related to criminal statistics, to the public through its OpenJustice Web Portal.

**LAW ENFORCEMENT TRAINING STATUTE**

Cal. Pen. Code § 13519.6 requires law enforcement and correctional agencies to provide a “course of instruction and training” on hate crime. The training must address “special problems inherent in some categories of hate crime, including…anti-Arab/Middle Eastern and anti-Islamic hate crimes, and techniques and methods to handle these special problems.” Additionally, the training must include instruction on “law enforcement procedures, reporting, and documentation of hate crimes,” in accordance with Cal. Pen. Code § 13519.6(b)(4).

Housed within the California Department of Justice, the Commission on Peace Officers Standards and Training oversees the establishment and implementation of minimum standards for law enforcement training and education programs.

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8. Id.
DATA COLLECTION & STATISTICS
Pursuant to Cal. Pen. Code § 13010, the California Attorney General is permitted to “approve reports on special aspects of criminal statistics.”14 The CJSC publishes an annual report on statewide hate crime statistics. The 1995-2016 editions of Hate Crime in California can be found on the CJSC website.11 The CJSC also maintains an online database of statewide criminal justice statistics. Established in 2015, OpenJustice is “a data-driven initiative that embraces transparency to strengthen trust, enhance government accountability, and improve public policy in the criminal justice system.”11

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CJSC include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CJSC tabulates hate crime data according to the number of events, offenses, victims, and suspects per disaggregated bias motivation category. All California law enforcement agencies operate data collections and submit hate crime data to the CJSC.

• ANTI-ARAB HATE CRIME STATISTICS
Prior to the 2016 edition of Hate Crime in California, the CJSC recorded anti-Arab hate crimes under a composite ethnicity/national origin category. In Hate Crime in California, 2001, the CJSC attributed a 346 percent increase of anti-other ethnicity/national origin hate crimes to violence targeting Arab Americans in the aftermath of 9/11.14

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1995-2016 editions of Hate Crime in California. The 2015-2016 CJSC reports suggest a resurgence of hate crimes targeting American Muslims.

HATE CRIME IN CALIFORNIA INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
<th>'06</th>
<th>'07</th>
<th>'08</th>
<th>'09</th>
<th>'10</th>
<th>'11</th>
<th>'12</th>
<th>'13</th>
<th>'14</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>3</td>
<td>73</td>
<td>14</td>
<td>19</td>
<td>29</td>
<td>12</td>
<td>14</td>
<td>13</td>
<td>11</td>
<td>13</td>
<td>22</td>
<td>17</td>
<td>20</td>
<td>21</td>
<td>18</td>
<td>40</td>
<td>37</td>
</tr>
<tr>
<td>Anti-other race/ ethnicity/ancestry</td>
<td>96</td>
<td>428</td>
<td>161</td>
<td>119</td>
<td>105</td>
<td>89</td>
<td>94</td>
<td>96</td>
<td>69</td>
<td>67</td>
<td>57</td>
<td>81</td>
<td>62</td>
<td>49</td>
<td>49</td>
<td>42</td>
<td>37</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 10 anti-Arab hate crime incidents were reported in California in 2015. These incidents were recorded under a composite ethnicity/national origin category in the 2015 CJSC report.19 With respect to anti-Islamic (Muslim) hate crime, a single-incident discrepancy occurs between CJSC and FBI statistics for 2015. California law enforcement agencies submit hate crime data to the FBI UCR Program through the CJSC.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>10</td>
<td>19</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>41</td>
<td>37</td>
</tr>
</tbody>
</table>

12 Open Justice Initiative, supra note 6.
**FBI HATE CRIME STATISTICS**

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990, the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." ²⁰

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crimes program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program. ²¹

**FBI HATE CRIME STATISTICS PARTICIPANT**

Law enforcement agencies in California submit hate crime data to the FBI UCR Program through the CJSC. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 931 hate crime incidents were reported in California in 2016.

In 2016, 213 of the 733 California law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 15 agencies representing populations greater than 100,000 submitted only zero data.

According to annual hate crime statistics published by the CJSC, 931 hate crime incidents were reported in California in 2016. This total is consistent with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2014.

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>247</td>
<td>910</td>
</tr>
<tr>
<td>2013</td>
<td>229</td>
<td>843</td>
</tr>
<tr>
<td>2014</td>
<td>208</td>
<td>759</td>
</tr>
<tr>
<td>2015</td>
<td>213</td>
<td>837</td>
</tr>
<tr>
<td>2016</td>
<td>213</td>
<td>931</td>
</tr>
</tbody>
</table>

**SUMMARY**

California has an inclusive hate crime statute. Furthermore, California has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The California Department of Justice, Criminal Justice Statistics Center, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Hate Crime in California* can be found on the CJSC website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 213 California law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 520 participating agencies provided only zero data. A total of 2 participating agencies recorded blank data in at least one quarterly submission period. California receives an overall score of 100 points, denoting a strong response to hate crime.

**FBI HATE CRIME STATISTICS: CALIFORNIA 2012-2016**

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>530</td>
<td>489</td>
<td>416</td>
<td>427</td>
<td>522</td>
<td>2,384</td>
</tr>
<tr>
<td>Religion</td>
<td>144</td>
<td>129</td>
<td>128</td>
<td>191</td>
<td>171</td>
<td>763</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>234</td>
<td>217</td>
<td>187</td>
<td>188</td>
<td>208</td>
<td>1,034</td>
</tr>
<tr>
<td>Disability</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>Gender</td>
<td>-</td>
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<td>1</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Gender identity</td>
<td>-</td>
<td>7</td>
<td>22</td>
<td>26</td>
<td>27</td>
<td>82</td>
</tr>
<tr>
<td>Total</td>
<td>910</td>
<td>843</td>
<td>759</td>
<td>837</td>
<td>933</td>
<td>4,282</td>
</tr>
</tbody>
</table>


ADVOCACY RESOURCES - California

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, California receives an overall score of 100 points, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in California should promote the following:

1. The current California hate crime statute offers protections for disability, gender, including gender expression, nationality, race or ethnicity, religion, and sexual orientation. The California hate crime statute should be amended to include protections for citizenship status, color, age, ancestry, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. The California Department of Justice should continue to promote and develop its OpenJustice web portal for transparent, inclusive, and accessible criminal justice data.

3. In 2016, 213 of the 733 California law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   • California must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in California should contact current state legislators and members of Congress.

California State Legislature
Contact: (916) 324-0333
Senate: http://senate.ca.gov
Assembly: http://assembly.ca.gov

United States Senate
Contact: California
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: California
https://www.house.gov/representatives#state-california
COLORADO

Total population: 5,540,545
Rank of Arab American population by state: 22

3 anti-Arab hate crime offenses were reported in CO in 2016.

Colorado is the 21st most populated state and has the 22nd largest Arab American population.

The Colorado Department of Public Safety, Bureau of Investigation (CBI), is the state agency responsible for the collection and publication of hate crime data. According to the CBI, three anti-Arab hate crime offenses were reported in Colorado in 2016.

**HATE CRIME STATUTE**

Colo. Rev. Stat. § 18-9-121 provides enhanced penalties for crimes in which a perpetrator acts with the intent to intimidate or harass another person because of their “actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation.” For the purposes of this section, “sexual orientation” is defined so as to include actual or perceived orientation toward “transgender status.”

Pursuant to Colo. Rev. Stat. § 18-9-121, the commission of a bias-motivated crime may involve causing bodily injury to another person, placing fear of imminent lawless action directed at another person through words or conduct, or knowingly causing damage or destruction of the property of another person.

The current Colorado hate crime statute is not sufficiently inclusive, as it does not offer protections for gender.

**DATA COLLECTION STATUTE**

There is no Colorado statute that requires hate crime reporting or data collection. Colo. Rev. Stat. § 24-33.5-412(5) requires law enforcement agencies to submit uniform crime data to the CBI.

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Colorado statute that requires specific law enforcement training on hate crime. According to Colo. Rev. Stat. § 24-31.303, the Colorado Peace Officer Standards and Training (Colorado POST) Board is required to “conduct periodic evaluations of training programs and inspections of training academies” in Colorado, and furthermore, to “establish training standards to prepare law enforcement officers to recognize and address” specific incidents, including abuse and exploitation of at-risk elders. Colo. Rev. Stat. § 24-31.315 mandates annual in-service training programs for all Colorado law enforcement officers.

The current Colorado POST basic training curriculum includes mandatory instruction on “bias motivated hate crimes.”

<table>
<thead>
<tr>
<th>COLORADO</th>
<th>35/40</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hate Crime Statute</td>
<td>No statute; civil action or civil rights law</td>
</tr>
<tr>
<td></td>
<td>Hate crime statute, with protections for:</td>
</tr>
<tr>
<td></td>
<td>Race/ethnicity/ancestry</td>
</tr>
<tr>
<td></td>
<td>Religion</td>
</tr>
<tr>
<td></td>
<td>Sexual orientation</td>
</tr>
<tr>
<td></td>
<td>Disability</td>
</tr>
<tr>
<td></td>
<td>Gender</td>
</tr>
<tr>
<td></td>
<td>Gender identity</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COLORADO</th>
<th>0/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data Collection Statute</td>
<td>Data collection (voluntary reporting)</td>
</tr>
<tr>
<td></td>
<td>Mandatory reporting and data collection</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COLORADO</th>
<th>5/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement Training Statute</td>
<td>No statute; comprehensive training</td>
</tr>
<tr>
<td></td>
<td>Mandatory training</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COLORADO</th>
<th>20/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Hate Crime Report</td>
<td>Annual hate crime report, including:</td>
</tr>
<tr>
<td></td>
<td>Anti-Arab hate crime statistics</td>
</tr>
<tr>
<td></td>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>COLORADO</th>
<th>10/10</th>
</tr>
</thead>
<tbody>
<tr>
<td>FBI Hate Crime Statistics Participant</td>
<td></td>
</tr>
</tbody>
</table>

| TOTAL | 70 |

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DATA COLLECTION & STATISTICS
Housed within the Colorado Department of Public Safety, the CBI publishes an annual crime report that includes hate crime statistics. The report is based on UCR data submissions from law enforcement agencies throughout the state. As Colorado is 100 percent NIBRS compliant, all crime data submitted to the CBI indicates bias motivation. The 1998-2016 editions of Crime in Colorado can be found on the CBI website.8

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CBI include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CBI tabulates hate crime data according to the number of offenses per disaggregated bias motivation category.

• ANTI-ARAB HATE CRIME STATISTICS
Prior to the 2016 edition of Crime in Colorado, the CBI did not provide anti-Arab hate crime statistics. According to the CBI, 3 anti-Arab hate crime offenses were reported in Colorado in 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1999-2016 editions of Crime in Colorado. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. According to the CBI, 3 anti-Islamic (Muslim) hate crime offenses were reported in Colorado in 2016.

CRIME IN COLORADO HATE CRIME OFFENSES (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
<th>'06</th>
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<tr>
<td>Anti-Arab</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td></td>
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<td>2</td>
<td>21</td>
<td>9</td>
<td>8</td>
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<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>11</td>
<td>19</td>
<td>4</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>4</td>
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<td>15</td>
<td>11</td>
<td>13</td>
<td>8</td>
<td>8</td>
<td>3</td>
<td>7</td>
<td>6</td>
<td>4</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Arab hate crime incidents, involving 3 offenses, were reported in Colorado in 2016. This total is consistent with CBI statistics, which are offense-based. Colorado law enforcement agencies submit hate crime data to the FBI UCR Program through the CBI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Colorado submit hate crime data to the FBI UCR Program through the CBI. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 104 hate crime incidents were reported in Colorado in 2016.

In 2016, 37 of the 229 Colorado law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 5 agencies representing populations greater than 100,000 submitted only zero data.

According to annual hate crime statistics published by the CBI, which provides a statewide incident total, 104 hate crime incidents were reported in Colorado in 2016. This total is consistent with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2014.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>50</td>
<td>189</td>
</tr>
<tr>
<td>2013</td>
<td>48</td>
<td>128</td>
</tr>
<tr>
<td>2014</td>
<td>40</td>
<td>96</td>
</tr>
<tr>
<td>2015</td>
<td>42</td>
<td>107</td>
</tr>
<tr>
<td>2016</td>
<td>37</td>
<td>104</td>
</tr>
</tbody>
</table>

SUMMARY
The current Colorado hate crime statute is not sufficiently inclusive, as it does not offer protections for gender. Colorado does not have statutes that require reporting or data collection on hate crime. Furthermore, while there is no state law regarding mandatory police training on hate crime, the Colorado Peace Officer Training and Standards Board has developed a course on bias-motivated crimes as part of its basic training curriculum. The Colorado Department of Public Safety, Bureau of Investigation, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Colorado can be found on the CBI website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 37 Colorado law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 192 participating agencies provided only zero data. Colorado receives an overall score of 70 points, denoting an average response to hate crime.

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FBI HATE CRIME STATISTICS: COLORADO 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>122</td>
<td>69</td>
<td>54</td>
<td>65</td>
<td>67</td>
<td>377</td>
</tr>
<tr>
<td>Religion</td>
<td>34</td>
<td>18</td>
<td>11</td>
<td>16</td>
<td>19</td>
<td>98</td>
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<tr>
<td>Sexual orientation</td>
<td>33</td>
<td>40</td>
<td>26</td>
<td>20</td>
<td>23</td>
<td>142</td>
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<tr>
<td>Disability</td>
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<td>1</td>
<td>5</td>
<td>3</td>
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<td>Gender identity</td>
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<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>189</td>
<td>128</td>
<td>96</td>
<td>107</td>
<td>109</td>
<td>629</td>
</tr>
</tbody>
</table>
ADVOCACY RESOURCES - Colorado

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Colorado receives an overall score of 70 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Colorado should promote the following:

1. The current Colorado hate crime statute offers protections for race, color, religion, ancestry, national origin, physical or mental disability, and sexual orientation, which is defined so as to include gender identity. The Colorado hate crime statute should be amended to include protections for *citizenship status, ethnicity, age, homelessness*, or association with a person or group with one of these actual or perceived characteristics.

2. Colorado state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 37 of the 229 Colorado law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the Colorado Bureau of Investigation, which already publishes annual hate crime statistics conforming to national UCR standards based on voluntary submissions.
   - While the Colorado Peace Officer Standards and Training Board has established a basic training curriculum that includes mandatory hate crime training, instruction relating to investigating and reporting hate crime incidents should be required by law. Colorado state code currently requires law enforcement training relating to certain types of criminal offenses.

STATE CONTACTS
Advocates for an improved response to hate crime in Colorado should contact current state legislators and members of Congress.

**Colorado General Assembly**
Contact: (303) 866-2604
https://leg.colorado.gov/find-my-legislator

**United States Senate**
Contact: Colorado
https://www.senate.gov/senators/contact

**United States House of Representatives**
Directory of Representatives: Colorado
https://www.house.gov/representatives#state-colorado
Connecticut is the 29th most populated state and has the 19th largest Arab American population.

The Connecticut State Police (CSP), Crimes Analysis Unit, is the state agency responsible for the collection and publication of hate crime data. There were no anti-Arab hate crime incidents reported in Connecticut in 2016.

**HATE CRIME STATUTE**

Conn. Gen. Stat. §§ 53a-181i—181l prohibit intimidation based on bigotry or bias with specific intent to intimidate or harass another person because of their “actual or perceived race, religion, ethnicity, disability, sexual orientation or gender identity or expression.” Pursuant to this section, gender identity or expression is defined so as to include gender. Intimidation based on bigotry or bias constitutes a felony offense.

Conn. Gen. Stat. 46a-58 prohibits the deprivation of civil rights “on account of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness or physical disability.” Pursuant to Conn. Gen. Stat. § 53a-40a, persistent hate crime offenders are subject to enhanced penalties.

**DATA COLLECTION STATUTE**

Conn. Gen. Stat. § 29-7m requires the Division of State Police (CSP) to “monitor, record and classify all crimes committed in the state which are motivated by bigotry or bias.” Law enforcement agencies in Connecticut are required to report this information to the CSP.

**LAW ENFORCEMENT TRAINING STATUTE**

Conn. Gen. Stat. § 7-294n requires state and local police training programs in Connecticut “to provide training on crimes motivated by bigotry or bias.” Additionally, the Connecticut Peace Officer Standards and Training Council (POSTC) is authorized to prescribe minimum standards for law enforcement training, in accordance with Conn. Gen. Stat. § 7-294d.

Furthermore, Conn. Gen. Stat. § 46a-54 requires state agencies to provide a minimum of three hours of diversity education and training. Pursuant to Conn. Gen. Stat. § 4a-2c, the diversity training program must include “training and education concerning the federal and state statutory provisions concerning discrimination and hate crimes directed at protected classes and remedies available to victims of discrimination and hate crimes.” The current POSTC basic training curriculum includes hate crime as a mandatory topic of instruction.

<table>
<thead>
<tr>
<th>Connecticut</th>
<th>100</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hate Crime Statute</strong></td>
<td>40/40</td>
</tr>
<tr>
<td>No statute; civil action or civil rights law</td>
<td>-</td>
</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
<td></td>
</tr>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>10</td>
</tr>
<tr>
<td>Religion</td>
<td>5</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>5</td>
</tr>
<tr>
<td>Disability</td>
<td>5</td>
</tr>
<tr>
<td>Gender</td>
<td>5</td>
</tr>
<tr>
<td>Gender identity</td>
<td>5</td>
</tr>
<tr>
<td><strong>Data Collection Statute</strong></td>
<td>15/15</td>
</tr>
<tr>
<td>Data collection (voluntary reporting)</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory reporting and data collection</td>
<td>15</td>
</tr>
<tr>
<td><strong>Law Enforcement Training Statute</strong></td>
<td>15/15</td>
</tr>
<tr>
<td>No statute; comprehensive training</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory training</td>
<td>15</td>
</tr>
<tr>
<td><strong>Annual Hate Crime Report</strong></td>
<td>20/20</td>
</tr>
<tr>
<td>Annual hate crime report, including:</td>
<td></td>
</tr>
<tr>
<td>Anti-Arab hate crime statistics</td>
<td>10</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
<td>5</td>
</tr>
<tr>
<td><strong>FBI Hate Crime Statistics Participant</strong></td>
<td>10/10</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100</td>
</tr>
</tbody>
</table>

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DATA COLLECTION & STATISTICS
Pursuant to Conn. Gen. Stat. § 29-1(c)(e), the Connecticut Department of Emergency Services and Public Protection (DESPP) is required to publish an annual report on the nature and extent of crime in Connecticut.¹⁰ Housed within the DESPP, the Connecticut State Police, Crimes Analysis Unit, publishes an annual report on statewide crime statistics, in addition to a specialized report on hate crime. The 1994-2001 editions of Crime in Connecticut and the 2002-2015 editions of Connecticut Bias Crimes can be found on the Connecticut Department of Public Safety website.¹¹

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CSP include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CSP tabulates hate crime data according to the number of incidents per disaggregated bias motivation category in the 1994-2000 reports and offenses per disaggregated category in subsequent editions.

- **ANTI-ARAB HATE CRIME STATISTICS**

- **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Anti-Islamic (Muslim) hate crime statistics are provided in all annual CSP hate crime reports.

CONNECTICUT BIAS CRIMES INCIDENTS (2000); OFFENSES (2001-2016)

| Bias motivation                                | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                                      | 3   | 26  | 9   | 4   | 5   | 2   | 5   | -   | -   | -   | -   | -   | -   | -   | 1   | 0   |
| Anti-Islamic (Muslim)                         | 1   | 6   | 1   | 1   | 2   | 1   | 0   | 1   | 2   | 3   | 1   | 2   | 2   | 0   | 2   | 1   | 2   |
| Anti-other race/ethnicity/ancestry            | 2   | 3   | 0   | 2   | 2   | 1   | 0   | 1   | 9   | 7   | 5   | 9   | 18  | 16  | 6   | 4   | 5   |

According to supplemental data from the FBI, 2 anti-Islamic (Muslim) hate crime incidents, involving 2 offenses, were reported in Connecticut in 2016. This total is consistent with CSP statistics, which are offense-based. Connecticut law enforcement agencies submit hate crime data to the FBI UCR Program through the CSP.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.¹² This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Connecticut UCR program is one of 17 state programs that rely on both NIBRS and SRS data.¹³ As of September 2017, 92 of 107 Connecticut law enforcement agencies are reporting NIBRS data to the statewide repository housed within the CSP.¹⁴ The 15 remaining agencies still report via the SRS, though some are in the midst of transitioning to NIBRS.¹⁵ According to the Bureau of Justice Statistics, Connecticut is more than 80 percent NIBRS-certified.¹⁶

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Crimes Analysis Unit
Connecticut State Police
1111 Country Club Road
Middletown, Connecticut 06457
(860) 685-8030
www.state.ct.us/dps/crime_analysis/crime_analysis.asp

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

¹⁵ Id.
Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Connecticut submit hate crime data to the FBI UCR Program through the CSP. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 106 hate crime incidents were reported in Connecticut in 2016.

In 2016, 42 of the 106 Connecticut law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

According to annual hate crime statistics published by the CSP, 105 hate crime incidents were reported in Connecticut in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2013 as well.

SUMMARY
Connecticut has an inclusive hate crime statute. Furthermore, Connecticut has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Connecticut State Police, Crimes Analysis Unit, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Connecticut and Connecticut Bias Crime Report can be found on the CSP website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. The CSP did not provide statistics relating to anti-Arab hate crime from 2008 to 2014. In 2016, 42 Connecticut law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 64 participating agencies provided only zero data. Connecticut receives an overall score of 100 points, denoting a strong response to hate crime.

DE does not publish annual hate crime statistics.

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Connecticut receives an overall score of 100 points, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in Connecticut should promote the following:

1. The current Connecticut hate crime statute offers protections for race, religion, ethnicity, disability, sexual orientation, and gender identity or expression, including gender. The Connecticut hate crime statute should be amended to include protections for citizenship status, color, ancestry or national origin, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the Connecticut Division of State Police publishes statistics in the form of an annual hate crime report, such statistics do not conform to national UCR standards. Anti-Arab hate crime statistics are provided in the 2016 edition of Connecticut Bias Crimes. The report does not indicate whether anti-Buddhist, anti-Eastern Orthodox, anti-Hindu, anti-Jehovah’s Witness, anti-Mormon, anti-other Christian, or anti-Sikh hate crimes occurred within the state that year. The FBI UCR Program introduced these religious anti-bias categories, alongside the anti-Arab category, in 2015.

   • Connecticut hate crime data collections should be amended to include the seven religious anti-bias categories identified above.

3. In 2016, 42 of the 106 Connecticut law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   • Connecticut must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in Colorado should contact current state legislators and members of Congress.

Colorado General Assembly
Contact: (303) 866-2604
https://leg.colorado.gov/find-my-legislator

United States Senate
Contact: Colorado
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Colorado
https://www.house.gov/representatives#state-colorado
Delaware is the 45th most populated state and has the 42nd largest Arab American population.

The Delaware State Bureau of Identification (SBI) is the state agency responsible for the collection and publication of crime data. The SBI does not publish annual hate crime statistics.

**HATE CRIME STATUTE**

Del. Code tit. 11, § 1304 provides enhanced penalties for any person who commits, or attempts to commit, a crime for the purpose of interfering with the civil rights of another person because of their race, religion, color, disability, sexual orientation, gender identity, national origin or ancestry.¹

Pursuant to Delaware’s hate crime statute, gender identity “means a gender-related identity, appearance, expression, or behavior of a person, regardless of person’s assigned sex of birth.”

**DATA COLLECTION STATUTE**

There is no Delaware statute that requires hate crime reporting or data collection. Del. Code tit. 11, § 8903 requires the Delaware Statistic Analysis Center (SAC), housed within the Criminal Justice Council (CJC), to “generate statistical and analytical products concerning crime and the criminal justice system” in Delaware.²

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Delaware statute that requires specific law enforcement training on hate crime. Pursuant to Del. Code tit. 11, § 8404, the Delaware Council on Police Training (DCPT) is authorized to prescribe minimum educational and training standards for police training schools within the state. Training on certain issues in a law enforcement context, including “the detection, prosecution and prevention of child sexual and physical abuse, exploitation and domestic violence,” is also required by Del. Code tit. 11, § 8404.³

The current mandatory curriculum for police basic training, as approved by the DCPT, includes a 12-hour course on “Cultural Diversity and Community Relations.” The purpose of the course is to prepare officers to “deal fairly and effectively with minority groups in society,” and provide “increased understanding and respect of the duties of the police officer on the part of these minority groups with which the officer must deal.”⁴

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DATA COLLECTION & STATISTICS
In conjunction with the SBI, the Delaware SAC publishes an annual report on five-year criminal justice trends in Delaware. Copies of Crime in Delaware covering the years 2000-2016 can be found on the Delaware SAC website.⁵ The report does not provide annual hate crime statistics. Pursuant to Del. Code tit. 11, § 8507, Delaware law enforcement officers are required to submit crime data as prescribed by the Director of the SBI.⁶

ANNUAL STATEWIDE HATE CRIME REPORT
The SBI does not publish annual state-level hate crime statistics.

Bias motivation is a mandatory data element in all NIBRS submissions. As Delaware is 100 percent NIBRS compliant, all crime data submissions from Delaware law enforcement agencies indicate bias motivation. The SBI collects these submissions and forwards the data to the FBI UCR Program. Given the state’s NIBRS status, Delaware is better equipped to publish annual state-level hate crime statistics than other non-reporting states.

• ANTI-ARAB HATE CRIME STATISTICS
  The SBI does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  The SBI does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE DELAWARE STATE BUREAU OF INVESTIGATION DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|---------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Anti-Islamic (Muslim)           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Anti-other race/ethnicity/ancestry |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Islamic (Muslim) hate crime incidents were reported in Delaware in 2016. Delaware law enforcement agencies submit hate crime data to the FBI UCR Program through the SBI.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.⁷ This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Delaware UCR program is one of 16 state programs that rely exclusively on NIBRS data.⁸

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Delaware State Bureau of Identification
Post Office Box 430
Dover, Delaware 19903
(302) 672-5341
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Delaware submit hate crime data to the FBI UCR Program through the SBI. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 15 hate crime incidents were reported in Delaware in 2016.

In 2016, 8 of the 63 Delaware law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Delaware submitted only zero data.

As the SBI does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
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<td>11</td>
<td>8</td>
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<tr>
<td>15</td>
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</tr>
</tbody>
</table>


SUMMARY
Delaware has an inclusive hate crime statute. Delaware does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Delaware State Bureau of Identification maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. In conjunction with the SBI, the Delaware Criminal Justice Council, Statistical Analysis Center, publishes an annual report on statewide crime statistics. Copies of Crime in Delaware can be found on the Delaware SAC website but do not include hate crime statistics. In 2016, 8 Delaware law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 55 participating agencies provided only zero data. Delaware receives an overall score of 50 points, denoting a limited response to hate crime.

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**ADVOCACY RESOURCES - Delaware**

**IMPROVING THE RESPONSE**
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

**STATE RECOMMENDATIONS**
According to our rating methodology, Delaware receives an overall score of 50 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Delaware should promote the following:

1. The current Delaware hate crime statute offers protections for race, religion, color, disability, sexual orientation, gender or gender identity, and national origin or ancestry. The Delaware hate crime statute should be amended to include protections for **citizenship status, ethnicity, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. Delaware state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 8 of the 63 Delaware law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the Delaware State Bureau of Identification (SBI).
   - The SBI must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - The Delaware Council on Police Training (DCPT) must incorporate hate crime into the mandatory curriculum for basic police training. Already, the DCPT-approved basic police training curriculum includes a course on cultural diversity and community relations. This training should be expanded to include instruction relating to investigating and reporting hate crime incidents.

**STATE CONTACTS**
Advocates for an improved response to hate crime in Delaware should contact current state legislators and members of Congress.

**Delaware General Assembly**
Contact: (302) 744-4114
Senate: [http://legis.delaware.gov/Senate](http://legis.delaware.gov/Senate)
House: [http://legis.delaware.gov/House](http://legis.delaware.gov/House)

**United States Senate**
Contact: Delaware
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Delaware
[https://www.house.gov/representatives#state-delaware](https://www.house.gov/representatives#state-delaware)
DISTRICT OF COLUMBIA

Total population: 681,170
*Washington, DC has a more significant Arab American population than that of 23 states.

DC does not publish anti-Arab hate crime statistics.

Washington, DC has a more significant Arab American population than that of 23 states.

The Metropolitan Police Department (MPD) is responsible for the collection and publication of hate crime data. The MPD does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

D.C. Code § 22-3703 provides enhanced penalties for bias-related crimes. Pursuant to D.C. Code § 22-3701, bias-related crime is defined as a criminal act “that demonstrates an accused’s prejudice based on [the victim’s] actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical disability, matriculation, or political affiliation.”

The current District of Columbia hate crime statute is not sufficiently inclusive, as it does not offer protections for mental disability.

**DATA COLLECTION STATUTE**

D.C. Code § 22-3702 requires the D.C. Mayor to “collect and compile data on the incidence of bias-related crime” and submit an annual summary of that data to the D.C. Council. Pursuant to D.C. Code §§ 5-113.03 and 5-113.04, the MPD is required to keep a record of all criminal offenses occurring within the district. Law enforcement agencies in the District of Columbia are not statutorily required to report hate crime.

**LAW ENFORCEMENT TRAINING STATUTE**

There is no DC statute that requires specific law enforcement training on hate crime. According to D.C. Code § 5.107.04, the District of Columbia Peace Officers Standards and Training Board is required to prescribe minimum standards and requirements for training within the Metropolitan Police Department.

The MPD commissioned a special task force assessment in 2011 “to improve the Department’s response to hate crimes and to strengthen MPD’s relationship with the LGBT community.” Published in February 2014, the Hate Crime Assessment Task Force (HCATF) Report issued a number of recommendations concerning the MPD’s LGBT outreach, collection of hate crime data, hate crime training, and associated policies. Since the publication of the HCATF report, the MPD has taken steps to improve its response to hate crime, including the development of training programs with specific attention to the safety concerns of the LGBT community.

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6. Metropolitan Police Dep’t, Annual Report, supra note 5, at 51.
DATA COLLECTION & STATISTICS
The MPD’s annual report includes a section on hate crime statistics. The 1998-2016 editions of the MPD Annual Report can be found on the MPD website.

ANNUAL DISTRICT-WIDE HATE CRIME REPORT
Hate crime statistics published by the MPD do not include data on anti-Arab or anti-Islamic (Muslim) hate crime. The MPD tabulates hate crime data according to the number of incidents per aggregate bias motivation category. Reportable categories include: ethnicity/national origin, race, religion, sexual orientation, gender identity/expression, disability, political affiliation, and homelessness.

Hate crime statistics are provided in the 2007-2016 editions of MPD Annual Report and elsewhere on the MPD website, including within a separate archived report on 2001-2005 crime statistics, and on the MPD’s bias-related crime webpage.

• **ANTI-ARAB HATE CRIME STATISTICS**
The MPD does not publish annual statistics on anti-Arab hate crime.

• **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
The MPD does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE METROPOLITAN POLICE DEPARTMENT DOES NOT PUBLISH ANNUAL DISAGGREGATED HATE CRIME STATISTICS.

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
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<th>'02</th>
<th>'03</th>
<th>'04</th>
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<td>Anti-Islamic (Muslim)</td>
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<td>Anti-other race/ethnicity/ancestry</td>
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</tbody>
</table>

According to supplemental data from the FBI, 4 anti-Arab and 6 anti-Islamic (Muslim) hate crime incidents were reported in the District of Columbia from 2015 to 2016. The MPD forwards hate crime data to the FBI UCR Program.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The District of Columbia does not have a NIBRS-certified UCR program. While the MPD submits crime data to the FBI conforming to UCR standards, the Department primarily relies on the offense index defined in the District of Columbia Criminal Code for “daily operational and deployment decisions.”

The MPD provides both DC Code Index Offense data and FBI UCR Offense data in its annual reports.

CONTACT
Crime Data Management Group Metropolitan Police Department Room 4014 300 Indiana Avenue, NW Washington, DC 20001-2188 (202) 727-7765 www.mpdc.dc.gov

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 115 hate crime incidents were reported in the District of Columbia in 2016.

In 2016, the Metropolitan Police Department and the Metro Transit Police submitted incident reports to the FBI UCR Program.

According to annual hate crime statistics published by the MPD, 104 hate crime incidents, excluding incidents relating to political affiliation or homelessness, were reported in the District of Columbia in 2016. The Metro Transit Police reported 11 hate crime incidents. This combined total of 115 incidents is consistent with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
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<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<td>2012</td>
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<td>2013</td>
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<td>2014</td>
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<td>2015</td>
<td>2</td>
<td>65</td>
</tr>
<tr>
<td>2016</td>
<td>2</td>
<td>115</td>
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SUMMARY
The current District of Columbia hate crime statute is not sufficiently inclusive, as it does not offer protections for mental disability. While law enforcement agencies in the district are not statutorily required to report hate crimes, DC does have a statute requiring data collection. The Metropolitan Police Department has taken steps to improve its reporting capabilities. For example, the MPD has developed comprehensive training programs, which include particular instruction on “LGBT cultural competency” and hate crimes targeting the LGBT community. Additionally, the MPD has implemented policies to better address and respond to bias-related crime, including the formation of community liaison units that meet regularly with vulnerable and/or targeted communities. Officers within these units “receive specialized training on diverse communities, their particular issues, and how to best serve them.” As the district clearinghouse for all police-reported crime data, including hate crime, the MPD is responsible for publishing annual statistics. Copies of the *MPD Annual Report* can be found on the MPD website but do not include anti-Arab or anti-Islamic (Muslim) hate crime statistics. Both DC law enforcement agencies participating in the national UCR hate crime statistics program submitted incident reports for the 2016. Our rating methodology is designed to measure state-level response to hate crime. While the District of Columbia does not meet some of the criteria identified in our rating methodology, the MPD has demonstrated a commitment to hate crime reporting, data collection, and law enforcement training. We have therefore allocated a conditional rating of 85, denoting a moderate response to hate crime.

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16 Metropolitan Police Dept., Annual Report, supra note 5, at 54.
IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, the District of Columbia receives an overall score of 65 points, denoting an average response to hate crime. For reasons discussed on the previous page, we have assigned a conditional rating of 85, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in the District of Columbia should promote the following:

1. The current District of Columbia hate crime statute offers protections for race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical disability, matriculation, or political affiliation. The District of Columbia hate crime statute should be amended to include citizenship status, ethnicity, mental disability, ancestry, or association with a person or group with one of these actual or perceived characteristics.

2. While the Metropolitan Police Department (MPD) has shown a commitment to investigating, reporting, and responding to incidents of bias-related crime, D.C. Code does not require reporting or specific law enforcement training on hate crime.
   - The Metropolitan Police force must report and collect data on hate crime incidents. Already, the Mayor is required to compile data on incidents of bias-related crime and submit an annual summary to the D.C. Council.
   - The MPD must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the district. Currently, the MPD only provides data based on aggregate bias motivation categories.
   - The District of Columbia Peace Officers Standards and Training Board must prescribe minimum standards and training requirements that include instruction relating to investigating and reporting hate crime incidents.

STATE CONTACTS

Advocates for an improved response to hate crime in the District of Columbia should contact district legislators, the mayor’s office, and the current United States Representative.

**Council of the District of Columbia**
Committee on the Judiciary and Public Safety

**Executive Office of the Mayor**
Contact the Mayor: [https://mayor.dc.gov](https://mayor.dc.gov)

**House of Representatives**
Directory of Representatives: District of Columbia
Florida is the 3rd most populated state and has the 5th largest Arab American population.

The Florida Office of the Attorney General (OAG) is the state agency responsible for the publication of hate crime data. The Florida OAG does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**
Fla. Stat. § 775.085 provides enhanced penalties for any person who commits a crime because of “prejudice based on race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, or advanced age of the victim.”

The current Florida hate crime statute is not sufficiently inclusive, as it does not offer protections for disability, gender, or gender identity.

**DATA COLLECTION STATUTE**
Fla. Stat. § 877.19 requires the Florida Attorney General to publish an annual summary of data on “incidents of criminal acts that evidence prejudice based on race, religion, ethnicity, color, ancestry, sexual orientation, or national origin.” Pursuant to this section, law enforcement agencies within the state are required to report hate crimes to the Florida Department of Law Enforcement (FDLE).

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Florida statute that requires specific law enforcement training on hate crime. The Criminal Justice Standards and Training Commission, housed within the FDLE, is statutorily required to “establish minimum curricular requirements for criminal justice training schools.” Pursuant to Fla. Stat. § 943.1715, the minimum curricular requirements include basic skills training “relating to diverse populations…with an emphasis on the awareness of cultural differences.” Continued employment training on diverse populations is mandatory as well.

Other minimum curricular requirements for criminal justice training schools in Florida include skills training relating to domestic violence, elder abuse, and victims’ assistance and rights. While not statutorily required, the Florida OAG Office of Civil Rights has developed a hate crimes training program for police officers.

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**FLORIDA**

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<tr>
<td>Hate Crime Statute</td>
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<td>Hate crime statute, with protections for:</td>
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<td>Religion</td>
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<td>Sexual orientation</td>
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<td>Disability</td>
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<td>Gender</td>
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<td>Gender identity</td>
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<td>Mandatory reporting and data collection</td>
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<tr>
<td>Law Enforcement Training Statute</td>
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<td>No statute; comprehensive training</td>
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<tr>
<td>Mandatory training</td>
</tr>
<tr>
<td>Annual Hate Crime Report</td>
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<td>Annual hate crime report, including:</td>
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<td>Anti-Arab hate crime statistics</td>
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<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
</tr>
<tr>
<td>FBI Hate Crime Statistics Participant</td>
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<tr>
<td>TOTAL</td>
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DATA COLLECTION & STATISTICS
Pursuant to Fla. § 877.19, the Florida OAG publishes an annual report on statewide hate crime statistics. The report is based on UCR submissions from law enforcement agencies across the state. Agencies are required to submit monthly reports on hate crime occurring within their respective jurisdictions in a manner prescribed by the FDLE.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the OAG do not include data on anti-Arab or anti-Islamic (Muslim) hate crime. The OAG tabulates hate crime data according to the number of offenses per aggregate bias motivation category. Reportable categories include: race/color, religion, ethnicity/national origin, sexual orientation, physical disability, mental disability, and advanced age.

The 2011-2016 editions of Hate Crime in Florida can be found on the OAG website. Older reports which provide 1990-2010 data, must be queried through a search engine. From 2000 to 2001 there was a significant increase of reported hate crime motivated because of ethnicity or religion (72 to 163). According to OAG, this surge was the result of post-9/11 backlash.

- ANTI-ARAB HATE CRIME STATISTICS
  The OAG does not publish annual statistics on anti-Arab hate crime.

- ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  The OAG does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE FLORIDA OFFICE OF THE ATTORNEY GENERAL DOES NOT PUBLISH ANNUAL DISAGGREGATED HATE CRIME STATISTICS.

According to supplemental data from the FBI, 7 anti-Islamic (Muslim) hate crime incidents were reported in Florida in 2016. Florida law enforcement agencies submit hate crime data to the FBI UCR Program through the FDLE.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

As of July 27, 2017, the Florida UCR program was one of 15 state programs that still rely exclusively on SRS data.

Traditional summary-based crime reporting is constrained with respect to the various data elements that serve to put a particular incident in context, such as victim and offender demographics, the location of the incident, and whether an arrest occurred.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Florida Department of Law Enforcement
FCIC Audit and Data Collection Unit
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 410-7121
www.fdle.state.fl.us

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
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<th>Bias motivation</th>
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<tr>
<td>Anti-Arab</td>
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<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>7</td>
</tr>
</tbody>
</table>

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8 Fla. Stat. § 877.19, supra note 2.
9 Id.
Underreported/Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990, the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Florida submit hate crime data to the FBI UCR Program through the FDLE. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 96 hate crime incidents, involving 110 offenses, were reported in Florida in 2016.

According to the Bureau of Justice Statistics, there are nearly 400 law enforcement agencies in Florida. In 2016, 44 of the 46 Florida law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 21 agencies representing populations greater than 100,000 either did not participate in the FBI hate crime statistics program or failed to provide data in at least one quarterly submission period.

According to annual hate crime statistics published by the OAG, 124 hate crime offenses, excluding offenses relating to advanced age, were reported in Florida in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<td>36</td>
<td>72</td>
</tr>
<tr>
<td>44</td>
<td>96</td>
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SUMMARY
The current Florida hate crime statute is not sufficiently inclusive, as it does not offer protections for disability, gender, or gender identity. While Florida has statutes that require reporting and data collection, there is no state law regarding mandatory police training on hate crime. The Florida Office of the Attorney General has developed law enforcement training programs on hate crime through its Office of Civil Rights. The Florida Department of Law Enforcement maintains the state clearinghouse for all police-reported crime data, including hate crime, which the Office of the Attorney General collates for its annual report. Copies of Hate Crime in Florida can be found on the OAG website but do not include anti-Arab or anti-Islamic (Muslim) hate crime statistics. In 2016, 44 Florida law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 2 participating agencies provided only zero data. A total of 44 participating agencies recorded blank data in at least one quarterly submission period. Florida receives an overall score of 60 points, denoting an averaging response to hate crime.

IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Florida receives an overall score of 60 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Florida should promote the following:

1. The current Florida hate crime statute offers protections for race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, and advanced age. The Florida hate crime statute should be amended to include **citizenship status**, disability, **gender or gender identity**, or association with a person or group with one of these actual or perceived characteristics.

2. While Florida state code requires hate crime reporting and data collection, Florida’s annual hate crime report does not provide statistics based on disaggregated bias motivation categories. Furthermore, Florida state code does not require specific law enforcement training on hate crime.
   
   • The Florida Office of the Attorney General (OAG) must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. Currently, the OAG only provides statistics based on aggregate bias motivation categories.
   
   • The Florida Criminal Justice Standards and Training Commission must establish curricular requirements relating to investigating and reporting hate crime incidents for all criminal justice training schools within the state.

3. There are nearly 400 law enforcement agencies in Florida. In 2016, 44 of the 46 Florida law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   • Florida must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS

Advocates for an improved response to hate crime in Florida should contact current state legislators and members of Congress.

**Florida Legislature**

Senate: [http://www.flsenate.gov](http://www.flsenate.gov)

House: [http://www.myfloridahouse.gov](http://www.myfloridahouse.gov)

**United States Senate**

Contact: Florida

[https://www senate.gov/senators/contact](https://www senate.gov/senators/contact)

**United States House of Representatives**

Directory of Representatives: Florida

[https://www.house.gov/representatives#state-florida](https://www.house.gov/representatives#state-florida)
**Georgia** is the 8th most populated state and has the 15th largest Arab American population.

The Georgia Bureau of Investigation, Georgia Crime Information Center (GCIC), is the state agency responsible for the collection and publication of crime data. The GCIC does not publish annual hate crime statistics.

**HATE CRIME STATUTE**
Georgia is one of five states, along with Arkansas, Indiana, South Carolina, and Wyoming, that do not have a hate crime statute. Repealed in 2004, Ga. Code § 17-10-17 provided enhanced penalties for crimes in which the defendant, beyond a reasonable doubt, intentionally selects any victim or their property as the object of the offense “because of bias or prejudice.”

In 2004, the Georgia Supreme Court declared the state’s hate crime statute “unconstitutionally vague” and in violation of due process rights. Per the Court’s determination, the statute “impermissibly delegate[d] basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory applications.” The Georgia General Assembly repealed Ga. Code § 17-10-17 with an additional contention: that it interfered with First Amendment rights and authorized disparate treatment under the law.

**DATA COLLECTION STATUTE**
There is no Georgia statute that requires hate crime reporting or data collection. Ga. Code § 35-3-33 requires the GCIC to compile statistics on the nature and extent of crime in Georgia and publish those statistics no less frequently than once a year.

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Georgia statute that requires specific law enforcement training on hate crime. Pursuant to Ga. Code § 35-8-7(15), the Georgia Peace Officers Standards and Training Council is required to “establish and modify” the basic curriculum for law enforcement training schools in Georgia.

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3. Id.
DATA COLLECTION & STATISTICS
Pursuant to Ga. Code § 35-3-33, the GCIC publishes an annual report on the nature and extent of crime in Georgia. The report is based on UCR submissions from law enforcement agencies across the state. The 2009-2016 editions of Georgia’s UCR report can be found on the GBI website but do not include hate crime statistics.7

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.8 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Georgia UCR program is one of 15 state programs that still rely exclusively on SRS data.9

Traditional summary-based crime reporting is constrained with respect to the various data elements that serve to put a particular incident in context, such as victim and offender demographics, the location of the incident, and whether an arrest occurred.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Georgia Crime Information Center Georgia Bureau of Investigation
Post Office Box 370748
Decatur, Georgia 30037-0748
(404) 270-8454
http://gbi.georgia.gov/georgia-crime-information-center

ANNUAL STATEWIDE HATE CRIME REPORT
The GCIC does not publish annual state-level hate crime statistics.

- ANTI-ARAB HATE CRIME STATISTICS
  The GCIC does not publish annual statistics on anti-Arab hate crime.

- ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  The GCIC does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE GEORGIA CRIME INFORMATION CENTER DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

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According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Georgia in 2016. Georgia law enforcement agencies submit hate crime data to the FBI UCR Program through the GCIC.

FBI HATE CRIME STATISTICS (2015-2016)

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<tr>
<td>Anti-Islamic (Muslim)</td>
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Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." 10

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.11

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Georgia submit hate crime data to the FBI UCR Program through the GCIC. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 39 hate crime incidents were reported in Georgia in 2016.

In 2016, 6 of the 493 Georgia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Georgia either submitted only zero data or failed to provide data in at least one quarterly submission period.

As the GCIC does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
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<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<td>7</td>
<td>44</td>
</tr>
<tr>
<td>2016</td>
<td>6</td>
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</table>

SUMMARY
Georgia is one of five states, along with Arkansas, Indiana, South Carolina, and Wyoming, that do not have a hate crime statute. Ga. Code § 17-10-17, which provided enhanced penalties for crimes motivated by “bias or prejudice,” was repealed in 2004. After more than a decade, the Georgia General Assembly has yet to pass a replacement statute. Georgia does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. Housed within the Georgia Bureau of Investigation, the Georgia Crime Information Center maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Georgia’s UCR report can be found on the GBI website but do not include hate crime statistics. In 2016, 6 Georgia law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 487 participating agencies provided zero data. A total of 82 participating agencies recorded blank data in at least one quarterly submission period. Georgia receives an overall score of 10 points, denoting a minimal response to hate crime.

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ADVOCACY RESOURCES - Georgia

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Georgia receives an overall score of 10 points, denoting a minimal response to hate crime. Advocates for an improved response to hate crime in Georgia should promote the following:

1. **Georgia is one of five states without a hate crime statute.** The Georgia General Assembly must enact legislation for a new criminal statute prohibiting crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness, or association with a person or group with one of these actual or perceived characteristics. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute.

2. Georgia state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 6 of the 493 Georgia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the Georgia Crime Information Center (GCIC).
   - The GCIC must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - Georgia must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.
   - The Georgia Peace Officers Standards and Training Council (POST) must prescribe instruction relating to investigating and reporting hate crime incidents for law enforcement training schools throughout the state. The Georgia POST is required by law to establish and modify the curriculum for basic law enforcement training.

STATE CONTACTS
Advocates for an improved response to hate crime in Georgia should contact current state legislators and members of Congress.

**Georgia General Assembly**
Senate: [http://www.senate.ga.gov/senators](http://www.senate.ga.gov/senators)

**United States Senate**
Contact: Georgia
[https://www senate.gov/senators/contact](https://www senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Georgia
[https://www.house.gov/representatives#state-georgia](https://www.house.gov/representatives#state-georgia)
HAWAII

Total population: 1,428,557
Rank of Arab American population by state: 47

HI does not participate in the FBI hate crime statistics program.

Hawaii is the 40th most populated state and has the 47th largest Arab American population.

The Department of the Attorney General, Crime Prevention and Justice Assistance (CPJA) Division, is the state agency responsible for the collection and publication of hate crime data. Hate crime statistics in Hawaii are compiled at the point of prosecution. According to the CPJA, two anti-Arab hate crime incidents were successfully prosecuted in Hawaii in 2016, one of which occurred in 2015.

HATE CRIME STATUTE
Haw. Rev. Stat. § 706-662(6)(b) allows for the imposition of an extended term of imprisonment for a felony in which the defendant intentionally selects a victim or property as the object of a crime because of “hostility toward the actual or perceived race, religion, disability, ethnicity, national origin, gender identity or expression, or sexual orientation of any person.” For the purposes of this statute, gender identity or expression is defined so as to include actual or perceived gender.

DATA COLLECTION STATUTE
Haw. Rev. Stat. §§ 846-51 through 846-54 require the Hawaii Department of the Attorney General to collect, disseminate, and provide analysis on hate crime data received from law enforcement agencies and publish this information in an annual report. All state agencies that have “investigative, detention, custodial, adjudicative, or program responsibility for adult or juvenile offenses” are required to participate in the hate crime reporting system.

LAW ENFORCEMENT TRAINING STATUTE
There is no Hawaii statute that requires specific law enforcement training on hate crime. Pursuant to Department of Public Safety (DPS) Policy No. ADM.04A.01, the Training and Staff Development (TSD) Office within the Hawaii PSD is required to develop the basic training requirements for deputy sheriffs in consultation with the Law Enforcement Training Advisory Committee (LETAC).

The Sheriff Division is one of two law enforcement divisions, along with the Narcotics Enforcement Division, in the Hawaii Department of Public Safety. The Sheriff Division "carries out law enforcement services statewide."

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2 Id.
DATA COLLECTION & STATISTICS
Pursuant to Haw. Rev. Stat. §846-54, the CPJA publishes an annual report on statewide hate crime statistics.1 House within the Department of the Attorney General, the CPJA has published a hate crime report since 2002. All hate crime statistics in Hawaii are compiled at the point of prosecution. According to the CPJA, “by placing the point of data collection at the prosecution level, Hawaii’s program avoids false positives, utilizes limited police resources...and...provides the ability to conduct statistical inquiries into case processing and outcomes, which yields important data that are generally not included in other jurisdiction’s hate crime reporting.”2

On the other hand, Hawaii’s data collection procedures preclude the state from participation in the FBI’s hate crime statistics program. Furthermore, as the majority of hate crime incidents go un-prosecuted, limiting data collection to the point of prosecution likely misrepresents the true nature and extent of hate crime in Hawaii. In this respect, while Hawaii’s annual hate crime report provides rich documentation of each individual case prosecuted within the state, the report likely omits important hate crime-related information.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CPJA include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CPJA tabulates hate crime data according to the number of prosecuted incident per disaggregated bias motivation category. The 2002-2016 editions of Hate Crime in Hawaii can be found on the Department of the Attorney General website.3

• ANTI-ARAB HATE CRIME STATISTICS
From 2002 to 2016 three anti-Arab hate crime incidents were prosecuted in Hawaii. While two cases were prosecuted in 2016, one case involved an incident that occurred in 2015.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
From 2002 to 2016 there was a single anti-Islamic (Muslim) hate crime incident successfully prosecuted in Hawaii. According to the CPJA, the incident, which occurred in 2006, was also motivated because of anti-Arab bias.

HATE CRIME IN HAWAII INCIDENTS (2000-2016)

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Hawaii does not participate in the national UCR hate crime statistics program. While the CPJA maintains a hate crime reporting and data collection system, data collection is limited to the point of prosecution. According to the CPJA, a single anti-Arab hate crime incident was reported in Hawaii in 2016.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.4 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Hawaii UCR program is one of 15 state programs that still rely exclusively on SRS data.5 In 2016, the Hawaii Department of the Attorney General received $480,268 to assist a statewide transition to NIBRS reporting.6 The grant was made through the National Crime Statistics Exchange (NCS-X) Initiative. The CPJA is currently developing a NIBRS data repository and the Honolulu Police Department is testing NIBRS data.7

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

Hawaii does not participate in the national UCR hate crime statistics program.
### FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{14}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{15}\)

### FBI HATE CRIME STATISTICS PARTICIPANT

According to the Bureau of Justice Statistics, the Honolulu Police Department is among the 50 largest local law enforcement agencies in the United States.\(^{15}\)

### PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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<th>Agency submitting incident reports</th>
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### SUMMARY

The state of Hawaii has an inclusive hate crime statute that allows for the imposition of an extended term of imprisonment for felonies that manifest evidence of bias or prejudice. Furthermore, all criminal justice agencies in Hawaii are required to participate in the state’s hate crime reporting system, and the Department of the Attorney General is required to publish an annual report on hate crime data received from law enforcement agencies. The Department of the Attorney General, Crime Prevention and Justice Assistance Division, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. The CPJA does not participate in the FBI’s hate crime statistics program and limits hate crime data collection to the point of prosecution. Copies of *Hate Crime in Hawaii* can be found on the Department of the Attorney General website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. According to our rating methodology, Hawaii receives an overall score of 75 points, denoting an average response to hate crime. While Hawaii has an inclusive hate crime statute and publishes an annual hate crime report, the state must take significant steps to improving its hate crime reporting and data collection system.

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ADVCACY RESOURCES - Hawaii

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Hawaii receives an overall score of 75 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Hawaii should promote the following:

1. The current Hawaii hate crime statute offers protections for race, religion, disability, ethnicity, national origin, gender identity or expression, including gender, and sexual orientation. The Hawaii hate crime statute should be amended to include protections for **citizenship status, color, age, ancestry, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. While Hawaii state code requires hate crime reporting and data collection, the Hawaii Department of the Attorney General limits hate crime data collection to the point of prosecution, thereby precluding Hawaii’s participation in the national hate crime statistics program and likely misrepresenting the true nature and extent of hate crime within the state.

   - Law enforcement agencies must report hate crime incidents to the Hawaii Crime Prevention and Justice Assistance (CPJA) Division.
   - The CPJA must collect and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - The CPJA must assume the responsibilities of a state-level UCR program and forward hate crime data to the national hate crime statistics program.
   - Hawaii must utilize the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Hawaii state code does not require specific law enforcement training on hate crime. In consultation with the state’s Law Enforcement Training Advisory Committee, the Hawaii Department of Public Safety must develop basic training requirements for deputy sheriffs relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Hawaii should contact current state legislators and members of Congress.

**Hawaii State Legislature**
Senate: [https://www.capitol.hawaii.gov/senate.aspx](https://www.capitol.hawaii.gov/senate.aspx)
House: [https://www.capitol.hawaii.gov/house.aspx](https://www.capitol.hawaii.gov/house.aspx)

**United States Senate**
Contact: Hawaii
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Hawaii
[https://www.house.gov/representatives#state-hawaii](https://www.house.gov/representatives#state-hawaii)
IDAHO

Total population: 1,683,140
Rank of Arab American population by state: 44

ID does not publish anti-Arab hate crime statistics.

Idaho is the 39th most populated state and has the 44th largest Arab American population.

The Idaho State Police, Bureau of Criminal Identification (BCI), is the state agency responsible for the collection and publication of hate crime data. The BCI does not publish annual statistics on anti-Arab hate crime.

HATE CRIME STATUTE
Idaho Code Ann. § 18-7902 prohibits any person from committing a crime “maliciously and with specific intent to intimidate or harass” another person because of their “race, color, religion, ancestry, or national origin.” Such an offense is defined as malicious harassment. Pursuant to Idaho Code Ann. § 18-7903, crimes of malicious harassment are subject to penalty enhancement. In addition to criminal penalties, malicious harassment offenders may be liable to civil action on behalf of the victim.

The current Idaho hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

DATA COLLECTION STATUTE
Idaho Code Ann. § 67-2915 requires all Idaho law enforcement agencies to report data relating to malicious harassment crimes to the director of the ISP. The director must annually submit all malicious harassment crime data in a statistical report to select government agencies.

LAW ENFORCEMENT TRAINING STATUTE
There is no Idaho statute that requires specific law enforcement training on hate crime. Pursuant to Idaho Code Ann. § 19-5109, the Idaho Peace Officer Standards and Training Council has the power “to establish the requirements of minimum basic training” for employment as a peace officer. Though not statutorily required, training material for “recognizing and reporting hate crime has been distributed to all law enforcement departments” in Idaho.

<table>
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<th>IDAHO</th>
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<tr>
<td>Data Collection Statute</td>
</tr>
<tr>
<td>Data collection (voluntary reporting)</td>
</tr>
<tr>
<td>Mandatory reporting and data collection</td>
</tr>
<tr>
<td>Law Enforcement Training Statute</td>
</tr>
<tr>
<td>No statute; comprehensive training</td>
</tr>
<tr>
<td>Mandatory training</td>
</tr>
<tr>
<td>Annual Hate Crime Report</td>
</tr>
<tr>
<td>Annual hate crime report, including:</td>
</tr>
<tr>
<td>Anti-Arab hate crime statistics</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
</tr>
<tr>
<td>FBI Hate Crime Statistics Participant</td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>
DATA COLLECTION & STATISTICS
Pursuant to Idaho Code Ann. § 67-3006, the BCI publishes an annual report on statewide crime statistics, including hate crime. The 1999-2016 editions of Crime in Idaho can be found on the ISP website.6

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the BCI include data on anti-Islamic (Muslim) hate crime. The BCI tabulates hate crime data according to the number of incidents per disaggregated bias motivation category. The BCI does not currently provide anti-Arab hate crime statistics.

• ANTI-ARAB HATE CRIME STATISTICS
  The BCI does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  Anti-Islamic (Muslim) hate crime statistics are provided in the 1999-2016 editions of Crime in Idaho. According to the BCI, 2 anti-Islamic (Muslim) hate crime incidents were reported in Idaho in 2016.

TABLE 1: ANNUAL STATEWIDE HATE CRIME (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
<th>'06</th>
<th>'07</th>
<th>'08</th>
<th>'09</th>
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<th>'11</th>
<th>'12</th>
<th>'13</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anti-Islamic</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>0</td>
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<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
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<td>4</td>
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<td>2</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, a single anti-Arab hate crime incident and 2 anti-Islamic (Muslim) hate crime incidents were reported in Idaho in 2016. The BCI does not publish annual statistics on anti-Arab hate crime, and therefore most likely recorded the anti-Arab hate crime incident under the composite race/ethnicity/ancestry category. Idaho law enforcement agencies submit hate crime data to the FBI UCR Program through the BCI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

84 | Arab American Institute Foundation
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Idaho submit hate crime data to the FBI UCR Program through the BCI. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 27 hate crime incidents were reported in Idaho in 2016.

In 2016, 14 of the 111 Idaho law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Idaho Falls Police Department, which represents the fourth largest city in Idaho, submitted only zero data.

According to annual hate crime statistics published by the BCI, 28 hate crime incidents were reported in Idaho in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>35</td>
</tr>
<tr>
<td>12</td>
<td>32</td>
</tr>
<tr>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td>19</td>
<td>34</td>
</tr>
<tr>
<td>14</td>
<td>27</td>
</tr>
</tbody>
</table>

SUMMARY

The current Idaho hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity. While Idaho has statutes that require reporting and data collection, there is no state law regarding mandatory police training on hate crime. Despite the lack of a statutory provision, Idaho has developed training materials on recognizing and reporting hate crime, and has distributed those materials to all law enforcement departments within the state. The Idaho State Police, Bureau of Criminal Identification, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. *Copies of Crime in Idaho* can be found on the ISP website and include anti-Islamic (Muslim) hate crime statistics. The BCI does not publish annual statistics on anti-Arab hate crime. In 2016, 14 Idaho law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 97 participating agencies provided only zero data. A total of 2 participating agencies recorded blank data in at least one quarterly submission period. Idaho receives an overall score of 65 points, denoting an average response to hate crime.

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ADVOCA CY RESOURCES - Idaho

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Idaho receives an overall score of 65, denoting an average response to hate crime. Advocates for an improved response to hate crime in Idaho should promote the following:

1. The current Idaho hate crime statute offers protections for race, color, religion, ancestry, and national origin. The **Idaho hate crime statute should be amended** to include protections for citizenship status, ethnicity, disability, age, gender or gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While Idaho state code requires hate crime reporting and data collection, Idaho’s annual hate crime report does not provide statistics conforming to national standards. The Idaho Bureau of Criminal Identification must publish statistics in accordance with the bias motivation categories identified in *Hate Crime Statistics*. Currently, the BCI does not provide hate crime statistics relating to gender, gender identity, or the eight additional bias motivation categories introduced to national data collections in 2015.

3. Idaho state code does not require specific law enforcement training on hate crime. The Idaho Peace Officer Standards and Training Council must establish requirements for peace officer basic training relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Idaho should contact current state legislators and members of Congress.

Idaho Legislature
Senate: (208) 332-1000 | House: (208) 332-1000
https://legislature.idaho.gov/legislators

United States Senate
Contact: Idaho
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Idaho
https://www.house.gov/representatives#state-idaho
Illinois is the 5th most populated state and has the 6th largest Arab American population.

The Illinois State Police is the state agency responsible for the collection and publication of hate crime data. According to the ISP, there were three anti-Arab hate crime incidents reported throughout Illinois in 2016.

**HATE CRIME STATUTE**
720 Ill. Comp. Stat. § 5/12-7.1 provides enhanced penalties for crimes motivated by an individual's or group of individual's “actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin.”

In this context, sexual orientation is defined so as to include a person's actual or perceived “gender-related identity, whether or not traditionally associated with the person's designated sex at birth.”

Pursuant to 730 Ill. Comp. Stat. § 5/5-5-3.2, whether a defendant committed an offense against a person with a physical disability or their property, against a person over 60 years old or their property, or “by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin,” may be considered an aggravating factor in sentencing.

**DATA COLLECTION STATUTE**
50 Ill. Comp. Stat. § 709/5-12 requires law enforcement agencies to submit a monthly report of “incident-based information on hate crimes including information describing the offense, location of the offense, type of victim, offender, and bias motivation” to the Department of State Police. Pursuant to this section, the ISP is required to publish annual compilations of crime statistics, including hate crime.

**LAW ENFORCEMENT TRAINING STATUTE**
20 Ill. Comp. Stat. § 2605-390 requires the Department of State Police to “provide training for State Police officers in identifying, responding to, and reporting all hate crimes.” The Illinois Law Enforcement Training Standards Board is responsible for the development and certification of hate crime training.
DATA COLLECTION & STATISTICS
In accordance with 20 Ill. Comp. Stat. § 2630/8, the ISP publishes an annual report on statewide hate crime statistics, including hate crime. Hate crime statistics were first provided in the 1996 edition of Crime in Illinois. The 1997-2015 editions of Crime in Illinois can be found on the ISP website. The ISP provided anti-Arab and anti-Islamic (Muslim) hate crime data for 2016.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the ISP include data on anti-Arab and anti-Islamic (Muslim) hate crime. The ISP tabulates hate crime data according to the number of offenses per disaggregated bias motivation category.

ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1996-2011 and 2015-2016 editions of Crime in Illinois. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime offenses. According to the ISP, 3 anti-Arab hate crime offenses were reported in Illinois in 2016.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1996-2016 editions of Crime in Illinois. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. According to the ISP, 5 anti-Islamic (Muslim) hate crime offenses were reported in Illinois in 2016.

CRIME IN ILLINOIS HATE CRIME OFFENSES (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
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<th>'08</th>
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<th>'10</th>
<th>'11</th>
<th>'12</th>
<th>'13</th>
<th>'14</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>9</td>
<td>49</td>
<td>7</td>
<td>21</td>
<td>9</td>
<td>2</td>
<td>6</td>
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<td>0</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>10</td>
<td>3</td>
<td>5</td>
<td>7</td>
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<td>2</td>
<td>8</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
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<td>2</td>
<td>5</td>
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<td>7</td>
<td>6</td>
<td>10</td>
<td>4</td>
<td>9</td>
<td>0</td>
<td>-</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 3 anti-Arab and 5 anti-Islamic (Muslim) hate crime incidents, each involving a single offense, were reported in Illinois in 2016. This total is consistent with ISP statistics, which are offense-based. Illinois law enforcement agencies submit hate crime data to the FBI UCR Program through the ISP.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>2</td>
<td>5</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Illinois UCR program is one of 15 state programs that still rely exclusively on SRS data. In 2016, the ISP received a grant of $801,741 to “develop NIBRS-compliant software to enable it to serve as the NIBRS repository.” A portion of the funds were allocated to individual police departments within the state. The grant was made through the National Crime Statistics Exchange (NCS-X) Initiative.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Illinois State Police
801 South Seventh Street, 300 South Springfield, Illinois 62703-2487
(217) 557-6482
www.isp.state.il.us
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^\text{13}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^\text{14}\)

FBI HATE CRIME STATISTICS: ILLINOIS 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>59</td>
<td>69</td>
<td>69</td>
<td>59</td>
<td>73</td>
<td>329</td>
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<td>Religion</td>
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<td>7</td>
<td>14</td>
<td>12</td>
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<td>52</td>
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<td>Sexual orientation</td>
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<td>29</td>
<td>26</td>
<td>16</td>
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<td>111</td>
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<td>1</td>
<td>2</td>
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<tr>
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<td>0</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>84</td>
<td>105</td>
<td>109</td>
<td>90</td>
<td>111</td>
<td>499</td>
</tr>
</tbody>
</table>

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>49</td>
<td>84</td>
</tr>
<tr>
<td>38</td>
<td>105</td>
</tr>
<tr>
<td>48</td>
<td>109</td>
</tr>
<tr>
<td>43</td>
<td>90</td>
</tr>
<tr>
<td>42</td>
<td>111</td>
</tr>
</tbody>
</table>

SUMMARY

Illinois has an inclusive hate crime statute. Furthermore, Illinois has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Illinois State Police maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Illinois* can be found on the ISP website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 42 Illinois law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 696 participating agencies provided only zero data. A total of 28 participating agencies recorded blank data in at least one quarterly submission period. Illinois receives an overall score of 100 points, denoting a strong response to hate crime.


IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Illinois receives an overall score of 100, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in Illinois should promote the following:

1. The current Illinois hate crime statute offers protections for race, color, creed, religion, ancestry, gender or gender identity, sexual orientation, physical or mental disability, and national origin. The **Illinois hate crime statute should be amended** to include protections for citizenship status, ethnicity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. Illinois must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

STATE CONTACTS

Advocates for an improved response to hate crime in Illinois should contact current state legislators and members of Congress.

**Illinois General Assembly**

- Senate: [http://www.ilga.gov/senate](http://www.ilga.gov/senate)
- House: [http://www.ilga.gov/house](http://www.ilga.gov/house)

**United States Senate**

- Contact: Illinois
  [https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**

- Directory of Representatives: Illinois
  [https://www.house.gov/representatives#state-illinois](https://www.house.gov/representatives#state-illinois)
Indiana is the 17th most populated state and has the 24th largest Arab American population.

The Indiana State Police is the state agency responsible for the collection and publication of hate crime data. The ISP does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

Indiana is one of five states, along with Arkansas, Georgia, South Carolina, and Wyoming, that do not have a hate crime statute.

**DATA COLLECTION STATUTE**

While Indiana is one of five states in the nation that lack a hate crime statute, Indiana does have a law regarding hate crime reporting and data collection.

Ind. Code § 10-13-3-38 requires law enforcement agencies to submit information concerning bias crimes to the ISP, which is then compiled and published in an annual bias crime report.\(^1\) Ind. Code § 10-13-3-1 defines bias crime as an offense in which the defendant knowingly or intentionally injures another person, or damages or otherwise affects their property, because of their “color, creed, disability, national origin, race, religion, or sexual orientation” or because of their “association with any other recognizable group or affiliation.”\(^2\)

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Indiana statute that requires specific law enforcement training on hate crime. Ind. Code § 5-2-1-9 requires the Indiana Law Enforcement Training Board to establish minimum standards for courses of study on cultural diversity awareness, which are mandatory at law enforcement training schools and must include instruction on “cultural issues related to race, religion, gender, age, domestic violence, national origin, and physical and mental disabilities.”\(^3\)

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DATA COLLECTION & STATISTICS
Pursuant to Ind. Code § 10-13-3-38, the ISP compiles and publishes annual hate crime statistics. The 2001-2016 editions of Indiana Bias Crime Report can be found on the ISP website.4

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the ISP include data on anti-Islamic (Muslim) hate crime. The ISP tabulates hate crime data according to the number of incidents per disaggregated bias motivation category. The ISP does not currently provide anti-Arab hate crime statistics.

• ANTI-ARAB HATE CRIME STATISTICS
The ISP does not publish annual statistics on anti-Arab hate crime. Indiana law enforcement agencies are equipped, however, to submit anti-Arab hate crime data to the ISP. Indiana’s recent NIBRS transition will augment ISP data collections and facilitate improved hate crime statistics.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2001-2016 editions of Indiana Bias Crimes Report. According to the ISP, 18 anti-Islamic (Muslim) hate crime incidents were reported in Indiana in 2001. From 2002 to 2016 there were 20 incidents reported.

INDIANA BIAS CRIME REPORT INCIDENTS (2000-2016)

| Bias motivation               | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                    | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   |
| Anti-Islamic (Muslim)        | -   | 18  | 1   | 2   | 1   | 0   | 0   | 1   | 1   | 1   | 1   | 1   | 0   | 8   | 2   | 2   |
| Anti-other race/ethnicity/ancestry | -   | 10  | 3   | 1   | 0   | 2   | 0   | 0   | 2   | 0   | 4   | 0   | 3   | 1   | 3   | 2   |

According to supplemental data from the FBI, Indiana law enforcement agencies reported five hate crime incidents involving anti-Arab or anti-Islamic (Muslim) bias to the ISP in 2016. As the ISP does not publish statistics on the category, the anti-Arab hate crime incidents listed in the federal data are likely reported as anti-other race/ethnicity/ancestry hate crimes in the 2016 edition of Indiana Bias Crime Report. Only two such incidents are provided in that report, suggesting further discrepancies between state and federal data.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>4</td>
<td>2</td>
</tr>
</tbody>
</table>

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{10}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{11}\)

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Indiana submit hate crime data to the FBI UCR Program through the ISP. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 78 hate crime incidents were reported in Indiana in 2016.

In 2016, 24 of the 164 Indiana law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Indiana submitted only zero data.

According to annual hate crime statistics published by the ISP, 69 hate crime incidents were reported in Indiana in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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SUMMARY
Indiana is one of five states, along with Arkansas, Georgia, South Carolina, and Wyoming, that do not have a hate crime statute. Even though Indiana lacks a hate crime statute, the state does have a statute that requires reporting and data collection — but not specific law enforcement training — on hate crime. The Indiana State Police maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Indiana Bias Crime Report* can be found on the ISP website and include anti-Islamic (Muslim) hate crime statistics. The ISP does not publish annual statistics on anti-Arab hate crime. In 2016, 24 Indiana law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 140 participating agencies provided only zero data. A total of 42 participating agencies recorded blank data in at least one quarterly submission period.

Indiana receives an overall score of 40 points, denoting a limited response to hate crime.

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ADVOCACY RESOURCES - Indiana

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Idaho receives an overall score of 65, denoting an average response to hate crime. Advocates for an improved response to hate crime in Idaho should promote the following:

1. **Indiana is one of five states without a hate crime statute.** The Indiana General Assembly must enact legislation for a new criminal statute prohibiting crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness, or association with a person or group with one of these actual or perceived characteristics. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute.

2. While Indiana does not have a hate crime statute, Indiana state code requires hate crime reporting and data collection. Discrepancies between state and federal data suggest that the Indiana State Police does not publish statistics on anti-Arab hate crime. Furthermore, the Indiana Bias Crime Report does not provide information on hate crime incidents motivated because of gender or gender identity. The Indiana State Police must publish hate crime statistics conforming to national standards.

3. Indiana state code does not require specific law enforcement training on hate crime. The Indiana Law Enforcement Training Board must establish minimum standards for courses of study relating to investigating and reporting hate crime incidents. As required by law, police training schools in Indiana must already include instruction on different cultural issues.

STATE CONTACTS
Advocates for an improved response to hate crime in Indiana should contact current state legislators and members of Congress.

**Indiana General Assembly**  
Senate: (317) 232-9400 | House: (317) 232-9600  
[http://iga.in.gov/legislative/find-legislators](http://iga.in.gov/legislative/find-legislators)

**United States Senate**  
Contact: Indiana  
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**  
Directory of Representatives: Indiana  
[https://www.house.gov/representatives#state-indiana](https://www.house.gov/representatives#state-indiana)
Iowa is the 30th most populated state and has the 37th largest Arab American population.

The Iowa Department of Public Safety, Program Services Bureau, is the state agency responsible for the collection and publication of hate crime data. According to the Iowa DPS, there were no anti-Arab hate crime incidents reported in Iowa in 2016.

**HATE CRIME STATUTE**
Iowa Code § 729A.2 defines hate crime as an offense committed against a person or a person’s property because of their “race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability,” or their association with a person “of a certain race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.”

Iowa Code §§ 708.2C, 712.9, 716.6A, and 716.8 provide enhanced penalties for criminal offenses that are also hate crimes.

The current Iowa hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**DATA COLLECTION STATUTE**
Iowa Code § 692.15 requires law enforcement agencies to report information concerning public offenses or delinquent acts, including hate crimes, to the Iowa DPS. The Department is required to generate crime statistics and submit reports to select government agencies on a quarterly and yearly basis.

**LAW ENFORCEMENT TRAINING STATUTE**
Housed within the Office of the Attorney General, the Prosecuting Attorneys Training Coordinator (PATC) provides “in-depth training programs” for county attorneys and law enforcement officials.

Pursuant to Iowa Code § 729A.5, the PATC is required to “develop a course of instruction for law enforcement personnel and prosecuting attorneys designed to sensitize those persons to the existence of violations of individual rights and the criteria for determining whether a violation of individual rights has occurred.”

501 IAC 3.5(80B) requires that a standard certifying “long course” at an approved law enforcement training facility provide instruction on the “investigation of specific crimes,” including hate crimes.

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DATA COLLECTION & STATISTICS
Pursuant to Iowa Code § 692.15, the Iowa DPS publishes an annual report on statewide crime statistics, including hate crime. The 1998-2016 editions of the Iowa UCR Report can be found on the Iowa DPS website. The State Library of Iowa has archived the 1995 and 1997 reports for online viewing.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the DPS include data on anti-Arab and anti-Islamic (Muslim) hate crime. The DPS tabulates hate crime data according to the number of victims per disaggregated bias motivation category in the 1995-2001 reports and incidents per disaggregated category in subsequent editions.

• ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1995-2016 editions of Iowa UCR Report. Law enforcement agencies in Iowa reported no anti-Arab hate crimes to the DPS from 2012 to 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1995-2016 editions of Iowa UCR Report. According to the DPS, a single anti-Islamic (Muslim) hate crime incident was reported in Iowa in 2016.

IOWA UCR REPORT HATE CRIME VICTIMS (2000); INCIDENTS (2001-2016)

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                        | 0   | 0   | 1   | 0   | 1   | 0   | 1   | 0   | 0   | 0   | 1   | 0   | 0   | 0   | 0   | 0   |
| Anti-Islamic (Muslim)            | 0   | 0   | 1   | 0   | 1   | 0   | 0   | 0   | 0   | 1   | 1   | 0   | 0   | 1   | 1   | 1   |
| Anti-other race/ethnicity/ancestry| 1   | 0   | 4   | 1   | 0   | 1   | 1   | 1   | 1   | 0   | 1   | 0   | 1   | 1   | 0   | 1   |

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Iowa in 2016. This total is consistent with DPS statistics. Iowa law enforcement agencies submit hate crime data to the FBI UCR Program through the DPS.

FBI HATE CRIME STATISTICS (2015-2016)

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<tr>
<td>Anti-Islamic (Muslim)</td>
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</tr>
</tbody>
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UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Iowa UCR program is one of 16 state programs that rely exclusively on NIBRS data.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Iowa Department of Public Safety
Program Services Bureau
215 East Seventh Street
Des Moines, Iowa 50319
(515) 725-6232
www.dps.state.ia.us

FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{11}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{12}\)

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Iowa submit hate crime data to the FBI UCR Program through the DPS. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 17 hate crime incidents were reported in Iowa in 2016.

In 2016, 12 of the 241 Iowa law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing three of the five largest cities in Iowa submitted only zero data.

According to annual hate crime statistics published by the DPS, 18 hate crime incidents were reported in Iowa in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2014 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

SUMMARY

The current Iowa hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. Iowa has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Iowa Department of Public Safety, Program Services Bureau, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of the *Iowa UCR Report* can be found on the Iowa DPS website. In 2016, 12 Iowa law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 229 participating agencies provided only zero data. A total of 20 participating agencies recorded blank data in at least one quarterly submission period. Iowa receives an overall score of 95 points, denoting a moderate response to hate crime.


IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Iowa receives an overall score of 95, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Iowa should promote the following:

1. The current Iowa hate crime statute offers protections for race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, and disability. The **Iowa hate crime statute should be amended** to include protections for citizenship status, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While Iowa state code requires reporting, data collection, and specific law enforcement training on hate crime, the Iowa Department of Public Safety does not publish hate crime statistics conforming to national standards. The Iowa UCR Report must provide statistics in accordance with the bias motivation categories identified in *Hate Crime Statistics*. Those categories include crimes relating to gender identity and the additional religious anti-bias categories introduced to national data collections in 2015.

STATE CONTACTS
Advocates for an improved response to hate crime in Iowa should contact current state legislators and members of Congress.

**Iowa Legislature**
Senate: (515) 281-3371 | House: (317) 281-3371
Senate: [https://www.legis.iowa.gov/legislators/senate](https://www.legis.iowa.gov/legislators/senate)
House: [https://www.legis.iowa.gov/legislators/house](https://www.legis.iowa.gov/legislators/house)

**United States Senate**
Contact: Iowa
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Iowa
[https://www.house.gov/representatives#state-iowa](https://www.house.gov/representatives#state-iowa)
Kansas is the 35th most populated state and has the 34th largest Arab American population. The Kansas Bureau of Investigation is the state agency responsible for the collection and publication of crime data. The KBI does not publish annual hate crime statistics.

**HATE CRIME STATUTE**

Kan. Stat. Ann. § 21-6815(c)(2)(C) permits enhanced sentencing for an offense motivated entirely or in part by a victim’s actual, believed, or perceived “race, color, religion, ethnicity, national origin or sexual orientation.” The defendant’s motivation in this case may be considered an aggravating factor regardless of whether their belief or perception was correct.

The current Kansas hate crime statute is not sufficiently inclusive, as it does not offer protections for disability, gender, or gender identity.

**DATA COLLECTION STATUTE**

There is no Kansas statute that requires hate crime reporting or data collection. Kan. Stat. Ann. § 22-4705(c) requires every criminal justice agency to report criminal history record information to the KBI.

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Kansas statute that requires specific law enforcement training on hate crime data. Kan. Stat. Ann. § 74-5603(c) requires the director of the Kansas Law Enforcement Training Center (KLETC) to determine the state’s basic police training curriculum, which is “subject to such changes and modification as are directed by the commission.”

Pursuant to Kan. Stat. Ann. § 74-5603(b), The KLETC Commission on Peace Officers’ Standards and Training has “approved, authorized, and required 560-hours as the minimum number of hours required for full-time law enforcement basic training in Kansas.”

As part of the 560-hour basic training curriculum, The KLETC has developed a two-hour course on hate crime. The purpose of the course is to teach officers “how to identify and conduct the preliminary investigation of a hate crime” by identifying and explaining “the range of roles, responsibilities, and challenges of responding to bias crimes in the field of law enforcement and the field of victim assistance.” The curriculum we have provided is dated July 31, 2013.

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DATA COLLECTION & STATISTICS
Housed within the Office of the Attorney General, the KBI maintains criminal justice records and publishes annual crime statistics. The 2003-2016 editions of Kansas Crime Index can be found on the KBI website. The reports do not provide hate crime statistics.6

The KBI collects both SRS and NIBRS crime data from reporting law enforcement agencies. According to the current edition of Kansas Incident Based Reporting Section (KIBRS) Handbook, all law enforcement agencies in Kansas reporting via KIBRS are required to communicate bias motivation relating to “race, religious beliefs, disability, ethnic/national origin, or sexual orientation.”7

ANNUAL STATEWIDE HATE CRIME REPORT
The KBI does not publish annual state-level hate crime statistics.

• ANTI-ARAB HATE CRIME STATISTICS
The KBI does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
The KBI does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE KANSAS BUREAU OF INVESTIGATION DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Kansas in 2016. Kansas law enforcement agencies submit hate crime data to the FBI UCR Program through the KBI.

FBI HATE CRIME STATISTICS (2015-2016)

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UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.8 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Kansas UCR program is one of 18 state programs that rely on both SRS and NIBRS data.9 In 2016, the Kansas Bureau of Investigation received a grant of $577,216 through the National Crimes Statistics Exchange (NCS-X) Initiative to assist the state’s transition to full NIBRS compliance.10

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Kansas Bureau of Investigation
Incident Based Reporting Section
1620 Southwest Tyler Street
Topeka, Kansas 66612
(785) 296-8279
www.accesskansas.org/kbi/

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Kansas submit hate crime data to the FBI UCR Program through the DPS. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 49 hate crime incidents were reported in Kansas in 2016.

In 2016, 30 of the 343 Kansas law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing three of the five largest cities in Kansas either did not participate in the national hate crime statistics program or submitted only zero data.

As the KBI does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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SUMMARY
The current Kansas hate crime statute is not sufficiently inclusive, as it does not offer protections for disability, gender, or gender identity. Kansas does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. Despite the lack of a statutory provision, Kansas’ basic law enforcement training curriculum, as of July 2013, includes a course on investigating and responding to hate crime. The Kansas Bureau of Investigation maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Kansas Crime Index can be found on the KBI website but do not include hate crime statistics. In 2016, 30 Kansas law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 313 participating agencies provided only zero data. A total of 37 participating agencies recorded blank data in at least one quarterly submission period. Kansas receives an overall score of 40 points, denoting a limited response to hate crime.

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IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Kansas receives an overall score of 40, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Kansas should promote the following:

1. The current Kansas hate crime statute offers protections for race, color, religion, ethnicity, national origin, and sexual orientation. The Kansas hate crime statute should be amended to include protections for citizenship status, disability, age, ancestry, gender or gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. Kansas state code does not require reporting, data collection, or specific law enforcement training on hate crime. Of the 343 Kansas law enforcement agencies participating in the national hate crime statistics program, only 30 agencies submitted incident reports for Hate Crime Statistics, 2016. Legislation should be introduced to address these shortcomings.

- Law enforcement agencies must report hate crimes to the Kansas Bureau of Investigation;
- The KBI must collect data and publish statistics, conforming to national standards, on the nature and extent of hate crime within the state;
- Kansas must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS;
- While the Kansas Law Enforcement Training Center Commission on Peace Officers' Standards and Training has incorporated hate crimes training into its basic curriculum, it is not clear whether this training is widely enforced. Mandatory instruction relating to investigating and reporting hate crime incidents should be required by law for full-time basic police training in Kansas.

STATE CONTACTS

Advocates for an improved response to hate crime in Kansas should contact current state legislators and members of Congress.

Kansas Legislature
Senate: http://www.kslegislature.org/li/b2017_18/chamber/senate/

United States Senate
Contact: Kansas
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Kansas
https://www.house.gov/representatives#state-kansas
**Kentucky** is the 26th most populated state and has the 30th largest Arab American population.

The Kentucky State Police, Criminal Identification and Records Branch, is the state agency responsible for the collection and publication of hate crime data. According to the CIRB, there were two anti-Arab hate crime incidents reported throughout Kentucky in 2016.

**Hate Crime Statute**

Ky. Rev. Stat. § 532.031 permits the denial of probation, other forms of non-imposition of sentencing, and parole to a defendant who commits an offense “because of race, color, religion, sexual orientation, or national origin of another individual or group of individuals or because of a person’s actual or perceived employment as a state, city, county, or federal peace officer, member of an organized fire department, or emergency medical services personnel.”

The current Kentucky hate crime statute is not sufficiently inclusive, as it does not offer protections for disability, gender, or gender identity.

Ky. Rev. Stat. § 532.031 was amended in 2017 to include a “Blue Lives Matter” provision, which classifies the intentional targeting of police officers and other first responders as a hate crime.

**Data Collection Statute**

Ky. Rev. Stat. § 17.1523(2) requires all law enforcement officers to indicate whether an offense is or appears to be bias-related when completing a uniform offense report. Pursuant to this section, the Kentucky Justice and Public Safety Cabinet (JPSC) is required to collect and analyze data on hate crime “to inform state policy.”

The KSP is an agency housed within the Justice and Public Safety Cabinet.

**Law Enforcement Training Statute**

Ky. Rev. Stat. § 15.334 requires the Kentucky Law Enforcement Council to approve mandatory subjects for all students attending a law enforcement basic training course in the state, including the “identification and investigation of, responding to, and reporting bias-related crime, victimization, or intimidation that is a result of or reasonably related to race, color, religion, sex, or national origin.”

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DATA COLLECTION & STATISTICS
Pursuant to Ky. Rev. Stat. § 17.147(7), the KSP tabulates and analyzes all data collected from law enforcement officers and criminal justice agencies and publishes an annual report on crime statistics for general distribution. The 1995-2016 editions of Crime in Kentucky can be found on the KSP website.

ANNUAL STATEWIDE HATE CRIME REPORT
Kentucky’s data collection statute requires the JPSC to "disseminate information on criminal justice issues and crime trends." In addition to Crime in Kentucky, the 1998-2016 editions of which provide hate crime statistics, the JPSC formerly published a specialized report on hate crime.

Published from 2002 to 2012, Hate Crime and Hate Incidents in the Commonwealth provided both state-level and federal hate crime statistics, information on state and federal hate crime statutes, and data on hate incidents reported in the media and from the Kentucky Commission on Human Rights. While state-level hate crime statistics published by the CIRB include data on anti-Arab and anti-Islamic (Muslim) hate crime, recent CIRB reports do not provide the same amount of information as described above.

The CIRB tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1998-2016 editions of Crime in Kentucky. According to the CIRB, 2 anti-Arab hate crime incidents were reported in Kentucky in 2016.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1998-2016 editions of Crime in Kentucky. The 2015-2016 CIRB reports suggest a resurgence of hate crimes targeting American Muslims.

CRIME IN KENTUCKY HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'13</th>
<th>'14</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>7</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>10</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>13</td>
<td>12</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>3</td>
<td>13</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>1</td>
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<td>4</td>
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<td>4</td>
<td>2</td>
<td>5</td>
<td>1</td>
<td>8</td>
<td>4</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Arab and 12 anti-Islamic (Muslim) hate crime incidents were reported in Kentucky in 2016. While this total is consistent with CIRB statistics, a 4-incident discrepancy occurs between state and federal statistics on anti-Islamic (Muslim) hate crime for 2015. Kentucky law enforcement agencies submit hate crime data to the FBI UCR Program through the CIRB.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>9</td>
<td>12</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Kentucky UCR program is one of 16 state programs that rely exclusively on NIBRS data.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Criminal Identification and Records Branch
Kentucky State Police
1266 Louisville Road
Frankfort, Kentucky 40601
(502) 227-8700
www.kentuckystatepolice.org

BIAS MOTIVATION

<table>
<thead>
<tr>
<th>Year</th>
<th>Anti-Arab</th>
<th>Anti-Islamic (Muslim)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2016</td>
<td>1</td>
<td>12</td>
</tr>
</tbody>
</table>

---

FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”13

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.14

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Kentucky submit hate crime data to the FBI UCR Program through the CIRB. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 206 hate crime incidents were reported in Kentucky in 2016.

In 2016, 79 of the 405 Kentucky law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

According to annual hate crime statistics published by the CIRB, 294 hate crime incidents were reported in Kentucky in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>203</td>
<td>87</td>
</tr>
<tr>
<td>2013</td>
<td>171</td>
<td>77</td>
</tr>
<tr>
<td>2014</td>
<td>163</td>
<td>84</td>
</tr>
<tr>
<td>2015</td>
<td>188</td>
<td>83</td>
</tr>
<tr>
<td>2016</td>
<td>206</td>
<td>79</td>
</tr>
</tbody>
</table>

SUMMARY

The current Kentucky hate crime statute is not sufficiently inclusive, as it does not offer protections for disability, gender, or gender identity. The Kentucky hate crime statute was amended in 2017 to include a “Blue Lives Matter” provision. Kentucky has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Kentucky State Police, Criminal Identification and Records Branch, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Kentucky can be found on the KSP website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. The 2002-2012 editions of Hate Crime and Hate Incidents in the Commonwealth can be found on the Kentucky Justice and Public Safety Cabinet website. In 2016, 79 Kentucky law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 326 participating agencies provided only zero data. A total of 3 participating agencies recorded blank data in at least one quarterly submission period. Kentucky receives an overall score of 85 points, denoting a moderate response to hate crime.

ADVOCACY RESOURCES - Kentucky

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Kentucky receives an overall score of 85, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Kentucky should promote the following:

1. The current Kentucky hate crime statute offers protections for race, color, religion, sexual orientation, and national origin. The **Kentucky hate crime statute should be amended** to include protections for citizenship status, ethnicity, disability, ancestry, gender or gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. Kentucky state code requires the Kentucky Law Enforcement Council to approve mandatory subjects for basic training courses relating to race, color, religion, sex, or national origin bias-motivated crimes. The topics of instruction should be broadened to include investigating, reporting, and responding to hate crime incidents related to a wider ranges of bias motivations, particularly disability and gender identity.

STATE CONTACTS
Advocates for an improved response to hate crime in Kentucky should contact current state legislators and members of Congress.

**Kentucky Legislature**
Both Chambers: (502) 564-8100  
Senate: [http://lrc.ky.gov/Senate.htm](http://lrc.ky.gov/Senate.htm)  
House: [http://lrc.ky.gov/House.htm](http://lrc.ky.gov/House.htm)

**United States Senate**
Contact: Kentucky  
[https://www senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Kentucky  
[https://www.house.gov/representatives#state-kentucky](https://www.house.gov/representatives#state-kentucky)
Louisiana is the 25th most populated state and has the 23rd largest Arab American population.

The Louisiana Commission on Law Enforcement and the Administration of Criminal Justice (LCLE) is the state agency responsible for the collection and publication of hate crime data. The LCLE does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**
La. Rev. Stat. § 14:107.2 provides enhanced penalties for certain offenses against persons and property that are motivated because of the “actual or perceived race, age, gender, religion, color, creed, disability, sexual orientation, national origin, or ancestry of that person or the owner or occupant of that property or because of actual or perceived membership or service in, or employment with, an organization, or because of actual or perceived employment as a law enforcement officer, firefighter, or emergency medical services personnel.” The “Blue Lives Matter” provision of the Louisiana hate crime statute was added in 2016.

The current Louisiana hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**DATA COLLECTION STATUTE**
La. Rev. Stat. § 15:1204.2 requires the LCLE to present an annual report on crime-related data received from law enforcement agencies in the state. The report must include data collected relating to hate crimes. While Section 15:1204.2 requires the Commission to supply law enforcement agencies with incident report forms that contain information regarding hate crimes, there is no statute with an explicit mandate for law enforcement agencies to report hate crimes. All Louisiana law enforcement agencies reporting via the LIBRS (Louisiana Incident-Based Reporting System) are required to indicate whether a criminal offense contains an element of “prejudice or bias toward a group of people or an individual member of a group.”

The LCLE does not publish anti-Arab hate crime statistics.

**LAW ENFORCEMENT TRAINING STATUTE**
La. Rev. Stat. § 40:2403H.(1) authorizes the Louisiana Council on Peace Officer Standards and Training to “establish and implement curricula and publish training materials to train peace officers to identify, respond to, and report all crimes which are directed against individuals or groups, or their property, by reason of their actual or perceived race, age, gender, religion, color, creed, disability, sexual orientation, national origin, or ancestry.”

| LOUISIANA |
|-------------------------|-------|
| **Hate Crime Statute**  | 35/40 |
| No statute; civil action or civil rights law | - |
| Hate crime statute, with protections for: | 10 |
| Race/ethnicity/ancestry | 5 |
| Religion | 5 |
| Sexual orientation | 5 |
| Disability | 5 |
| Gender | 5 |
| Gender identity | - |
| **Data Collection Statute** | 5/15 |
| Data collection (voluntary reporting) | 5 |
| Mandatory reporting and data collection | - |
| **Law Enforcement Training Statute** | 15/15 |
| No statute; comprehensive training | - |
| Mandatory training | 15 |
| **Annual Hate Crime Report** | 10/20 |
| Annual hate crime report, including: | 10 |
| Anti-Arab hate crime statistics | - |
| Anti-Islamic (Muslim) hate crime statistics | - |
| **FBI Hate Crime Statistics Participant** | 10/10 |
| **TOTAL** | 75 |

---

DATA COLLECTION & STATISTICS
Pursuant to La. Rev. Stat. § 15:204.2, the Louisiana Statistical Analysis Center publishes an annual report on statewide crime statistics, including hate crime. The 2005-2015 editions of Crime in Louisiana can be found on the LCLE website.\(^7\)

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the Louisiana Statistical Analysis Center, which is housed within the LCLE, do not include data on anti-Arab or anti-Islamic (Muslim) hate crime. The LCLE tabulates hate crime data according to the number of incidents per aggregate bias motivation category.

• ANTI-ARAB HATE CRIME STATISTICS
The LCLE does not publish annual statistics on anti-Arab hate crime. All hate crime incidents relating to race, ethnicity, and ancestry are recorded under a composite category.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
The LCLE does not publish annual statistics on anti-Islamic (Muslim) hate crime. All hate crime incidents relating to religion are recorded under a composite category.

THE LCLE STATISTICAL ANALYSIS CENTER DOES NOT PUBLISH ANNUAL DISAGGREGATED HATE CRIME STATISTICS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, a single anti-Arab hate crime incident and 2 anti-Islamic (Muslim) hate crime incidents were reported in Louisiana in 2016. Louisiana law enforcement agencies submit hate crime data to the FBI UCR Program through the LCLE.

5 Id., at 48.
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." 13

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program. 14

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Louisiana submit hate crime data to the FBI UCR Program through the LCLE. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 26 hate crime incidents were reported in Louisiana in 2016.

In 2016, 10 of the 139 Louisiana law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing three of the five largest cities in Louisiana either did not participate in the national hate crime statistics program or recorded blank data in at least one quarterly submission period.


PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

- Agencies submitting incident reports
- Total number of incidents reported

<table>
<thead>
<tr>
<th>Year</th>
<th>Race/ethnicity/ancestry</th>
<th>Religion</th>
<th>Sexual orientation</th>
<th>Disability</th>
<th>Gender</th>
<th>Gender identity</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>3</td>
<td>4</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>26</td>
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<td>2013</td>
<td>6</td>
<td>9</td>
<td>15</td>
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<td>50</td>
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<td>2014</td>
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<td>75</td>
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<tr>
<td>2015</td>
<td>38</td>
<td>38</td>
<td>38</td>
<td>38</td>
<td>38</td>
<td>38</td>
<td>192</td>
</tr>
<tr>
<td>2016</td>
<td>26</td>
<td>26</td>
<td>26</td>
<td>26</td>
<td>26</td>
<td>26</td>
<td>100</td>
</tr>
</tbody>
</table>

SUMMARY

The current Louisiana hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. While the Louisiana Commission on Law Enforcement is required to collect data on hate crime, law enforcement agencies within the state are not required to report it. There is, however, a statute that requires specific law enforcement training on hate crime. The Louisiana Commission on Law Enforcement maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Prepared in conjunction with the Louisiana Statistical Analysis Center, the 2014-2015 editions of Crime in Louisiana can be found on the LCLE website and include hate crime statistics. The LCLE does not publish annual statistics on anti-Arab or anti-Islamic (Muslim) hate crime. In 2016, 10 Louisiana law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 129 participating agencies provided only zero data. A total of 75 participating agencies recorded blank data in at least one quarterly submission period. Louisiana receives an overall score of 75 points, denoting an average response to hate crime.
IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Louisiana receives an overall score of 75, denoting an average response to hate crime. Advocates for an improved response to hate crime in Louisiana should promote the following:

1. The current Louisiana hate crime statute offers protections for race, age, gender, religion, color, creed, disability, sexual orientation, national origin, and ancestry. The **Louisiana hate crime statute should be amended** to include protections for citizenship status, ethnicity, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the Louisiana Commission on Law Enforcement is required to collect data on hate crime, law enforcement agencies in Louisiana are not required to report hate crime incidents. Of the 139 Louisiana law enforcement agencies participating in the national hate crime statistics program, only 10 agencies submitted incident reports for *Hate Crime Statistics, 2016*. **Legislation should be introduced** to address these shortcomings.

   - Law enforcement agencies must report hate crimes to the Louisiana Commission on Law Enforcement;
   - The LCLE must collect data and publish statistics, conforming to national standards, on the nature and extent of hate crime within the state. Currently, the Louisiana annual hate crime report does not provide statistics according to disaggregated bias motivation categories. The LCLE must publish statistics in accordance with the bias motivation categories identified in *Hate Crime Statistics*;
   - Louisiana must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in Louisiana should contact current state legislators and members of Congress.

**Louisiana State Legislature**
Senate: (225) 342-2040 | House: (225) 343-6945
Senate: [http://senate.la.gov](http://senate.la.gov)

**United States Senate**
Contact: Louisiana
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Louisiana
[https://www.house.gov/representatives#state-louisiana](https://www.house.gov/representatives#state-louisiana)
MAINE

Total population: 1,331,479
Rank of Arab American population by state: 41

ME does not publish anti-Arab hate crime statistics.

Maine is the 42nd most populated state and has the 41st largest Arab American population.

The Maine State Police, Bureau of Identification, is the state agency responsible for the collection and publication of hate crime data. The Maine SBI does not currently publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

Me. Rev. Stat. tit. 17, § 2931 prohibits a person from intimidating, interfering, intentionally oppressing, or threatening any other person in the free exercise or enjoyment of their civil rights. Me. Rev. Stat. tit. 17-A, § 1151.8.B permits enhanced sentencing in the case of certain aggravating factors, including the defendant’s selection of a person or a person’s property because of their “race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation or homelessness.” Elsewhere in Maine Revised Statutes, sexual orientation is defined as “a person’s actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.” This definition is pursuant to the Maine Human Rights Act.

The current Maine hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**DATA COLLECTION STATUTE**

Me. Rev. Stat. tit. 25, § 1554 requires all Maine law enforcement agencies to submit uniform crime reports, including information on crimes that “manifest evidence of prejudice based on race, religion, disability, sexual orientation or ethnicity,” to the Maine SBI. The SBI is in turn required to compile this information and submit annual reports to the governor, legislature, and law enforcement agencies throughout the state.

**LAW ENFORCEMENT TRAINING STATUTE**

Me. Rev. Stat. tit. 25, § 2803-B requires all Maine law enforcement agencies to adopt “written policies regarding procedures” to deal with hate or bias crimes. The chief administrative officer of each agency is required to certify to the Maine Criminal Justice Academy Board of Trustees that “attempts were made to obtain public comment during the formulation of policies.” Pursuant to Me. Rev. Stat. tit. 25, § 2803-B, the Board is required “to establish training and certification standards for all law enforcement officers” in Maine. The Board’s current minimum standards on the hate or bias crimes policy require that reporting officers are knowledgeable of hate crime and appropriate investigative procedures, and that every law enforcement agency “recognizes the importance of investigating all bias motivated complaints.”

---

**Table: Hate Crime in Maine**

<table>
<thead>
<tr>
<th>State</th>
<th>Hate Crime Statute</th>
<th>Data Collection Statute</th>
<th>Law Enforcement Training Statute</th>
<th>Annual Hate Crime Report</th>
<th>FBI Hate Crime Statistics Participant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maine</td>
<td>35/40</td>
<td>15/15</td>
<td>15/15</td>
<td>15/20</td>
<td>10/10</td>
</tr>
</tbody>
</table>

---

6 Id.
DATA COLLECTION & STATISTICS
Pursuant to Me. Rev. Stat. tit. 25, § 1554, The Maine SBI publishes an annual report based on UCR submissions from law enforcement agencies across the state. The 1995-2016 editions of Crime in Maine can be found on the Maine Department of Public Safety website and include hate crime statistics.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the SBI include data on anti-Islamic (Muslim) hate crime. Law enforcement agencies in Maine began reporting hate crimes to the state’s UCR division in 1992. The SBI tabulates hate crime data according to the number of incidents per disaggregated bias motivation category. The SBI does not currently provide anti-Arab hate crime statistics.

ANTI-ARAB HATE CRIME STATISTICS
- Anti-Arab hate crime statistics are provided in the 1995-2008 editions of Crime in Maine. In recent editions, anti-Arab hate crimes are recorded under a composite ethnicity/national origin category.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1995-2016 editions of Crime in Maine. The 2014-2016 SBI reports suggest an escalation of hate crimes targeting American Muslims.

CRIME IN MAINE HATE CRIME INCIDENTS (2000-2016)

| Bias motivation             | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|-----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Anti-Islamic (Muslim)       | 0   | 1   | 1   | 1   | 2   | 0   | 0   | 1   | 1   | 1   | 1   | 1   | 4   | 5   | 6   |
| Anti-other race/ethnicity   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |

According to supplemental data from the FBI, 11 anti-Islamic (Muslim) hate crime incidents were reported in Maine from 2015 to 2016. This total is consistent with SBI statistics. Maine law enforcement agencies submit hate crime data to the FBI UCR Program through the SBI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>
Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."17

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.18

FBI HATE CRIME STATISTICS: MAINE 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>23</td>
<td>12</td>
<td>12</td>
<td>16</td>
<td>21</td>
<td>84</td>
</tr>
<tr>
<td>Religion</td>
<td>10</td>
<td>3</td>
<td>8</td>
<td>9</td>
<td>11</td>
<td>41</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>19</td>
<td>10</td>
<td>8</td>
<td>13</td>
<td>8</td>
<td>58</td>
</tr>
<tr>
<td>Disability</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Gender</td>
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</tr>
<tr>
<td>Total</td>
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<td>25</td>
<td>28</td>
<td>38</td>
<td>40</td>
<td>183</td>
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</tbody>
</table>

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Maine submit hate crime data to the FBI UCR Program through the SBI. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 40 hate crime incidents were reported in Maine in 2016.

In 2016, 14 of the 199 Maine law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Maine submitted only zero data.

According to annual hate crime statistics published by the SBI, 40 hate crime incidents were reported in Maine in 2016. This total is consistent with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012 and 2013.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>52</td>
</tr>
<tr>
<td>17</td>
<td>25</td>
</tr>
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<td>15</td>
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</tr>
<tr>
<td>14</td>
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<tr>
<td>14</td>
<td>40</td>
</tr>
</tbody>
</table>

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>52</td>
</tr>
<tr>
<td>17</td>
<td>25</td>
</tr>
<tr>
<td>15</td>
<td>28</td>
</tr>
<tr>
<td>14</td>
<td>38</td>
</tr>
<tr>
<td>14</td>
<td>40</td>
</tr>
</tbody>
</table>

SUMMARY

The current Maine hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. We should note that elsewhere in Maine Revised Statutes, “sexual orientation,” for which there is a provision in Maine’s hate crime law, is defined so as to include gender identity. Maine has statutes that require reporting and data collection on hate crime. Furthermore, law enforcement agencies in Maine are required to adopt minimum standards on policies regarding hate crime, which must include a provision that law enforcement officers are knowledgeable about hate crime and appropriate investigative procedures. The Maine State Bureau of Identification maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Maine can be found on the SBI website and include anti-Islamic (Muslim) hate crime statistics. The SBI does not currently publish annual statistics on anti-Arab hate crime. In 2016, 14 Maine law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 185 participating agencies provided only zero data. A single participating agency recorded blank data in at least one quarterly submission period. Maine receives an overall score of 90 points, denoting a moderate response to hate crime.

**ADVOCACY RESOURCES - Maine**

**IMPROVING THE RESPONSE**
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

**STATE RECOMMENDATIONS**
According to our rating methodology, Maine receives an overall score of 90, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Maine should promote the following:

1. The current Maine hate crime statute offers protections for race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation, and homelessness. **The Maine hate crime statute should be amended** to include protections for citizenship status, ethnicity, age, gender identity, or association with a person or group with one of these actual or perceived characteristics.

2. Maine state code requires reporting, data collection, and specific law enforcement training on hate crime. Of the 199 Maine law enforcement agencies participating in the national hate crime statistics program, only 14 agencies submitted incident reports for *Hate Crime Statistics, 2016*. Maine’s annual hate crime report does not provide statistics conforming to national standards.
   - **Maine must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection.** By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.
   - **Recent editions of *Crime in Maine* do not provide hate crime statistics in accordance with the bias motivation categories identified in *Hate Crime Statistics*.** The Maine State Bureau of Identification must publish statistics on hate crimes relating to gender and gender identity, in addition to the eight bias motivation categories introduced to national data collections in 2015. These categories include anti-Arab bias and seven religious anti-bias categories, such as Anti-Sikh and Anti-Hindu.

**STATE CONTACTS**
Advocates for an improved response to hate crime in Maine should contact current state legislators and members of Congress.

**Maine State Legislature**
- Senate: (207) 287-1540 | House: (207) 287-1400

**United States Senate**
- Contact: Maine
  - [https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
- Directory of Representatives: Maine
  - [https://www.house.gov/representatives#state-maine](https://www.house.gov/representatives#state-maine)
Maryland is the 19th most populated state and has the 13th largest Arab American population.

The Maryland State Police (MSP), Central Records Division, is the state agency responsible for the collection and publication of hate crime data. According to the MSP, there was a single anti-Arab hate crime incident reported in Maryland in 2016.

**HATE CRIME STATUTE**

Md. Code, Crim. Law § 10-304 prohibits a person from committing or attempting to commit a crime against another person or their property because of their “race, color, religious beliefs, sexual orientation, gender, disability, or national origin, or because another is homeless.” Md. Code, Crim. Law § 10-306 provides enhanced penalties for any person who violates crimes listed under the hate crime statute. Furthermore, Md. Code, Crim. Law § 10-307 permits increased sentencing for criminal offenses that violate the state’s hate crime statute.

Pursuant to Maryland’s hate crime statute, sexual orientation is defined so as to include gender-related identity.

**DATA COLLECTION STATUTE**

Md. Code, Pub. Safety § 2-307 requires Maryland local law enforcement agencies to submit information about incidents “apparently directed against an individual or group because of race, religion, ethnicity, or sexual orientation” to the Department of State Police (MSP). Pursuant to Section 2-307, the MSP is required to collect, analyze, and report this information each month to the Commission on Civil Rights.

Passed in 1981, Maryland’s hate crime data collection law is the first of its kind.

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Maryland statute that requires specific law enforcement training on hate crime. Pursuant to Md. Code, Pub. Safety § 3-207(a)(16), the curriculum and minimum standards for entry-level police training in Maryland must include “sensitivity to cultural and gender diversity,” in addition to “training regarding individuals with physical, intellectual, developmental, and psychiatric disabilities.”

The Maryland Police Training and Standards Commission is responsible for the establishment of curricula and minimum courses of study at all police training schools within the state. Code of Maryland Regulations 12.04.01.09 defines the minimum standards for entrance-level training for police officers. Those regulations, current to November 1, 2017, do not include training requirements on hate crime.

### Maryland

<table>
<thead>
<tr>
<th>Hate Crime Statute</th>
<th>40/40</th>
</tr>
</thead>
<tbody>
<tr>
<td>No statute; civil action or civil rights law</td>
<td>-</td>
</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
<td>10</td>
</tr>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>5</td>
</tr>
<tr>
<td>Religion</td>
<td>5</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>5</td>
</tr>
<tr>
<td>Disability</td>
<td>5</td>
</tr>
<tr>
<td>Gender</td>
<td>5</td>
</tr>
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<td>Gender identity</td>
<td>5</td>
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<table>
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<th>Data Collection Statute</th>
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<tr>
<td>Data collection (voluntary reporting)</td>
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<tr>
<td>Mandatory reporting and data collection</td>
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<thead>
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<th>Law Enforcement Training Statute</th>
<th>0/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>No statute; comprehensive training</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory training</td>
<td>-</td>
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<table>
<thead>
<tr>
<th>Annual Hate Crime Report</th>
<th>20/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual hate crime report, including:</td>
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<tr>
<td>Anti-Arab hate crime statistics</td>
<td>5</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
<td>5</td>
</tr>
</tbody>
</table>

| FBI Hate Crime Statistics Participant | 10/10 |

| TOTAL | 85 |

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DATA COLLECTION & STATISTICS

Pursuant to Md. Code, Pub. Safety, § 2-307, and in cooperation with the Maryland Coordination and Analysis Center (MCAC), the MSP publishes an annual report on statewide hate crime statistics. The 2012-2016 editions of the State of Maryland Hate/Bias Report can be found on the MSP website.9

ANNUAL STATEWIDE HATE CRIME REPORT

State-level hate crime statistics published by the CRD include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CRD tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

State of Maryland Hate/Bias Report includes data on both hate crime incidents and bias incidents, which are defined as “incidents reported by the victim(s) or the investigating law enforcement officer(s) when perceived to be motivated by hate or bias.” The data consists of verified, inconclusive, and unfounded incidents.

- ANTI-ARAB HATE CRIME STATISTICS
  Anti-Arab hate crime statistics are provided in the 2011-2016 editions of Maryland Hate/Bias Report. According to the MSP, there was a single anti-Arab hate crime incident reported in Maryland in 2016. The report does not indicate whether the incident was verified, inconclusive, or unfounded.

- ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  Anti-Islamic (Muslim) hate crime statistics are provided in the 2011-2016 editions of Maryland Hate/Bias Report. The 2015-2016 CRD reports suggest an escalation of hate crimes targeting American Muslims.

MARYLAND HATE/BIAS REPORT INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
<th>'06</th>
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<th>'08</th>
<th>'09</th>
<th>'10</th>
<th>'11</th>
<th>'12</th>
<th>'13</th>
<th>'14</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancty</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>6</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Maryland in 2016. This total conflicts with MSP statistics. The CRD does not indicate which incidents are verified, inconclusive, or unfounded. Maryland law enforcement agencies submit hate crime data to the FBI UCR Program through the CRD.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>1</td>
</tr>
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</table>

UNIFORM CRIME REPORTING (UCR)

By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.11 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Maryland UCR program is one of 15 state programs that still rely exclusively on SRS data.12 The Montgomery County Police Department achieved full NIBRS status in 2017 and now reports NIBRS data directly to the FBI.13 The Central Records Division began planning in 2015 and remains in the early stages of a state-level NIBRS transition.14 According to the Bureau of Justice Statistics, Maryland has received funding through the National Crime Statistics Exchange (NCS-X) Initiative.15

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT

Central Records Division
Maryland State Police
1711 Belmont Avenue
Baltimore, Maryland 21244
(410) 298-3444
msp.ucr@maryland.gov

MARYLAND HATE/BIAS REPORT INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
<th>'06</th>
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<th>'11</th>
<th>'12</th>
<th>'13</th>
<th>'14</th>
<th>'15</th>
<th>'16</th>
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</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancty</td>
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<td>4</td>
<td>6</td>
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</tbody>
</table>

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Maryland in 2016. This total conflicts with MSP statistics. The CRD does not indicate which incidents are verified, inconclusive, or unfounded. Maryland law enforcement agencies submit hate crime data to the FBI UCR Program through the CRD.

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

14 Id., at 4.
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." 

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

Law enforcement agencies in Maryland submit hate crime data to the FBI UCR Program through the CRD. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 37 hate crime incidents were reported in Maryland in 2016.

In 2016, 10 of the 154 Maryland law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Maryland either did not participate in the national hate crime statistics program or submitted only zero data.

According to annual hate crime statistics published by the CRD, 285 hate/bias incidents, consisting of 93 verified incidents, were reported in Maryland in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

SUMMARY
Maryland has an inclusive hate crime statute. While Maryland has a statute that requires reporting and data collection, there is no state law regarding mandatory police training on hate crime. The Maryland State Police, Criminal Records Division, maintains the state clearinghouse for all police-reported crime data, including hate crime and hate/bias incidents. In conjunction with the State Police, the Maryland Coordination and Analysis Center publishes an annual report on hate crime and other incidents perceived to contain an element of bias. The 2012-2016 editions of the Maryland Hate/Bias Report can be found on the MCAC website and include both anti-Arab and anti-Islamic (Muslim) hate/bias statistics. In 2016, 10 Maryland law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 144 participating agencies provided only zero data. A total of 8 participating agencies recorded blank data in at least one quarterly submission period. Maryland receives an overall score of 85 points, denoting a moderate response to hate crime.

FBI HATE CRIME STATISTICS: MARYLAND 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
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<td>29</td>
<td>12</td>
<td>22</td>
<td>24</td>
<td>111</td>
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<tr>
<td>Religion</td>
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<td>15</td>
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<td>14</td>
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<td>42</td>
</tr>
<tr>
<td>Sexual orientation</td>
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<td>7</td>
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<td>7</td>
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<td>29</td>
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<td>Disability</td>
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<td>0</td>
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</tr>
<tr>
<td>Gender</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Gender identity</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>35</td>
<td>51</td>
<td>16</td>
<td>43</td>
<td>37</td>
<td>182</td>
</tr>
</tbody>
</table>

**ADVOCACY RESOURCES - Maryland**

**IMPROVING THE RESPONSE**
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

**STATE RECOMMENDATIONS**
According to our rating methodology, Maryland receives an overall score of 85, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Maryland should promote the following:

1. The current Maryland hate crime statute offers protections for race, color, religious beliefs, sexual orientation, which is defined so as to include gender identity, disability, national origin, and homelessness. The *Maryland hate crime statute should be amended* to include protections for citizenship status, ethnicity, age, ancestry, or association with a person or group with one of these actual or perceived characteristics.

2. Of the 154 Maryland law enforcement agencies participating in the national hate crime statistics program, only 10 agencies submitted incident reports for *Hate Crime Statistics, 2016*. Maryland must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

3. Maryland state code does not require specific law enforcement training on hate crime. The Maryland Police Standards Commission must establish minimum courses of study relating to investigating and reporting hate crime incidents in all police training schools within the state. As required by law, curriculum and minimum standards for entry-level police training in Maryland must already include instruction relating to cultural and gender diversity.

**STATE CONTACTS**
Advocates for an improved response to hate crime in Maryland should contact current state legislators and members of Congress.

**Maryland General Assembly**
Contact: (410) 841-3700
Both Chambers: [http://mgaleg.maryland.gov](http://mgaleg.maryland.gov)

**United States Senate**
Contact: Maryland
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Maryland
[https://www.house.gov/representatives#state-maryland](https://www.house.gov/representatives#state-maryland)
MASSACHUSETTS

Total population: 6,811,779
Rank of Arab American population by state: 10

10 anti-Arab hate crime incidents were reported in MA in 2016.

**Massachusetts** is the 15th most populated state and has the 10th largest Arab American population.

The Massachusetts State Police (MSP), Crime Reporting Unit (CRU), is the state agency responsible for the collection and publication of hate crime data. According to the MSP, there were 10 anti-Arab hate crime incidents reported throughout Massachusetts in 2016.

**HATE CRIME STATUTE**

Mass. Gen. Laws ch. 265, § 39 provides enhanced penalties for assault or battery upon a person or a person’s property with the intent to intimidate because of their “race, color, religion, national origin, sexual orientation, gender identity, or disability.”

Furthermore, a person convicted under the provisions of this section is required to complete a “diversity awareness program designed by the secretary of the executive office of public safety in consultation with the Massachusetts commission against discrimination and approved by the chief justice of the trial court.”

The current Massachusetts hate crime statute is not sufficiently inclusive, as it does not offer protections for gender.

**DATA COLLECTION STATUTE**

Mass. Gen. Laws ch. 22C, §§ 33–35 require a crime reporting unit (CRU) within the Department of State Police to collect and analyze all hate crime data from Massachusetts law enforcement agencies and maintain that data in a central repository.

Pursuant to Mass. Gen. Laws ch. 22C, § 34, the CRU is required to transmit reports on hate crime data to select government agencies and the general public.

According to 501 CMR 4.03, Massachusetts law enforcement agencies are required to complete and submit hate crime reports “for each criminal act that appears to be motivated by bias” to the CRU.

**LAW ENFORCEMENT TRAINING STATUTE**

Mass. Gen. Laws ch. 6, § 116B requires the Municipal Police Training Committee to “provide instruction for police officers in identifying, responding to and reporting all incidents of hate crime” and “include such instruction in all curricula for recruits and in-service trainees and in all police academies.”

Pursuant to Mass. Gen. Laws ch. 6, § 116, the Municipal Police Committee is housed within the Executive Office of Public Safety and Security (EOPSS) and is required to set policies and standards for the training of Massachusetts law enforcement officers.

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DATA COLLECTION & STATISTICS
In accordance with Mass. Gen. Laws ch. 22C, § 34, the MSP publishes an annual report on statewide hate crime statistics. The report is prepared in conjunction with the EOPSS. The 2003-2014 editions of *Hate Crime in Massachusetts* can be found on the EOPSS website. The 2016 report was published in November 2017.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CRU include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CRU tabulates hate crime data according to the number of incidents per disaggregated bias motivation category. Hate crime statistics for 2000-2016 are provided in the editions of *Hate Crime in Massachusetts* currently posted online.

• **ANTI-ARAB HATE CRIME STATISTICS**
  Anti-Arab hate crime statistics are provided in the 2003-2016 editions of *Hate Crime in Massachusetts*. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime incidents. The 2015-2016 CRU reports suggest a resurgence of hate crimes targeting Arab Americans.

• **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Anti-Islamic (Muslim) hate crime statistics are provided in the 2003-2016 editions of *Hate Crime in Massachusetts*. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime incidents. The 2015-2016 CRU reports also suggest a resurgence of hate crimes targeting American Muslims.

HATE CRIME IN MASSACHUSETTS INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
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<td>20</td>
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<td>17</td>
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</tbody>
</table>

According to supplemental data from the FBI, 9 anti-Arab and 13 anti-Islamic (Muslim) hate crime incidents were reported in Massachusetts in 2016. Disparate anti-Arab hate crime totals (either 9 incidents or 10) are recorded in different sections of *Hate Crime in Massachusetts, 2016*. In response to a public records request, the EOPSS provided data indicating a total of 10 incidents. Massachusetts law enforcement agencies submit hate crime data to the FBI UCR Program through the CRU.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
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</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>13</td>
<td>13</td>
</tr>
</tbody>
</table>


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120 | Arab American Institute Foundation
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Massachusetts submit hate crime data to the FBI UCR Program through the CRU. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 391 hate crime incidents were reported in Massachusetts in 2016.

In 2016, 84 of the 351 Massachusetts law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

According to annual hate crime statistics published by the CRU, 391 hate crime incidents were reported in Massachusetts in 2016. This total is consistent with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2014.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<tr>
<td>2012</td>
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<tr>
<td>2013</td>
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<tr>
<td>2014</td>
<td>90</td>
<td>375</td>
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<tr>
<td>2015</td>
<td>85</td>
<td>411</td>
</tr>
<tr>
<td>2016</td>
<td>84</td>
<td>391</td>
</tr>
</tbody>
</table>

SUMMARY
The current Massachusetts hate crime statute is not sufficiently inclusive, as it does not offer protections for gender. Massachusetts has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Massachusetts State Police, Crime Reporting Unit, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Hate Crime in Massachusetts can be found on the EOPSS website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 84 Massachusetts law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 267 participating agencies provided only zero data. A total of 9 participating agencies recorded blank data in at least one quarterly submission period. Massachusetts receives an overall score of 95 points, denoting a moderate response to hate crime.

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ADVOCACY RESOURCES - Massachusetts

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Massachusetts receives an overall score of 95, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Massachusetts should promote the following:

1. The current Massachusetts hate crime statute offers protections for race, color, religion, national origin, sexual orientation, gender identity, and disability. **The Massachusetts hate crime statute should be amended** to include citizenship status, ethnicity, age, ancestry, gender, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. Massachusetts must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in Massachusetts should contact current state legislators and members of Congress.

Massachusetts General Court
Senate: https://malegislature.gov/Legislators/Senate
House: https://malegislature.gov/Legislators/House

United States Senate
Contact: Massachusetts
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Massachusetts
https://www.house.gov/representatives#state-massachusetts
Michigan is the 10th most populated state and has the 2nd largest Arab American population.

The Michigan State Police (MSP), Criminal Justice Information Center, is the state agency responsible for the collection and publication of hate crime data. According to the MSP, there were 14 anti-Arab hate crime incidents reported throughout Michigan in 2016.

**Hate Crime Statute**

Mich. Comp. Laws § 750.147b prohibits a person from maliciously causing physical contact, damaging property, or making threats with specific intent to intimidate or harass another person because of their “race, color, religion, gender, or national origin.” Such an offense is considered a felony and defined as ethnic intimidation. Furthermore, regardless of any criminal prosecution, a person who commits ethnic intimidation may be liable to civil action on behalf of the victim.

The current Michigan hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity.

**Data Collection Statute**

Mich. Comp. Laws § 28.257a requires Michigan law enforcement agencies to report information related to crimes motivated “by prejudice or bias based upon race, ethnic origin, religion, gender, or sexual orientation” to the MSP. Pursuant to Section 28.252, the MSP is required to compile reports from local law enforcement agencies and submit that compilation to select government entities.

**Law Enforcement Training Statute**


The Michigan Department of Civil Rights (MDCR), Michigan Alliance Against Hate Crime (MIAAHC), has developed MCOLES-registered law enforcement training programs on the effective response to hate crime.

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2 Mich. Comp. Laws § 750.147b(3), id.
DATA COLLECTION & STATISTICS
Housed within the MSP’s Criminal Justice Information Center (CJIC), the Michigan Incident Crime Reporting Unit (MICR) publishes an annual report on statewide crime statistics, including hate crime. The 2000-2016 editions of Crime in Michigan can be found on the MICR website.²

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CJIC include data on anti-Arab and anti-Islamic (Muslim) hate crime. The CJIC tabulates hate crime data according to the number of offenses per disaggregated bias motivation category in the 2000-2006 reports and victims per disaggregated category in subsequent editions. Incident details are provided in the 2000-2009 and 2013-2016 reports.

ANTI-ARAB HATE CRIME STATISTICS

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2000-2016 editions of Crime in Michigan. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. The 2015-2016 CJIC reports suggest a resurgence of hate crimes targeting American Muslims, with 25 incidents reported in 2015 and 26 in 2016.

CRIME IN MICHIGAN HATE CRIME OFFENSES (2000-2006); VICTIMS (2007-2016)

<table>
<thead>
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<th>Bias motivation</th>
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<th>'02</th>
<th>'03</th>
<th>'04</th>
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<th>'13</th>
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<tbody>
<tr>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>31</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>20</td>
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<tr>
<td>Anti-other race/ethnicity/ancestry</td>
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<td>16</td>
<td>24</td>
<td>14</td>
<td>33</td>
<td>9</td>
<td>15</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, a single anti-Arab hate crime incident and 20 anti-Islamic (Muslim) hate crime incidents were reported in Michigan in 2016. This total conflicts with CJIC statistics. Significant discrepancies occur between state and federal anti-Arab and anti-Islamic (Muslim) hate crime statistics for 2015 as well. Michigan law enforcement agencies submit hate crime data to the FBI UCR Program through the CJIC.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>22</td>
<td>20</td>
</tr>
</tbody>
</table>


UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.³ This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Michigan UCR program is one of 16 state programs that rely exclusively on NIBRS data.³

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Uniform Crime Reporting Unit
Statistical Records Division
Michigan State Police
Post Office Box 30634
Lansing, Michigan 48909-0634
(517) 241-1875
www.michigan.gov/msp
**FBI HATE CRIME STATISTICS**

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^1\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^2\)

**FBI HATE CRIME STATISTICS PARTICIPANT**

Law enforcement agencies in Michigan submit hate crime data to the FBI UCR Program through the CJIC. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 399 hate crime incidents were reported in Michigan in 2016.

In 2016, 166 of the 625 Michigan law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Sterling Heights Police Department, which represents a population of 132,523, submitted only zero data.

According to annual hate crime statistics published by the CJIC, 490 hate crime incidents were reported in Michigan in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

The current Michigan hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity. While Michigan has statutes requiring reporting and data collection, there is no state law regarding mandatory police training on hate crime. Despite the lack of a specific law enforcement training statute, Michigan has developed training programs through its Department of Civil Rights. The Michigan State Police, Incident Crime Reporting Unit, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Michigan* can be found on the MICR website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 166 Michigan law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 459 participating agencies provided only zero data. A total of 7 participating agencies recorded blank data in at least one quarterly submission period. Michigan receives an overall score of 70 points, denoting an average response to hate crime.

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IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Michigan receives an overall score of 70, denoting an average response to hate crime. Advocates for an improved response to hate crime in Michigan should promote the following:

1. The current Michigan hate crime statute offers protections for race, color, religion, gender, and national origin. The **Michigan hate crime statute should be amended** to include protections for citizenship status, ethnicity, disability, age, ancestry, gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. As required by law, Michigan law enforcement agencies report hate crime incidents relating to race, ethnic origin, religion, gender, or sexual orientation to the Michigan State Police. The data collections should be expanded to include incidents relating to additional forms of bias, particularly gender identity.

3. While the Michigan Incident Crime Reporting Unit publishes statistics in the form of an annual hate crime report, such statistics do not conform to national standards. *Crime in Michigan* must provide statistics on hate crime incidents relating to gender identity.

4. Michigan state code does not require specific law enforcement training on hate crime. The Michigan Commission on Law Enforcement Standards must establish training programs and minimum courses of study for law enforcement officers relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Michigan should contact current state legislators and members of Congress.

**Michigan Legislature**
Senate: [http://senate.michigan.gov](http://senate.michigan.gov)
House: [http://house.michigan.gov](http://house.michigan.gov)

**United States Senate**
Contact: Michigan
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Michigan
[https://www.house.gov/representatives#state-michigan](https://www.house.gov/representatives#state-michigan)
Minnesota is the 22nd most populated state and has the 17th largest Arab American population.

Housed within the Minnesota Department of Public Safety (MNDPS), the Bureau of Criminal Apprehension, Justice Information Services, is the state agency responsible for the collection and publication of hate crime data. According to the BCA, there were two reported victims of anti-Arab hate crime in Minnesota in 2016.

**HATE CRIME STATUTE**

Minn. Stat. § 609.2231 prohibits assaults motivated by a victim’s or another person’s actual or perceived race, color, religion, sex, sexual orientation, disability (physical, sensory, or mental), age, or national origin.¹ Bias-motivated assaults are considered a felony. Minnesota Stat. §§ 609.595² and 609.749³ provide enhanced penalties for criminal damage to property and stalking crimes intentionally committed because of the motivations described above.

Pursuant to Minn. Stat. § 363A.03, sexual orientation is defined so as to include actual or perceived gender identity.⁴

**DATA COLLECTION STATUTE**

Minn. Stat. § 626.5531 requires Minnesota law enforcement officers to report all incidents that seem to contain an element of bias to the Minnesota Department of Public Safety, Bureau of Criminal Apprehension (BCA).³ The BCA is in turn required to summarize and analyze this information and file an annual report with the Department of Human Rights and the state legislature.⁵ Pursuant to Minn. Stat. § 299C.06, Minnesota law enforcement agencies are required to report crime statistics and information to the BCA, and furthermore, “utilize a nationally recognized system or standard approved by the Federal Bureau of Investigation for reporting statistics and information.”⁶

**LAW ENFORCEMENT TRAINING STATUTE**

Minn. Stat. § 626.8451 requires the Minnesota Board of Peace Officers Standards and Training to “prepare a training course to assist peace officers in identifying and responding” to hate crimes. The course “must include material to help officers distinguish bias crimes from other crimes, to help officers in understanding and assisting victims of these crimes, and to ensure that bias crimes will be accurately reported” in accordance with Minnesota’s data collection statute.⁸

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⁷ Id.
DATA COLLECTION & STATISTICS
Pursuant to Minnesota’s hate crime reporting and data collection statutes, the MNDFS publishes an annual report on statewide crime statistics, including hate crime. The 2009-2016 editions of *Minnesota Crime Information* can be found on the MNDFS website. The Minnesota Historical Society has archived versions of the reports dating back to 1995.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the BCA previously included data on anti-Arab and anti-Islamic (Muslim) hate crime. The BCA tabulates hate crime data according to the number of victims per aggregate bias motivation category in the 1995-2008 reports and victims per disaggregated category in the 2009-2015 reports. While the 2016 BCA report provides incident-based statistics, the data is tabulated according to aggregate bias motivation categories.

*ANTI-Arab HATE CRIME STATISTICS*
Anti-Arab hate crime statistics are provided in the 2014-2015 editions of *Minnesota Crime Information*. According to supplemental data from the BCA, 2 anti-Arab hate crime incidents were reported in both 2015 and 2016.

*ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS*
Anti-Islamic (Muslim) hate crime statistics are provided in the 2009-2015 editions of *Minnesota Crime Information*. According to supplemental data from the BCA, 14 anti-Islamic (Muslim) hate crime incidents were reported in both 2015 and 2016.

MINNESOTA CRIME INFORMATION HATE CRIME VICTIMS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'03</th>
<th>'04</th>
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<th>'13</th>
<th>'14</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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<tr>
<td>Anti-other race/ethnicity/ancestry</td>
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</table>

According to supplemental data from the FBI, 2 anti-Arab and 14 anti-Islamic (Muslim) hate crime incidents were reported in Minnesota in 2016. While this total is consistent with BCA statistics, discrepancies occur between state and federal anti-Arab and anti-Islamic (Muslim) hate crime statistics for 2015. Minnesota law enforcement agencies submit hate crime data to the FBI UCR Program through the BCA.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
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<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>13</td>
<td>14</td>
</tr>
</tbody>
</table>
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”  

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Minnesota submit hate crime data to the FBI UCR Program through the BCA. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 119 hate crime incidents were reported in Minnesota in 2016.

In 2016, 34 of the 331 Minnesota law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Minnesota either did not participate in the national hate crime statistics program or submitted only zero data.

According to annual hate crime statistics published by the BCA, 122 hate crime incidents were reported in Minnesota in 2016. This total is consistent with the number of incidents per bias motivation recorded in the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2013 and 2015.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>27</td>
<td>72</td>
</tr>
<tr>
<td>2013</td>
<td>39</td>
<td>144</td>
</tr>
<tr>
<td>2014</td>
<td>27</td>
<td>98</td>
</tr>
<tr>
<td>2015</td>
<td>27</td>
<td>109</td>
</tr>
<tr>
<td>2016</td>
<td>34</td>
<td>119</td>
</tr>
</tbody>
</table>

SUMMARY

Minnesota has an inclusive hate crime statute. Furthermore, Minnesota has statutes that require reporting, data collection, and specific law enforcement agency training on hate crime. The Bureau of Criminal Apprehension, Minnesota Justice Information Services, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Minnesota Crime Information can be found on the state’s Department of Public Safety website but do not include anti-Arab or anti-Islamic (Muslim) hate crime statistics. Minnesota’s transition to NIBRS will facilitate improved hate crime statistics based on disaggregated bias motivation categories. In 2016, 34 Minnesota law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 297 participating agencies provided only zero data. A total of 48 participating agencies recorded blank data in at least one quarterly submission period. Minnesota receives an overall score of 90 points, denoting a moderate response to hate crime.

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ADVOCA CY RESOURCES - Minnesota

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Minnesota receives an overall score of 90, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Minnesota should promote the following:

1. The current Minnesota hate crime statute offers protections for race, color, religion, sex, sexual orientation, which is defined so as to include gender identity, disability, age, and national origin. The **Minnesota hate crime statute should be amended** to include protections for citizenship status, ethnicity, ancestry, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While Minnesota state code requires hate crime reporting and data collection, Minnesota’s annual hate crime report does not provide statistics based on disaggregated bias motivation categories.
   - The Minnesota Bureau of Criminal Apprehension must collect data and publish statistics, conforming to national standards, on the nature and extent of hate crime within the state. For the reporting year 2016, the BCA only provided hate crime statistics based on aggregate bias motivation categories.

3. Of the 331 Minnesota law enforcement agencies participating in the national hate crime statistics program, only 34 agencies submitted incident reports for *Hate Crime Statistics*. Minnesota must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in Minnesota should contact current state legislators and members of Congress.

Minnesota State Legislature
Senate: [http://www.senate.leg.state.mn.us](http://www.senate.leg.state.mn.us)
House: [http://www.house.leg.state.mn.us](http://www.house.leg.state.mn.us)

United States Senate
Contact: Minnesota
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

United States House of Representatives
Directory of Representatives: Minnesota
[https://www.house.gov/representatives#state-minnesota](https://www.house.gov/representatives#state-minnesota)
**MISSISSIPPI**

Total population: 2,988,726  
Rank of Arab American population by state: 35

MS is the only state without a UCR program.

**Mississippi** is the 32nd most populated state and has the 35th largest Arab American population.

**MISSISSIPPI**

<table>
<thead>
<tr>
<th>Hate Crime Statute</th>
<th>25/40</th>
</tr>
</thead>
<tbody>
<tr>
<td>No statute; civil action or civil rights law</td>
<td>-</td>
</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
<td>10</td>
</tr>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>5</td>
</tr>
<tr>
<td>Religion</td>
<td>5</td>
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<tr>
<td>Sexual orientation</td>
<td>-</td>
</tr>
<tr>
<td>Disability</td>
<td>-</td>
</tr>
<tr>
<td>Gender</td>
<td>5</td>
</tr>
<tr>
<td>Gender identity</td>
<td>-</td>
</tr>
</tbody>
</table>

**Data Collection Statute**  
There is no Mississippi statute that requires hate crime reporting or data collection. Miss. Code § 45-27-5 established the Mississippi Justice Information Center (MJIC). As a division within the Mississippi Department of Public Safety’s Bureau of Investigation (MBI), the MJIC is required to “develop, operate and maintain an information system which will support the collection, storage, retrieval and dissemination” of vital information relating to crimes, criminals, and criminal activity. The Mississippi Department of Public Safety does not have a functioning MJIC web page.

**Law Enforcement Training Statute**  
There is no Mississippi statute that requires specific law enforcement training on hate crime. Pursuant to Miss. Code § 45-6-7(e), the Mississippi Board on Law Enforcement Officer Standards and Training (BLEOST) is required to “establish minimum curriculum requirements for basic and advanced courses and programs for schools operated by or for the state or any political subdivision thereof for the specific purpose of training police and other law enforcement officers.” The current BLEOST curriculum includes a unit on “Cultural Awareness and Human Relations,” though it bears no indication of hate crime training.

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1. Miss. Code §§ 99-19-301 through 99-19-307 provide enhanced penalties for felonies and misdemeanors committed because of the “actual or perceived race, color, ancestry, ethnicity, religion, national origin or gender of the victim.”
2. The current Mississippi hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity.
4. Data collection (voluntary reporting) -
5. Mandatory reporting and data collection -
6. Law Enforcement Training Statute 0/15
7. No statute; comprehensive training -
8. Mandatory training -
9. Annual Hate Crime Report 0/20
10. Annual hate crime report, including: -
11. Anti-Arab hate crime statistics -
12. Anti-Islamic (Muslim) hate crime statistics -
13. FBI Hate Crime Statistics Participant 0/10
14. TOTAL 25
DATA COLLECTION & STATISTICS
Law enforcement agencies in Mississippi participating in the national hate crime statistics program submit hate crime data directly to the FBI UCR Program. Pursuant to Mississippi state code, the MJIC is required to maintain a centralized repository for crime reporting and data collection. Little to no information on the MJIC is provided online.

ANNUAL STATEWIDE HATE CRIME REPORT
Mississippi does not publish annual hate crime statistics.

- **ANTI-ARAB HATE CRIME STATISTICS**
  Mississippi does not publish annual statistics on anti-Arab hate crime.

- **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Mississippi does not publish annual statistics on anti-Islamic (Muslim) hate crime.

MISSISSIPPI DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in Mississippi from 2015 to 2016. Law enforcement agencies in Mississippi submit hate crime data directly to the FBI UCR Program.

FBI HATE CRIME STATISTICS(2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{10}\)

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{11}\)

According to the Bureau of Justice Statistics, there are nearly 350 state and local law enforcement agencies in Mississippi.\(^{12}\) In 2016, 4 of the 26 Mississippi law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Mississippi either did not participate in the national hate crime statistics program or submitted only zero data.

As the MJIC does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

The current Mississippi hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity. Furthermore, the state of Mississippi does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. Though required by law, the Mississippi Department of Public Safety's Bureau of Investigation does not maintain a centralized repository for crime reporting and data collection. Mississippi law enforcement agencies participating in the national hate crime statistics program submit hate crime data directly to the FBI UCR Program. In 2016, 4 Mississippi law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 22 participating agencies provided only zero data. A total of 9 participating agencies recorded blank data in at least one quarterly submission period. No law enforcement agencies in Mississippi submitted incident reports to the FBI UCR Program in 2015. Mississippi receives an overall score of 25 points, denoting a minimal response to hate crime.


ADVOCACY RESOURCES - Mississippi

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Mississippi receives an overall score of 25, denoting a minimal response to hate crime. Advocates for an improved response to hate crime in Mississippi should promote the following:

1. The current Mississippi hate crime statute offers protections for race, color, ancestry, ethnicity, religion, national origin, and gender. The **Mississippi hate crime statute should be amended** to include protections for citizenship status, disability, age, sexual orientation, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. Mississippi state code does not require reporting, data collection, or specific law enforcement training on hate crime. Of the more than 300 law enforcement agencies in Mississippi, only 26 agencies participate in the national hate crime statistics program, and just four agencies submitted incident reports for *Hate Crime Statistics, 2016*. **Legislation should be introduced** to address these shortcomings.
   - Law enforcement agencies must report hate crimes to a centralized state-level repository for crime information;
   - The centralized state agency must collect data and publish statistics, conforming to national standards, on the nature and extent of hate crime within the state;
   - Mississippi must utilize the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS;
   - The Mississippi Board on Law Enforcement Officer Standards and Training must establish minimum curriculum requirements for police training relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Mississippi should contact current state legislators and members of Congress.

**Mississippi State Legislature**  
Contact: [http://www.legislature.ms.gov](http://www.legislature.ms.gov)

**United States Senate**  
Contact: Mississippi  
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**  
Directory of Representatives: Mississippi  
[https://www.house.gov/representatives#state-mississippi](https://www.house.gov/representatives#state-mississippi)
MISSOURI
Total population: 6,093,000
Rank of Arab American population by state: 21

1 anti-Arab hate crime incident was reported in MO in 2016.

Missouri is the 18th most populated state and has the 21st largest Arab American population.

The Missouri State Highway Patrol (MSHP), Criminal Justice Information Services Division, is the state agency responsible for the collection and publication of hate crime data. Housed within the MSHP, the Missouri Statistical Analysis Center (SAC) publishes an annual report on hate crime data submitted to the CJIS. According to the SAC, there was a single anti-Arab hate crime incident reported in Missouri in 2016.

HATE CRIME STATUTE
Mo. Rev. Stat. § 557.035 provides enhanced penalties for certain offenses, including assault, harassment, tampering, property damage, trespassing, rioting, and various unlawful use of weapons charges, “which the state believes to be knowingly motivated because of race, color, religion, national origin, sex, sexual orientation or disability of the victim or victims.”¹ In this context, sexual orientations is defined so as to include gender identity.²

DATA COLLECTION STATUTE
There is no Missouri statute that specifically requires hate crime reporting or data collection. Mo. Rev. Stat. § 43.505 requires all Missouri law enforcement agencies to submit crime incident information as requested by the Department of Public Safety.³ Pursuant to Mo. Rev. Stat. § 43.506, all felonies are considered reportable offenses.⁴

According to the statute, the Department is responsible for the collection and analysis of crime incident information and arrest reports from Missouri law enforcement agencies and must publish an annual report on the nature and extent of crime within the state. That report and other statistical reports are to be made available to the general public.⁵

LAW ENFORCEMENT TRAINING STATUTE
There is no Missouri statute that requires specific law enforcement training on hate crime. Pursuant to Mo. Rev. Stat. § 590.040, the Missouri Peace Officers Standards and Training Commission is required to set “the minimum hours of basic training for licensure as a peace officer.”⁶ The present curriculum, as defined in the statute, does not prescribe training on investigating and responding to hate crime.

MISSOURI

<table>
<thead>
<tr>
<th>Hate Crime Statute</th>
<th>40/40</th>
</tr>
</thead>
<tbody>
<tr>
<td>No statute; civil action or civil rights law</td>
<td>-</td>
</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
<td>10</td>
</tr>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>5</td>
</tr>
<tr>
<td>Religion</td>
<td>5</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>5</td>
</tr>
<tr>
<td>Disability</td>
<td>5</td>
</tr>
<tr>
<td>Gender</td>
<td>5</td>
</tr>
<tr>
<td>Gender identity</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Data Collection Statute</th>
<th>0/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data collection (voluntary reporting)</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory reporting and data collection</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Law Enforcement Training Statute</th>
<th>0/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>No statute; comprehensive training</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory training</td>
<td>-</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Annual Hate Crime Report</th>
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</thead>
<tbody>
<tr>
<td>Annual hate crime report, including:</td>
<td></td>
</tr>
<tr>
<td>Anti-Arab hate crime statistics</td>
<td>5</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
<td>5</td>
</tr>
</tbody>
</table>

| FBI Hate Crime Statistics Participant | 10/10 |

| TOTAL | 70 |

DATA COLLECTION & STATISTICS
Pursuant to Mo. Rev. Stat. § 43.500, the CJIS maintains the state’s centralized repository for crime information. Housed within the MSHP, the SAC publishes an annual report on crime statistics based on CJIS data collections, in addition to a specialized report on hate crime. The 2001-2016 edition of Crime in Missouri and the 2010-2013 editions of Hate Crime Report in Missouri can be found on the MSHP website.1

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the SAC include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The SAC tabulates hate crime data according to the number of incidents per disaggregated bias motivation category in the 2010-2013 reports and offenses, victims, and known offenders per disaggregated category in subsequent editions.

Hate crime statistics were first provided in the 2010 edition of Crime in Missouri. Hate crime statistics for 2010 were also published in the inaugural Missouri Hate Crime Report. The 2014-2016 editions of Missouri Hate Crime Report are not available online.

ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in 2014-2016 editions of Crime in Missouri. According to the SAC, a single anti-Arab hate crime offense was reported in Missouri in 2016.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2010-2016 editions of Crime in Missouri. According to the SAC, 5 anti-Islamic (Muslim) hate crime offenses, involving 18 victims, were reported in Missouri in 2016.

CRIME IN MISSOURI HATE CRIME INCIDENTS (2010-2013); OFFENSES (2014-2016)

| Bias motivation         | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|-------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab               | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | 0   | 1   | 1   |    |    |    |
| Anti-Islamic (Muslim)   | -   | -   | -   | -   | -   | -   | -   | -   | -   | 5   | 1   | 1   | 4   | 0   | 4   | 5   |    |    |
| Anti-other race/ethnicity/ancestry | -   | -   | -   | -   | -   | -   | -   | -   | 4   | 2   | 0   | 0   | 3   | 6   | 2   |    |    |

According to supplemental data from the FBI, 6 anti-Islamic (Muslim) hate crime incidents, involving 6 offenses, were reported in Missouri in 2016. This total conflicts with CJIS statistics, as just 5 anti-Islamic (Muslim) hate crime offenses are recorded in Crime in Missouri. Discrepancies occur between state and federal anti-Arab and anti-Islamic (Muslim) hate crime statistics for 2015 as well: the anti-Arab hate crime reported in Crime in Missouri does not appear in FBI data. Missouri law enforcement agencies submit hate crime data to the FBI UCR Program through the CJIS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

4 Bureau of Justice Statistics, U.S. Dept. of Justice, National Crime Statistics Exchange (NCS-X) Initiative and is in the midst of NIBRS implementation.11
Underreported/Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”12

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.13

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Missouri submit hate crime data to the FBI UCR Program through the CJIS. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 88 hate crime incidents, involving 114 offenses, were reported in Missouri in 2016.

In 2016, 24 of the 612 Missouri law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Missouri either submitted only zero data or failed to provide data in at least one quarterly submission period.

According to annual hate crime statistics published by the SAC, 98 hate crime offenses were reported in Missouri in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

SUMMARY
While the state has an inclusive hate crime statute, Missouri does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Missouri State Highway Patrol, Criminal Justice Information Services Division, maintains the state clearinghouse for all police-reported crime data, including hate crime. Housed within the MSHP, the Missouri Statistical Analysis Center publishes hate crime statistics in an annual report. Copies of Crime in Missouri can be found on the MSHP website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 24 Missouri law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 588 participating agencies provided only zero data. A total of 46 participating agencies recorded blank data in at least one quarterly submission period. Missouri receives an overall score of 70 points, denoting an average response to hate crime.

FBI HATE CRIME STATISTICS: MISSOURI 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
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<td>50</td>
<td>70</td>
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<td>Sexual orientation</td>
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<td>102</td>
<td>76</td>
<td>100</td>
<td>89</td>
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</tbody>
</table>

**ADVOCACY RESOURCES - Missouri**

**IMPROVING THE RESPONSE**
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

**STATE RECOMMENDATIONS**
According to our rating methodology, Missouri receives an overall score of 70, denoting an average response to hate crime. Advocates for an improved response to hate crime in Missouri should promote the following:

1. The current Missouri hate crime statute offers protections for race, color, religion, national origin, sex, sexual orientation, which is defined so as to include gender identity, and disability. The **Missouri hate crime statute should be amended** to include protections for citizenship status, ethnicity, age, ancestry, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While Missouri publishes statistics in the form of an annual hate crime report, state code does not require hate crime reporting and data collection. Of the 612 Missouri law enforcement agencies participating in the national hate crime statistics program, only 24 agencies submitted incident reports for *Hate Crime Statistics, 2016*. **Legislation should be introduced** to address these shortcomings.
   - Law enforcement agencies must report hate crimes to the Missouri Criminal Justice Information Services Division, which is responsible for publishing annual hate crime statistics;
   - Missouri must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

3. Missouri state code does not require specific law enforcement training on hate crime. The Missouri Peace Officers Standards and Training Commission must prescribe basic police training relating to investigating and reporting hate crime incidents.

**STATE CONTACTS**
Advocates for an improved response to hate crime in Missouri should contact current state legislators and members of Congress.

**Missouri General Assembly**
Senate: [http://www.senate.mo.gov](http://www.senate.mo.gov)
House: [http://www.house.mo.gov](http://www.house.mo.gov)

**United States Senate**
Contact: Missouri
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Missouri
[https://www.house.gov/representatives#state-missouri](https://www.house.gov/representatives#state-missouri)
Montana is the 44th most populated state and has the 46th largest Arab American population.

The Montana Board of Crime Control (MBCC), Statistical Analysis Center, is the state agency responsible for the collection and publication of hate crime data. According to the MBCC, there were no anti-Arab hate crime incidents reported in Montana in 2016.

**HATE CRIME STATUTE**
Mont. Code Ann. § 45-5-222 provides enhanced sentencing for “offenses committed because of victim’s race, creed, religion, color, national origin, or involvement in civil rights or human rights activities.”

The current Montana hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

**DATA COLLECTION STATUTE**
There is no Montana statute that requires hate crime reporting or data collection. Mont. Code Ann. § 2-15-2306 established the Montana Board of Crime Control (MBCC). The mission of the MBCC is to “promote public safety by strengthening the coordination and performance of the criminal and juvenile justice systems.”

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Montana statute that requires specific law enforcement training on hate crime. Pursuant to Mont. Code Ann. § 44-10-202, the Montana Department of Justice is required to “determine the curriculum and methods of training for officers” attending the state’s law enforcement academy.

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### MONTANA

<table>
<thead>
<tr>
<th>Hate Crime Statute</th>
<th>20/40</th>
</tr>
</thead>
<tbody>
<tr>
<td>No statute; civil action or civil rights law</td>
<td>-</td>
</tr>
<tr>
<td>Hate crime statute, with protections for: Race/ethnicity/ancestry</td>
<td>5</td>
</tr>
<tr>
<td>Religious belief</td>
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<td>Sexual orientation</td>
<td>-</td>
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<tr>
<td>Disability</td>
<td>-</td>
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<tr>
<td>Gender</td>
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<tr>
<td>Gender identity</td>
<td>-</td>
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<table>
<thead>
<tr>
<th>Data Collection Statute</th>
<th>0/15</th>
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</thead>
<tbody>
<tr>
<td>Data collection (voluntary reporting)</td>
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</tr>
<tr>
<td>Mandatory reporting and data collection</td>
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<table>
<thead>
<tr>
<th>Law Enforcement Training Statute</th>
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<tbody>
<tr>
<td>No statute; comprehensive training</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory training</td>
<td>-</td>
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<table>
<thead>
<tr>
<th>Annual Hate Crime Report</th>
<th>20/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual hate crime report, including:</td>
<td></td>
</tr>
<tr>
<td>Anti-Arab hate crime statistics</td>
<td>5</td>
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<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
<td>5</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>FBI Hate Crime Statistics Participant</th>
<th>10/10</th>
</tr>
</thead>
</table>

**TOTAL** 50

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DATA COLLECTION & STATISTICS
Housed within the state’s Department of Justice, the MBCC Statistical Analysis Center publishes annual hate crime statistics in a specialized report. The 1992-2015 editions of Hate Crime in Montana, along with incident-based statistics for 2016, can be found on the MBCC website.5

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the MBCC include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The MBCC tabulates hate crime data according to the number of incidents per disaggregated bias motivation category in the 1992-2003 reports and offenses per disaggregated category in all but two subsequent editions (2012-2013). The Montana Incident-Based Reporting System (MTIBRS) online reporting database provides incident-based hate crime data tabulated according to disaggregated bias motivation categories.⁶

ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics for 2005-2016 are provided in the MTIBRS online reporting database. A single anti-Arab hate crime incident is reported in the 2007 edition of Hate Crime in Montana, which, according to the report’s authors, is based on FBI Hate Crime Incident Reports submitted to the MBCC.⁷

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the MTIBRS online reporting database and Hate Crime in Montana. Discrepancies occur between the two data sources. Incident totals from the 2000-2004 editions of Hate Crime in Montana and 2005-2016 data from MTIBRS Online Reporting are provided in the table below.

MBCC HATE CRIME INCIDENTS (2000-2016)

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|--------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Anti-Islamic (Muslim)          | 0   | 0   | 0   | 0   | 0   | 1   | 2   | 0   | 0   | 0   | 0   | 1   | 0   | 0   | 0   | 0   | 0   |
| Anti-other race/ethnicity/ancestry | 0   | 0   | 0   | 0   | 4   | 3   | 3   | 4   | 0   | 1   | 1   | 2   | 1   | 1   | 2   | 1   |

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in Montana from 2015 to 2016. This total is consistent with MBCC statistics. Montana law enforcement agencies submit hate crime data to the FBI UCR Program through the MBCC.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.⁸ This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Montana UCR program is one of 16 state programs that rely exclusively on NIBRS data.⁹

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Montana Board of Crime Control
Statistical Analysis Center
Post Office Box 201408
Helena, Montana 59620-1408
(406) 444-4298
www.mbcc.mt.gov

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS: MONTANA 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>17</td>
<td>26</td>
<td>21</td>
<td>28</td>
<td>10</td>
<td>102</td>
</tr>
<tr>
<td>Religion</td>
<td>7</td>
<td>2</td>
<td>3</td>
<td>14</td>
<td>5</td>
<td>31</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>8</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Disability</td>
<td>4</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Gender</td>
<td>-</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Gender identity</td>
<td>-</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>36</td>
<td>31</td>
<td>30</td>
<td>45</td>
<td>20</td>
<td>162</td>
</tr>
</tbody>
</table>

SUMMARY

The current Montana hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity. Furthermore, Montana does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Montana Bureau of Crime Control, Statistical Analysis Center, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Hate Crime in Montana, as well as the MTIBRS online reporting database, can be found on the MBCC website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 10 Montana law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 99 participating agencies provided only zero data. A total of 9 participating agencies recorded blank data in at least one quarterly submission period. Montana receives an overall score of 50 points, denoting a limited response to hate crime.

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Montana receives an overall score of 50, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Montana should promote the following:

1. The current Montana hate crime statute offers protections for race, creed, religion, color, national origin, and involvement in civil rights or human rights activities. **The Montana hate crime statute should be amended** to include protections for citizenship status, ethnicity, disability, age, ancestry, gender or gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While Montana publishes statistics in the form of an annual hate crime report, state code does not require hate crime reporting or data collection. Of the 109 Montana law enforcement agencies participating in the national hate crime statistics program, only 10 agencies submitted incident reports for *Hate Crime Statistics, 2016*. **Legislation should be introduced** to address these shortcomings.
   - Law enforcement agencies must report hate crimes to the Montana Board of Crime Control, which is responsible for publishing annual hate crime statistics;
   - The MBCC should be required by law to collect data and publish statistics, conforming to national standards, on the nature and extent of hate crime within the state. The Montana hate crime report currently provides statistics in accordance with the bias motivation categories identified in *Hate Crime Statistics*.

3. Montana state code does not require specific law enforcement training on hate crime. The Montana Department of Justice must require the curriculum and methods of training for the state’s law enforcement academy to include instruction relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Montana should contact current state legislators and members of Congress.

Montana Legislature
Senate: [http://leg.mt.gov/css/senate](http://leg.mt.gov/css/senate)

United States Senate
Contact: Montana
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

United States House of Representatives
Directory of Representatives: Montana
[https://www.house.gov/representatives#state-montana](https://www.house.gov/representatives#state-montana)
Nebraska is the 37th most populated state and has the 32nd largest Arab American population.

The Nebraska Crime Commission (NCC) is the state agency responsible for the collection and publication of hate crime data. According to the NCC, there was a single anti-Arab hate crime incident reported in Nebraska in 2016.

HATE CRIME STATUTE
Neb. Rev. Stat. § 28-111 provides enhanced penalties for certain criminal offenses against a person or a person’s property because of their “race, color, religion, ancestry, national origin, gender, sexual orientation, age, or disability,” or because of their association with a person “of a certain race, color, religion, ancestry, national origin, gender, sexual orientation, age, or disability.”

The current Nebraska hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

DATA COLLECTION STATUTE
Neb. Rev. Stat. § 28-114 requires the Nebraska Commission on Law Enforcement and Criminal Justice, also known as the Nebraska Crime Commission, to collect and analyze “information regarding criminal offenses committed against a person because of the person’s race, color, religion, ancestry, national origin, gender, sexual orientation, age, or disability or because of the person’s association with a person of a certain race, color, religion, ancestry, national origin, gender, sexual orientation, age, or disability.”

Neb. Rev. Stat. § 81-1426 permits the NCC to request all Nebraska public officers and agencies to submit information, records, or reports “as the commission determines relevant to its functions.”

Nebraska Law enforcement agencies are not statutorily required to submit hate crime reports to the NCC.

LAW ENFORCEMENT TRAINING STATUTE
There is no Nebraska statute that requires specific law enforcement training on hate crime. Pursuant to Neb. Rev. Stat. § 81-1406, the Nebraska Police Standards Advisory Council is required to oversee all law enforcement training schools and academies. The Council serves the Nebraska Commission on Law Enforcement and Criminal Justice “in all matters relating to law enforcement, the [Nebraska Law Enforcement Training Center], and continuing education.”

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By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

As of 2013, there were 68 Nebraska law enforcement agencies reporting crime data via the NIBRS. According to the Bureau of Justice Statistics, the state of Nebraska has been awarded funding through the National Crime Statistics Exchange (NCS-X) Initiative and is in the midst of NIBRS implementation.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

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Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”\(^1\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR Program.\(^2\)

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Nebraska submit hate crime data to the FBI UCR Program through the NCC. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 31 hate crime incidents were reported in Nebraska in 2016.

In 2016, 7 of the 235 Nebraska law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Bellevue Police Department, which represents one of Nebraska’s five largest cities, submitted only zero data.

According to annual hate crime statistics published by the NCC, 26 hate crime incidents were reported in Nebraska in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2014 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>5</td>
<td>36</td>
</tr>
<tr>
<td>2013</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>2014</td>
<td>10</td>
<td>36</td>
</tr>
<tr>
<td>2015</td>
<td>7</td>
<td>47</td>
</tr>
<tr>
<td>2016</td>
<td>3</td>
<td>19</td>
</tr>
</tbody>
</table>

SUMMARY

The current Nebraska hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. While Nebraska has a statute requiring the NCC to collect hate crime-related data, the state’s law enforcement agencies are not required to submit hate crime reports. Furthermore, there is no state law regarding mandatory police training on hate crime. The Nebraska Crime Commission maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Nebraska* can be found on the NCC website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 7 Nebraska law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 228 participating agencies provided only zero data. A total of 4 participating agencies recorded blank data in at least one quarterly submission period. Nebraska receives an overall score of 70 points, denoting an average response to hate crime.

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ADVOCACY RESOURCES - Nebraska

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Nebraska receives an overall score of 70, denoting an average response to hate crime. Advocates for an improved response to hate crime in Nebraska should promote the following:

1. The current Nebraska hate crime statute offers protections for race, color, religion, ancestry, national origin, gender, sexual orientation, age, and disability. The Nebraska hate crime statute should be amended to include protections for citizenship status, ethnicity, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the Nebraska Crime Commission is required to collect data on hate crime, law enforcement agencies in Nebraska are not required to report hate crime incidents. Of the 235 Nebraska law enforcement agencies participating in the national hate crime statistics program, only seven agencies submitted incident reports for Hate Crime Statistics, 2016. Legislation should be introduced to address these shortcomings.

   • Law enforcement agencies must report hate crimes to the Nebraska Crime Commission, which is responsible for publishing annual hate crime statistics;
   
   • Nebraska’s annual hate crime report does not conform to national standards. The NCC must publish statistics in accordance with the bias motivation categories identified in Hate Crime Statistics;
   
   • Nebraska must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

3. Nebraska state code does not require specific law enforcement training on hate crime. The Nebraska Police Standards Advisory Council must promote instruction relating to investigating and reporting hate crime incidents in all law enforcement training schools and academies throughout the state.

STATE CONTACTS
Advocates for an improved response to hate crime in Nebraska should contact current state legislators and members of Congress.

Nebraska Legislature
Senate (unicameral): https://nebraskalegislature.gov

United States Senate
Contact: Nebraska
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Nebraska
https://www.house.gov/representatives#state-nebraska
Nevada is the 34th most populated state and has the 26th largest Arab American population.

Housed within the Department of Public Safety, the Nevada Records, Communications and Compliance Division (RCCD) is the state agency responsible for the collection and publication of hate crime data. According to the RCCD, there was a single anti-Arab hate crime incident reported in Nevada in 2016.

**HATE CRIME STATUTE**
Nev. Rev. Stat. § 193.1675 provides enhanced penalties for certain crimes committed because the “actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of the victim was different from that characteristic of the perpetrator.”

Nev. Rev. Stat. § 207.185 provides enhanced penalties for “certain unlawful acts” committed “by reason of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons.”

Pursuant to Nevada criminal code, gender identity or expressions is defined so as to include gender.

**DATA COLLECTION STATUTE**
Nev. Rev. Stat. § 179A.175 requires the state’s central repository for crime information to maintain a program “designed to collect, compile, and analyze statistical data” about hate crime. The central repository is required to include a separate section on hate crime in the annual crime statistics report pursuant to Nev. Rev. Stat. § 179A.075.7(g). In 2005, the Central Repository was renamed to the Records Bureau.

Nev. Rev. Stat. § 179A.075.2(a) requires criminal justice and law enforcement agencies to submit “records, reports, and compilations of statistical data” to the Central Repository for Nevada Records of Criminal History. There is no clearly-defined provision for mandatory law enforcement reporting on hate crime.

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Nevada statute that requires specific law enforcement training on hate crime. Pursuant to Nev. Rev. Stat. § 289.510, the Peace Officers Standards and Training Commission is required to establish minimum standards for the training of law enforcement officers, including minimum courses of study, and other requirements for certification. Training in cultural awareness is mandatory per Nev. Admin. Code §§ 289.140 through 289.160.

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DATA COLLECTION & STATISTICS
Pursuant to Nev. Rev. Stat. § 179A.175, the RCCD publishes an annual crime report that includes hate crime statistics. The 1994-2016 editions of Crime in Nevada can be found on the RCCD website.9

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the RCCD include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The RCCD tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

• ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 2001-2016 editions of Crime in Nevada. Between 2001 and 2013 the RCCD recorded incident reporting data under the categories of “anti-Iraqi” and “anti-Middle East.” The RCCD did not provide statistics on a uniform anti-Arab bias motivation category until 2014. According to the RCCD, a single anti-Arab hate crime incident was reported in Nevada in 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1999-2016 editions of Crime in Nevada. According to the RCCD, 3 anti-Islamic (Muslim) hate crime incidents were reported in Nevada in 2016.

CRIME IN NEVADA HATE CRIME INCIDENTS (2000-2016)

| Bias motivation          | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|--------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                | 0   | 1   | 0   | 5   | 0   | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 1   |
| Anti-Islamic (Muslim)    | 0   | 0   | 2   | 1   | 0   | 3   | 0   | 3   | 0   | 2   | 0   | 1   | 2   | 0   | 1   | 3   |     |
| Anti-other race/ethnicity| 0   | 6   | 3   | 0   | 1   | 1   | 2   | 0   | 2   | 4   | 0   | 1   | 5   | 0   | 0   | 1   | 0   |

According to supplemental data from the FBI, a single anti-Arab hate crime incident and 2 anti-Islamic (Muslim) hate crime incidents were reported in Nevada in 2016. This total conflicts with RCCD statistics, as 3 anti-Islamic (Muslim) hate crime incidents are recorded in 2016 Crime in Nevada. Nevada law enforcement agencies submit hate crime data to the FBI UCR Program through the RCCD.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.10 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Nevada state UCR program is one of 15 state programs that rely exclusively on SRS data.11 According to the Bureau of Justice Statistics, Nevada has received funding through the National Crime Statistics Exchange (NCS-X) Initiative and is planning a statewide NIBRS transition.12 NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Nevada Department of Public Safety
General Services Division
Suite 100
333 West Nye Lane
Carson City, Nevada 89706
(775) 684-6222
www.nvrepository.state.nv.us

CRIME IN NEVADA HATE CRIME INCIDENTS (2000-2016)

| Bias motivation          | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|--------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                | 0   | 1   | 0   | 5   | 0   | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 1   |
| Anti-Islamic (Muslim)    | 0   | 0   | 2   | 1   | 0   | 3   | 0   | 3   | 0   | 2   | 0   | 1   | 2   | 0   | 1   | 3   |     |
| Anti-other race/ethnicity| 0   | 6   | 3   | 0   | 1   | 1   | 2   | 0   | 2   | 4   | 0   | 1   | 5   | 0   | 0   | 1   | 0   |

According to supplemental data from the FBI, a single anti-Arab hate crime incident and 2 anti-Islamic (Muslim) hate crime incidents were reported in Nevada in 2016. This total conflicts with RCCD statistics, as 3 anti-Islamic (Muslim) hate crime incidents are recorded in 2016 Crime in Nevada. Nevada law enforcement agencies submit hate crime data to the FBI UCR Program through the RCCD.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>2</td>
</tr>
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</table>

FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{13}\)

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{14}\)

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Nevada submit hate crime data to the FBI UCR Program through the RCCD. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 41 hate crime incidents were reported in Nevada in 2016.

In 2016, 4 of the 51 Nevada law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Sparks Police Department, which represents Nevada’s fifth largest city, submitted only zero data.

According to annual hate crime statistics published by the RCCD, 48 hate crime incidents were reported in Nevada in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2014 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

\[\text{Agencies submitting incident reports} \quad \text{Total number of incidents reported}\]

\[
\begin{array}{cccccc}
\text{Agencies submitting incident reports} & 91 & 73 & 24 & 58 & 41 \\
\text{Total number of incidents reported} & 5 & 4 & 6 & 4 & 4 \\
\end{array}
\]

SUMMARY

Nevada has an inclusive hate crime statute. While Nevada has a statute requiring the state’s central repository to collect data on hate crime, law enforcement agencies are not statutorily required to report hate crimes to the repository. There is no Nevada statute that requires specific law enforcement training on hate crime. The Nevada Records, Communications and Compliance Division maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Nevada can be found on the RCCD website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 4 Nevada law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 47 participating agencies provided only zero data. A total of 8 participating agencies recorded blank data in at least one quarterly submission period. Nevada receives an overall score of 75 points, denoting an average response to hate crime.


ADVOCACY RESOURCES - Nevada

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Nevada receives an overall score of 75, denoting an average response to hate crime. Advocates for an improved response to hate crime in Nevada should promote the following:

1. The current Nevada hate crime statute offers protections for race, color, religion, national origin, physical or mental disability, sexual orientation, and gender identity, including gender. The Nevada hate crime statute should be amended to include protections for citizenship status, ethnicity, age, ancestry, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the Nevada Records, Communication and Compliance Division is required to collect data on hate crime, law enforcement agencies in Nevada are not required to report hate crime incidents. Of the 51 Nevada law enforcement agencies participating in the national hate crime statistics program, only four agencies submitted incident reports for Hate Crime Statistics, 2016. Legislation should be introduced to address these shortcomings.

   • Law enforcement agencies must report hate crimes to the Nevada RCCD, which is responsible for publishing annual hate crime statistics;
   • Nevada must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

3. Nevada state code does not require specific law enforcement training on hate crime. The Nevada Peace Officers Standards and Training Commission must establish minimum standards and courses of study for the training of law enforcement officers relating to investigating and reporting hate crime incidents. Training in cultural awareness is already required per Nevada Administrative Code.

STATE CONTACTS
Advocates for an improved response to hate crime in Nevada should contact current state legislators and members of Congress.

Nevada Legislature
Both Chambers: https://www.leg.state.nv.us

United States Senate
Contact: Nevada
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: Nevada
https://www.house.gov/representatives#state-nevada
New Hampshire is the 41st most populated state and has the 33rd largest Arab American population.

The New Hampshire Uniform Crime Reporting Unit (NH UCR Unit) is the state agency responsible for the collection and publication of hate crime data. According to the NH UCR Unit, there were no anti-Arab hate crime incidents reported in New Hampshire in 2016.

HATE CRIME STATUTE
N.H. Rev. Stat. Ann. § 651:6(f) provides enhanced penalties for a person who is "substantially motivated" to commit a crime because of "hostility towards the victim's religion, race, creed, sexual orientation as defined in RSA 21:49, national origin or sex." Pursuant to N.H. Rev. Stat. Ann. § 21:49, sexual orientation means "having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality." New Hampshire criminal code provides enhanced penalties for crimes that are committed with the intention of taking advantage of the victim's age or physical disability. These provisions do not constitute hate crime protections.

The current New Hampshire hate crime statute is not sufficiently inclusive, as it does not offer protections for disability or gender identity.

DATA COLLECTION STATUTE
There is no New Hampshire statute that requires hate crime reporting or data collection. N.H. Rev. Stat. § 106-B:14-c requires New Hampshire law enforcement agencies to submit crime reports "containing the number and nature of criminal offenses, arrests, and clearances, and any other data determined to be appropriate relating to the method, frequency, cause, and prevention of crime," through the state's Uniform Crime Reporting (UCR) program.

LAW ENFORCEMENT TRAINING STATUTE
There is no New Hampshire statute that requires specific law enforcement training on hate crime. Pursuant to N.H. Rev. Stat. § 106-L:5, the New Hampshire Police Standards and Training Council (PSTC) is required to "establish minimum educational and training standards for employment as a police officer." The current New Hampshire PSTC training calendar does not include a course on hate crime or cultural awareness.

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DATA COLLECTION & STATISTICS
Housed within the Division of State Police (NHSP), the NH UCR Unit operates a public access website for NIBRS crime statistics. The NIBRS On-line Reports System can be accessed through the New Hampshire Department of Safety website and includes hate crime statistics for 1997-2016.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the NH UCR Unit include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The NH UCR Unit tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

- **ANTI-ARAB HATE CRIME STATISTICS**
  Anti-Arab hate crime statistics are provided on the NIBRS On-line Reporting System website. According to the UCR Unit, a single anti-Arab hate crime incident was reported in New Hampshire in 2013.

- **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Anti-Islamic (Muslim) hate crime statistics are provided on the NIBRS On-line Reporting System website. From 2000 to 2001 there was an increase of reported anti-Islamic (Muslim) hate crime incidents. According to the UCR Unit, a single anti-Islamic (Muslim) hate crime incident was reported in New Hampshire in 2016.

NEW HAMPSHIRE CRIME STATISTICS HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
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<th>'02</th>
<th>'03</th>
<th>'04</th>
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<th>'11</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>0</td>
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<td>1</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td></td>
</tr>
<tr>
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<td>1</td>
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<td>5</td>
<td>1</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Islamic (Muslim) hate crime incidents were reported in New Hampshire from 2015 to 2016. This total conflicts with NH UCR Unit statistics. New Hampshire law enforcement agencies submit hate crime data to the FBI UCR Program through the NH UCR Unit.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Uniform Crime Reporting (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The New Hampshire UCR program is one of 16 state programs that rely exclusively on NIBRS data.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Uniform Crime Reporting Unit
New Hampshire State Police
New Hampshire Department of Public Safety
33 Hazen Drive
Concord, New Hampshire 03305
(603) 223-8423
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{10}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{11}\)

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

According to annual hate crime statistics published by the NH UCR Unit, 21 hate crime incidents were reported in New Hampshire in 2016. This total conflicts with the FBI UCR Program's annual report, *Hate Crime Statistics*, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

**SUMMARY**

The current New Hampshire hate crime statute is not sufficiently inclusive, as it does not offer protections for disability or gender identity. New Hampshire does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The New Hampshire Uniform Crime Reporting Unit maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. The NIBRS On-line Reporting System can be found on the New Hampshire Department of Safety Website and includes both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 19 New Hampshire law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 155 participating agencies provided only zero data. New Hampshire receives an overall score of 60 points, denoting an average response to hate crime.


IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, New Hampshire receives an overall score of 60, denoting an average response to hate crime. Advocates for an improved response to hate crime in New Hampshire should promote the following:

1. The current New Hampshire hate crime statute offers protections for religion, race, creed, sexual orientation, national origin, and sex. The **New Hampshire hate crime statute should be amended** to include protections for citizenship status, ethnicity, color, disability, age, ancestry, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the New Hampshire Uniform Crime Reporting Unit publishes hate crime statistics through an online database, state code does not require hate crime reporting or data collection. Of the 174 New Hampshire law enforcement agencies participating in the national hate crime statistics program, only 19 agencies submitted incident reports for *Hate Crime Statistics, 2016*. Legislation should be introduced to address these shortcomings.
   - Law enforcement agencies must report hate crimes to the New Hampshire UCR Unit, which currently publishes annual statistics;
   - The New Hampshire UCR Unit should be required by law to collect data and publish statistics, conforming to national standards, on the nature and extent of hate crime within the state. The New Hampshire hate crime database currently provides statistics in accordance with the bias motivation categories identified in *Hate Crime Statistics*;
   - The New Hampshire Department of Public Safety must ensure that law enforcement officers are prepared to report hate crime incidents relating to disability and gender identity. According to the online database, no hate crimes relating to gender identity have been reported to the New Hampshire UCR Unit.

3. New Hampshire state code does not require specific law enforcement training on hate crime. The New Hampshire Police Standards and Training Council must establish minimum educational and training standards for police officers relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in New Hampshire should contact current state legislators and members of Congress.

**New Hampshire General Court**
- Senate: [http://www.gencourt.state.nh.us/senate](http://www.gencourt.state.nh.us/senate)
- House: [http://www.gencourt.state.nh.us/house](http://www.gencourt.state.nh.us/house)

**United States Senate**
- Contact: New Hampshire
  [https://www senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
- Directory of Representatives: New Hampshire
  [https://www.house.gov/representatives#state-new-hampshire](https://www.house.gov/representatives#state-new-hampshire)
NEW JERSEY

Total population: 8,944,469
Rank of Arab American population by state: 7

5 anti-Arab hate crime offenses were reported in NJ in 2016.

New Jersey is the 11th most populated state and has the 7th largest Arab American population.

The New Jersey State Police (NJSP), Uniform Crime Reporting Unit, is the state agency responsible for the collection and publication of hate crime data. The NJSP has yet to release hate crime statistics for 2016.

**HATE CRIME STATUTE**

N.J. Rev. Stat. § 2C:16-1 provides enhanced penalties for the crime of “bias intimidation,” which is defined as an offense committed “with a purpose to intimidate an individual or group of individuals because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity.” Pursuant to Section 2C:16-1, a court may order the convicted person take counseling programs and other civil rights training, as well as “make payments or other compensation to a community-based program or local agency that provides services to victims of bias intimidation.”

**DATA COLLECTION STATUTE**

N.J. Rev. Stat. § 52:17B-5.1 established a uniform crime reporting system under the “direction, control, and supervision of the Attorney General in the Department of Law and Public Safety.” According to N.J. Rev. Stat. § 52:17B-5.3, all local and county police authorities are required to submit “information relating to any offense directed against a person or group, or their property, by reason of their race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity and such other information as the Attorney General may require.”

N.J. Rev. Stat. § 52:17B-5.5 requires the Attorney General to “render an annual report” on information collected through the uniform crime reporting system.

**LAW ENFORCEMENT TRAINING STATUTE**

N.J. Rev. Stat. § 52:9DD-9 requires the New Jersey Human Relations Council (NJHRC) to develop cultural diversity training for police officers in conjunction with law enforcement agencies, including the Office of Bias Crimes and Community Relations in the Division of Criminal Justice.

In accordance with N.J. Rev. Stat. § 52:17B-77.12, all new police officers in New Jersey are required to complete two hours of training on “identifying, responding to, and reporting bias intimidation crimes.” The training course must be developed in consultation with the NJHRC.

---

2. Id.
DATA COLLECTION & STATISTICS
Pursuant to N.J. Rev. Stat. § 52:17B-5.1, and in conjunction with the Office of the Attorney General, the NJ UCR Unit publishes annual reports on statewide crime statistics, including a specialized report on hate crime. The 2006-2015 editions of New Jersey Bias Incident Report can be found on the NJSP website. Bias incident summaries are provided in the 1990-2010 editions of Crime in New Jersey. The New Jersey State Library has archived older versions of the report online.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the NJ UCR Unit include data on anti-Arab and anti-Islamic (Muslim) hate crime. The NJ UCR Unit tabulates hate crime data according to the number of offenses per disaggregated bias motivation category.

• ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1995-2016 editions of Bias Incidents in New Jersey. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime offenses. According to the NJ UCR Unit, 5 anti-Arab hate crime offenses were reported in New Jersey in 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1988-2016 editions of Bias Incidents in New Jersey. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. According to the NJ UCR Unit, 26 anti-Islamic (Muslim) hate crime offenses were reported in New Jersey in 2016.

NEW JERSEY BIAS INCIDENT REPORT OFFENSES (2000-2016)

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<tr>
<th>Bias motivation</th>
<th>'00</th>
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<th>'03</th>
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<td>12</td>
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<td>6</td>
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<tr>
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<td>Anti-other race/ethnicity/ancestry</td>
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<td>13</td>
<td>6</td>
<td>5</td>
<td>5</td>
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</tr>
</tbody>
</table>

According to supplemental data from the FBI, 0 anti-Arab and 17 anti-Islamic (Muslim) hate crime incidents were reported in New Jersey in 2016. This total conflicts with NJ UCR Unit statistics. While Bias Incidents in New Jersey provides offense-based statistics, reporting officers must record only one offense per incident. New Jersey law enforcement agencies submit hate crime data to the FBI UCR Program through the NJ UCR Unit.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The New Jersey UCR is one program of 15 state programs that still rely exclusively on SRS data. According to the Bureau of Justice Statistics, New Jersey has been awarded grants through the National Crime Statistics Exchange (NCS-X) Initiative and is in the midst of NIBRS implementation.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Uniform Crime Reporting Unit
New Jersey State Police
Post Office Box 7068
West Trenton, New Jersey 08628-0068
(609) 882-2000 x2382
www.njsp.org

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
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<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>11</td>
<td>17</td>
</tr>
</tbody>
</table>
### FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

### FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in New Jersey submit hate crime data to the FBI UCR Program through the NJ UCR Unit. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 282 hate crime incidents were reported in New Jersey in 2016.

In 2016, 117 of the 507 New Jersey law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 6 agencies representing populations greater than 100,000 either submitted only zero data or failed to provide data in at least one quarterly submission period.

According to annual hate crime statistics published by the NJ UCR Unit, 417 hate crime offenses, involving 417 incidents, were reported in New Jersey in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics*, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

### PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>162</td>
<td>505</td>
</tr>
<tr>
<td>2013</td>
<td>140</td>
<td>414</td>
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<td>2014</td>
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</tr>
<tr>
<td>2015</td>
<td>123</td>
<td>330</td>
</tr>
<tr>
<td>2016</td>
<td>117</td>
<td>282</td>
</tr>
</tbody>
</table>

### SUMMARY

New Jersey has an inclusive hate crime statute. Furthermore, New Jersey has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The New Jersey State Police, Uniform Crime Reporting Unit, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Bias Incidents in New Jersey* can be found on the New Jersey State Police website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics.

In 2016, 117 New Jersey law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 390 participating agencies provided only zero data. A total of 276 participating agencies recorded blank data in at least one quarterly submission period. New Jersey receives an overall score of 100 points, denoting a strong response to hate crime.

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IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, New Jersey receives an overall score of 100, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in New Jersey should promote the following:

1. The current New Jersey hate crime statute offers protections for race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, and ethnicity. The **New Jersey hate crime statute should be amended** to include protections for citizenship status, age, ancestry, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the New Jersey Uniform Crime Reporting Unit publishes statistics in the form of an annual hate crime report, such statistics do not conform to national standards. Anti-Arab hate crime statistics are provided in the 2015 edition of *Bias Incidents in New Jersey*. The report does not indicate whether anti-Buddhist, anti-Eastern Orthodox, anti-Hindu, anti-Jehovah’s Witness, anti-Mormon, anti-other Christian, or anti-Sikh hate crimes occurred within the state that year. The FBI Uniform Crime Reporting Program introduced these religious anti-bias categories, alongside the anti-Arab category, in 2015. Hate crime statistics relating to gender nonconformity are also not included in the annual report.
   - New Jersey’s annual hate crime report should provide statistics relating to the bias motivation categories described above;
   - New Jersey must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

STATE CONTACTS

Advocates for an improved response to hate crime in New Jersey should contact current state legislators and members of Congress.

**New Jersey Legislature**
Both Chambers: [http://www.njleg.state.nj.us](http://www.njleg.state.nj.us)

**United States Senate**
Contact: New Jersey
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: New Jersey
[https://www.house.gov/representatives#state-new-jersey](https://www.house.gov/representatives#state-new-jersey)
New Mexico is the 36th most populated state and has the 40th largest Arab American population.

The New Mexico Department of Public Safety, Law Enforcement Records Bureau, is the state agency responsible for the collection and publication of crime data. The LERB does not publish annual hate crime statistics.

**HATE CRIME STATUTE**

N.M. Stat. Ann. § 31-18B-3 permits increased sentencing for “noncapital felonies, misdemeanors or petty misdemeanors committed because of the victim’s actual or perceived race, religion, color, national origin, ancestry, age, disability, gender, sexual orientation or gender identity.” Sentencing may also require “community service, treatment, education or any combination thereof.”

**DATA COLLECTION STATUTE**

N.M. Stat. Ann. § 31-18B-4 requires all New Mexico district attorneys and law enforcement agencies to provide the FBI with “data concerning the commission of a crime motivated by hate.”

N.M. Stat. Ann. § 29-3-11 requires the Department of Public Safety (DPS) to collect and analyze “crime incident and arrest reports generated by all law enforcement agencies in [the] state.” Crime incident and arrest reports are submitted to the DPS Law Enforcement Records Bureau (LERB). Pursuant to Section 29-3-11, the DPS is required to compile statistical data, provide reporting guidance to law enforcement agencies, and publish an annual report on the “nature and extent of crime in New Mexico.”

**LAW ENFORCEMENT TRAINING STATUTE**

N.M. Stat. Ann. § 31-18B-5 requires each certified regional law enforcement agency in the state to incorporate a training course on “crimes motivated by hate” into its basic and in-service training curricula.

The most recent edition of New Mexico’s basic training curriculum is provided on the New Mexico Law Enforcement Academy website.

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2 I.d.
5 I.d.
DATA COLLECTION & STATISTICS
While New Mexico law enforcement agencies are required to submit hate crime data to the FBI in accordance with N.M. Stat. Ann. § 31-18B-4, the New Mexico DPS is not required to publish hate crime statistics. Pursuant to N.M. Stat. Ann. § 29-3-11, the New Mexico DPS does publish an annual report on the nature and extent of crime in the state. The reports are compiled and prepared by the LERB. The 2008-2017 editions of NM Uniform Crime Report Summary can be found on the DPS website.¹⁰

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.⁹ This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The New Mexico UCR program is one of 15 state programs that still rely exclusively on SRS data.¹⁰ According to the Bureau of Justice Statistics, New Mexico has not received any funding to support a statewide transition to NIBRS-compliant reporting.¹¹

Traditional summary-based crime reporting is constrained with respect to the various data elements that serve to put a particular incident in context, such as victim and offender demographics, the location of the incident, and whether an arrest occurred.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
New Mexico Department of Public Safety
NM Law Enforcement Records Bureau
4491 Cerrillos Road
Santa Fe, New Mexico 87507
505-827-9181
http://www.dps.state.nm.us/index.php/lerb/

ANNUAL STATEWIDE HATE CRIME REPORT
The LERB does not publish annual state-level hate crime statistics. A statewide transition to NIBRS would facilitate hate crime reporting and data collection.

• **ANTI-ARAB HATE CRIME STATISTICS**
The LERB does not publish annual statistics on anti-Arab hate crime. While state code requires law enforcement agencies in New Mexico to submit hate crime data to the FBI UCR Program, the LERB is not required to publish state-level statistics.

• **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
The LERB does not publish annual statistics on anti-Islamic (Muslim) hate crime. While state code requires law enforcement agencies in New Mexico to submit hate crime data to the FBI UCR Program, the LERB is not required to publish state-level statistics.

THE LAW ENFORCEMENT RECORDS BUREAU DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|---------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                       | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   |
| Anti-Islamic (Muslim)           | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   |
| Anti-other race/ethnicity/ancestry | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

According to supplemental data from the FBI, 6 anti-Islamic (Muslim) hate crime incidents were reported in New Mexico in 2016. New Mexico law enforcement agencies submit hate crime data to the FBI UCR Program through the LERB.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>6</td>
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</tbody>
</table>

Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in New Mexico participating in the national hate crime statistics program submit hate crime data to the FBI UCR Program through the LERB. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 26 hate crime incidents were reported in New Mexico in 2016.

According to the Bureau of Justice Statistics, there are nearly 150 state and local law enforcement agencies in New Mexico. In 2016, 2 of the 18 New Mexico law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in New Mexico did not participate in the national hate crime statistics program.

As the LERB does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

SUMMARY
New Mexico has an inclusive hate crime statute. Furthermore, New Mexico has statutes that require reporting and specific law enforcement training on hate crime. There is no state law regarding the collection and publication of hate crime data, as reported by law enforcement agencies in accordance with N.M. Stat. Ann. § 31-18B-4. Housed within the Department of Public Safety, the New Mexico Law Enforcement Records Bureau maintains the state clearinghouse for all police-reported crime data and is responsible for publishing annual statistics. Copies of NM Uniform Crime Report Summary can be found on the DPS website but do not include hate crime statistics. In 2016, 2 New Mexico law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 16 participating agencies provided only zero data. A single participating agency recorded blank data in at least one quarterly submission period. New Mexico receives an overall score of 70 points, denoting an average response to hate crime.

FBI HATE CRIME STATISTICS: NEW MEXICO 2012-2016

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
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<td>12</td>
<td>13</td>
<td>13</td>
<td>26</td>
<td>66</td>
</tr>
</tbody>
</table>

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Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans | 161
ADVOCA CY RESOURCES - New Mexico

IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, New Mexico receives an overall score of 70 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in New Mexico should promote the following:

1. The current New Mexico hate crime statute offers protections for race, religion, color, national origin, ancestry, age, disability, gender, sexual orientation, and gender identity. The New Mexico hate crime statute should be amended to include protections for **citizenship status, ethnicity, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. New Mexico law enforcement agencies are required to submit hate crime data to the FBI. New Mexico state code, however, does not require hate crime data collection or statistical publication at the state level. There are nearly 150 law enforcement agencies in New Mexico. In 2016, 2 of the 18 New Mexico law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing 9 of New Mexico’s 10 largest cities did not participate in the national hate crime statistics program.

   - Law enforcement agencies must report hate crimes to the New Mexico Law Enforcement Records Bureau (LERB).
   - The LERB must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - New Mexico must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS

Advocates for an improved response to hate crime in New Mexico should contact current state legislators and members of Congress.

New Mexico Legislature
Senate: (505) 986-4714 | House: (505) 986-4751
Both Chambers: [https://www.nmlegis.gov](https://www.nmlegis.gov)

United States Senate
Contact: New Mexico
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

United States House of Representatives
Directory of Representatives: New Mexico
New York is the 4th most populated state and has the 3rd largest Arab American population in the US.

The New York Division of Criminal Justice Services (DCJS), Office of Justice Research and Performance, is the state agency responsible for the collection and publication of hate crime data. According to the OJRP, there was a single anti-Arab hate crime incident reported in New York in 2016.

**Hate Crime Statute**

N.Y. Pen. Law § 485.10 provides enhanced sentencing for a person convicted of a hate crime. The court may also require defendants to “complete a program, training session or counseling session directed at hate crime prevention and education.”1 Pursuant to N.Y. Pen. Law § 485.05, hate crime sentencing can be applied to certain offenses that are committed “in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.”2

The current New York hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**Data Collection Statute**

N.Y. Exec. Law § 837(4-c) requires the DCJS to collect and analyze “statistical and all other information and data with respect to the number of hate crimes reported to or investigated by the division of state police, and all other police or peace officers,” and to include this information in an annual report.3

Law enforcement agencies are not required to submit hate crime data to the DCJS.

**Law Enforcement Training Statute**

There is no New York statute that requires specific law enforcement training on hate crime. Pursuant to N.Y. Exec. Law § 840, the New York Municipal Police Training Council is authorized to establish the minimum courses of study and basic training for law enforcement officers in the state.4

The current DCJS basic training curriculum for New York law enforcement officers includes instruction on cultural diversity and bias-related incidents.5

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DATA COLLECTION & STATISTICS
Pursuant to N.Y. Exec. Law § 837(4-c), the DCJS publishes an annual report on statewide hate crime statistics. The 2008-2016 editions of *Hate Crime in New York* can be found on the DCJS website.6

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the DCJS include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The DCJS tabulates hate crime data according to the number of incidents per disaggregated bias motivation category. *Hate Crime in New York* is based on voluntary UCR submissions from law enforcement agencies across the state.

- **ANTI-ARAB HATE CRIME STATISTICS**
  Anti-Arab hate crime statistics are provided in the 2008-2016 editions of *Hate Crime in New York*. According to the DCJS, a single anti-Arab hate crime incident was reported in New York in 2016.

- **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Anti-Islamic (Muslim) hate crime statistics are provided in the 2008-2016 editions of *Hate Crime in New York*. According to the DCJS, 41 anti-Islamic (Muslim) hate crime incidents were reported in New York in 2016.

HATE CRIME IN NEW YORK INCIDENTS (2000-2016)

| Bias motivation                        | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|----------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                              | -   | -   | -   | -   | -   | -   | -   | 5   | 10  | 6   | 9   | 6   | 3   | 3   | 0   | 1   |
| Anti-Islamic (Muslim)                  | -   | -   | -   | -   | -   | -   | -   | 8   | 11  | 29  | 19  | 31  | 22  | 24  | 33  | 41  |
| Anti-other race/ethnicity/ancestry     | -   | -   | -   | -   | -   | -   | -   | 18  | 10  | 17  | 13  | 14  | 13  | 19  | 14  | 30  |

According to supplemental data from the FBI, a single anti-Arab hate crime incident and 41 anti-Islamic (Muslim) hate crime incidents were reported in New York in 2016. This total is consistent with DCJS statistics. New York law enforcement agencies submit hate crime data to the FBI UCR Program through the DCJS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
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</tr>
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<tbody>
<tr>
<td>Anti-Arab</td>
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<td>1</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>33</td>
<td>41</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The New York UCR program is not NIBRS-certified. As of July 5, 2016, more than half of New York’s law enforcement agencies were participating in the state’s incident-based reporting system (NYSIBR), which collects 54 of the 58 data elements captured by the NIBRS.8 According to the Bureau of Justice Statistics, New York has received funding through the National Crime Statistics Exchange (NCS-X) Initiative and is in the midst of NIBRS implementation.9

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Office of Justice Research and Performance
New York State Division of Criminal Justice Services
Alfred E. Smith Building
80 South Swan Street
Albany, New York 12210-8002
(518) 485-7942
http://www.criminaljustice.ny.gov/

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Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

**FBI HATE CRIME STATISTICS**

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990, the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR Program.

**FBI HATE CRIME STATISTICS: NEW YORK 2012-2016**

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
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<td>186</td>
<td>143</td>
<td>136</td>
<td>155</td>
<td>835</td>
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<tr>
<td>Religion</td>
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<td>294</td>
<td>287</td>
<td>256</td>
<td>311</td>
<td>1,554</td>
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<td>Sexual orientation</td>
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<td>122</td>
<td>110</td>
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<td>99</td>
<td>529</td>
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<td>545</td>
<td>500</td>
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**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<td>2012</td>
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<td>500</td>
</tr>
<tr>
<td>2016</td>
<td>72</td>
<td>595</td>
</tr>
</tbody>
</table>

**SUMMARY**

The current New York hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. While there is a New York statute requiring the Division of Criminal Justice Services to collect data on hate crime, law enforcement agencies are not statutorily required to report such data to the DCJS. Despite the lack of a statutory provision regarding mandatory law enforcement training on hate crime, the basic training curriculum for New York law enforcement officers includes instruction on investigating, reporting, and responding to bias-motivated criminal activity. The Division of Criminal Justice Services, Office of Justice Research and Performance, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Hate Crime in New York* can be found on the DCJS website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 72 New York law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 512 participating agencies provided only zero data. A total of 36 participating agencies recorded blank data in at least one quarterly submission period. New York receives an overall score of 75 points, denoting an average response to hate crime.

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ADVOCACY RESOURCES - New York

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, Hate Crime Statistics. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, New York receives an overall score of 75 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in New York should promote the following:

1. The current New York hate crime statute offers protections for race, color, national origin, ancestry, gender, religion, religious practice, age, disability, and sexual orientation. The New York hate crime statute should be amended to include protections for citizenship status, ethnicity, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the New York Division of Criminal Justice Services (DCJS) is required to collect data on hate crimes, law enforcement agencies in New York are not required to report hate crime incidents. Furthermore, New York state code does not require specific law enforcement training on hate crime.

   • Law enforcement agencies must report hate crimes to the DCJS, which is currently responsible for publishing annual statistics.

   • While the DCJS basic training curriculum for New York law enforcement officers includes instruction on bias-related incidents, instruction relating to investigating and reporting hate crime incidents should be required by law. The Municipal Police Training Council is authorized to establish minimum courses of study and basic training for law enforcement officers throughout the state.

3. In 2016, 72 of the 584 New York law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   • New York must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in New York should contact current state legislators and members of Congress.

New York State Legislature
Senate: https://www.nysenate.gov
Assembly: http://assembly.state.ny.us

United States Senate
Contact: New York
https://www.senate.gov/senators/contact

United States House of Representatives
Directory of Representatives: New York
https://www.house.gov/representatives#state-new-york
Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

**NORTH CAROLINA**

Total population: 10,146,788
Rank of Arab American population by state: 14

NC does not publish annual hate crime statistics.

**North Carolina** is the 9th most populated state and has the 14th largest Arab American population.

The North Carolina State Bureau of Investigation is the state agency responsible for the collection and publication of crime data. The NCSBI does not publish annual statewide hate crime statistics.

**HATE CRIME STATUTE**

N.C. Gen. Stat. § 14-3 provides enhanced penalties for misdemeanors committed “because of the victim’s race, color, religion, nationality, or country of origin.” Pursuant to N.C. Gen. Stat. § 14-401.14, such offenses are defined as “ethnic animosity,” or “ethnic intimidation,” and include assault, damaging or defacing property, or threatening to do any such act. The North Carolina hate crime statute does not provide enhanced penalties for felony offenses motivated by ethnic animosity.

North Carolina’s civil rights law, N.C. Gen. Stat. § 99D-1, permits the North Carolina Human Relations Commission to bring a civil action on behalf of a person subjected to any attempt, “motivated by race, religion, ethnicity, or gender,” to interfere with their civil rights. The court may award compensatory or punitive damages to the plaintiff.

The current North Carolina hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity. While the statute does not have a provision on gender, the state’s civil rights law permits the award of punitive damages to a plaintiff when subjected to any interference or attempt to interfere with their civil rights on the basis of gender.

**DATA COLLECTION STATUTE**

There is no North Carolina statute that requires hate crime reporting or data collection. N.C. Gen. Stat. § 143B-906 requires the State Bureau of Investigation (NCSBI) to collect criminal information and compile and publish “crime statistics and other information,” both local and national, for the availability of law enforcement agencies and other state officials. North Carolina law enforcement agencies voluntarily submit crime data to the NCSBI.

**LAW ENFORCEMENT TRAINING STATUTE**

There is no North Carolina statute that requires specific law enforcement training on hate crime. Pursuant to N.C. Gen. Stat. § 17C-6, the Basic Law Enforcement Training Commission (BLETC) is required to “establish minimum educational and training standards” for North Carolina law enforcement officers. The current BLETC basic training curriculum does not appear to include hate crime as a topic of instruction.

<table>
<thead>
<tr>
<th><strong>NORTH CAROLINA</strong></th>
<th>25/40</th>
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</thead>
<tbody>
<tr>
<td>Hate Crime Statute</td>
<td></td>
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<tr>
<td>No statute; civil action or civil rights law</td>
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<td>Hate crime statute, with protections for:</td>
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<td>Race/ethnicity/ancestry</td>
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<tr>
<td>Mandatory training</td>
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<tr>
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<td>Anti-Arab hate crime statistics</td>
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</tr>
<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
<td>-</td>
</tr>
</tbody>
</table>

| **FBI Hate Crime Statistics Participant** | 10/10 |

**TOTAL** 35

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4. Id.
DATA COLLECTION & STATISTICS
Pursuant to N.C. Gen. Stat. § 143B-906, the NCSBI collects data and publishes annual statistics based on voluntary UCR submissions from law enforcement agencies across the state. The 1993-2016 editions of Crime in North Carolina can be found on the NCSBI website. While the 1995-2008 reports provide hate crime statistics, subsequent editions do not.

ANNUAL STATEWIDE HATE CRIME REPORT
The NCSBI does not publish annual state-level hate crime statistics. While the introduction Crime in North Carolina, 2015, includes a section on hate crime data collections, the language has not been updated since the 1999 edition. The section proceeds with a discussion of law enforcement training, stating that the North Carolina Justice Academy (NCJA) conducts training relating to investigating and reporting hate crime incidents. The current NCJA training catalog does not include hate crime-related training. The NCSBI provides no information relating to hate crime in Crime in North Carolina, 2016.

ANTI-ARAB HATE CRIME STATISTICS
The NCSBI does not publish annual statistics on anti-Arab hate crime.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1995-2007 editions of Crime in North Carolina. The NCSBI tabulated hate crime data according to the number of incidents per disaggregated bias motivation category. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime incidents.

CRIME IN NORTH CAROLINA HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
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<td>-</td>
<td>-</td>
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<td>-</td>
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</tr>
<tr>
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<td>0</td>
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</tr>
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</table>

According to supplemental data from the FBI, 12 anti-Islamic (Muslim) hate crime incidents were reported in North Carolina in 2016. North Carolina law enforcement agencies submit hate crime data to the FBI UCR Program through the NCSBI.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The North Carolina UCR program is one of 15 state programs that still rely exclusively on SRS data. According to the Bureau of Justice Statistics, North Carolina has received funding through the National Crime Statistics Exchange (NCS-X) Initiative and is in the midst of NIBRS implementation.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Crime Reporting and Criminal Statistics
State Bureau of Investigation
Post Office Box 29500
Raleigh, North Carolina 27626-0500
(919) 662-4509
www.ncdoj.gov

CRIME IN NORTH CAROLINA HATE CRIME INCIDENTS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'16</th>
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<tr>
<td>Anti-Arab</td>
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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>12</td>
</tr>
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</table>

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
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</thead>
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<tr>
<td>Anti-Arab</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>8</td>
<td>12</td>
</tr>
</tbody>
</table>
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in North Carolina submit hate crime data to the FBI UCR Program through the NCSBI. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 148 hate crime incidents were reported in North Carolina in 2016.

In 2016, 41 of the 528 North Carolina law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 2 agencies representing populations greater than 100,000 submitted only zero data.

As the NCSBI does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
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<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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</thead>
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<td>2012</td>
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<tr>
<td>2013</td>
<td>118</td>
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<td>140</td>
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<td>161</td>
<td>52</td>
</tr>
<tr>
<td>2016</td>
<td>148</td>
<td>41</td>
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SUMMARY

The current North Carolina hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity. The state’s civil rights law grants protections on the basis of gender. North Carolina does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The North Carolina State Bureau of Investigation maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. The 2008-2016 editions of the NCSBI report do not include hate crime statistics. In 2016, 41 North Carolina law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 487 participating agencies provided only zero data. North Carolina receives an overall score of 35 points, denoting a limited response to hate crime.

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, North Carolina receives an overall score of 35 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in North Carolina should promote the following:

1. The current North Carolina hate crime statute offers protections for race, color, religion, nationality, and country of origin. North Carolina’s civil rights law offers protections for gender. The North Carolina hate crime statute should be amended to include protections for citizenship status, ethnicity, disability, age, ancestry, gender or gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. North Carolina state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 41 of the 528 North Carolina law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   - Law enforcement agencies must report hate crimes to the North Carolina State Bureau of Investigation (SBI).
   - The SBI must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - North Carolina must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.
   - The North Carolina Basic Law Enforcement Training Commission must establish minimum education and training standards relating to investigating and reporting hate crime incidents for law enforcement officers throughout the state.

STATE CONTACTS
Advocates for an improved response to hate crime in North Carolina should contact current state legislators and members of Congress.

**North Carolina General Assembly**
Senate: [https://www.ncleg.net/Senate/Senate.html](https://www.ncleg.net/Senate/Senate.html)
House: [https://www.ncleg.net/House/House.html](https://www.ncleg.net/House/House.html)

**United States Senate**
Contact: North Carolina
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: North Carolina
[https://www.house.gov/representatives#state-north-carolina](https://www.house.gov/representatives#state-north-carolina)
North Dakota is the 47th most populated state and has the 49th largest Arab American population.

The North Dakota Bureau of Criminal Investigation is the state agency responsible for the collection and publication of crime data. The NDBCI does not publish annual hate crime statistics.

**HATE CRIME STATUTE**

N.D. Cent. Code § 12.1-14-04 prohibits a person from intentionally injuring, intimidating, or interfering with “another because of his sex, race, color, religion, or national origin and because he is or has been exercising or attempting to exercise his right to full and equal enjoyment of any facility open to the public.” The statute also prohibits a person from intentionally injuring, intimidating, or interfering with another person “in order to intimidate him or any other person” from the exercise of civil rights in public spaces as described above. Such an offense is considered a class B misdemeanor whether committed “by force, or threat of force or by economic coercion.”

The current North Dakota hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity.

**DATA COLLECTION STATUTE**

There is no North Dakota statute that requires hate crime reporting or data collection. N.D. Cent. Code § 12-60-01 established the Bureau of Criminal Investigation within the Department of Justice as the “central repository for the collection, maintenance, and dissemination of criminal history record information.”

According to the state’s Office of the Attorney General website, the NDBCI manages the state’s uniform crime reporting (UCR) program, which “involves the collection and analysis of crime statistics reported by local law enforcement agencies in North Dakota.”

**LAW ENFORCEMENT TRAINING STATUTE**

There is no North Dakota statute that requires specific law enforcement training on hate crime. Pursuant to N.D. Cent. Code § 12-62-02, the Attorney General is required “to ensure adequate training for law enforcement and...the comprehensive collection of crime statistics.” Also in accordance with North Dakota law, the Peace Officer Standards and Training Board is authorized to “establish the curriculum for basic and advanced peace officer training.”

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2 Id.
DATA COLLECTION & STATISTICS
In coordination with the Office of the Attorney General, the NDBCI publishes an annual report on statewide crime statistics. The 1999-2016 editions of Crime in North Dakota can be found on the Office of the Attorney General website but do not include hate crime statistics.7

ANNUAL STATEWIDE HATE CRIME REPORT
The NDBCI does not publish annual state-level hate crime statistics.

Bias motivation is a mandatory data element in all NIBRS submissions. As North Dakota is 100 percent NIBRS compliant, all crime data submissions from North Dakota law enforcement agencies indicate bias motivation. The NDBCI collects these submissions and forwards the data to the FBI UCR Program. Given the state’s NIBRS status, North Dakota is better equipped to publish annual state-level hate crime statistics than other non-reporting states.

• ANTI-ARAB HATE CRIME STATISTICS
  The NDBCI does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  The NDBCI does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE NORTH DAKOTA BUREAU OF CRIMINAL INVESTIGATION DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in North Dakota in 2016. North Dakota law enforcement agencies submit hate crime data to the FBI UCR Program through the NDBCI.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.8 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The North Dakota UCR program is one of 16 state programs that rely exclusively on NIBRS data.9

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Information Services Section
Attorney General’s Office
Bureau of Criminal Investigation
Post Office Box 1054
Bismarck, North Dakota 58502-1054
(701) 328-5527
www.ag.nd.gov

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
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<tr>
<td>Anti-Arab</td>
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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>1</td>
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</tbody>
</table>

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in North Dakota in 2016. North Dakota law enforcement agencies submit hate crime data to the FBI UCR Program through the NDBCI.

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FBI HATE CRIME STATISTICS
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For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in North Dakota submit hate crime data to the FBI UCR Program through the NDBCI. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 8 hate crime incidents were reported in North Dakota in 2016.

In 2016, 6 of the 108 North Dakota law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing three of North Dakota’s five largest cities submitted only zero data.

As the NCSBI does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

SUMMARY
The current North Dakota hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity. Furthermore, North Dakota does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The North Dakota Bureau of Criminal Investigation maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in North Dakota can be found on the Office of the Attorney General website but do not include hate crime statistics. In 2016, 6 North Dakota law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 102 participating agencies provided only zero data. A total of 2 participating agencies recorded blank data in at least one quarterly submission period. North Dakota receives an overall score of 35 points, denoting a limited response to hate crime.

**ADVOCACY RESOURCES - North Dakota**

**IMPROVING THE RESPONSE**

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

**STATE RECOMMENDATIONS**

According to our rating methodology, North Dakota receives an overall score of 35 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in North Dakota should promote the following:

1. The current North Dakota hate crime statute offers protections for sex, race, color, religion, and national origin. The North Dakota hate crime statute should be amended to include protections for citizenship status, ethnicity, disability, age, ancestry, gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. North Dakota state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 6 of the 108 North Dakota law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the North Dakota Bureau of Criminal Investigation (BCI).
   - The BCI must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - The North Dakota Peace Officer Standards and Training Board must establish a curriculum for peace officer training that includes instruction relating to investigating and reporting hate crime incidents.

**STATE CONTACTS**

Advocates for an improved response to hate crime in North Dakota should contact current state legislators and members of Congress.

**North Dakota Legislative Branch**

Both Chambers: [http://www.legis.nd.gov/assembly](http://www.legis.nd.gov/assembly)

**United States Senate**

Contact: North Dakota
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**

Directory of Representatives: North Dakota
[https://www.house.gov/representatives#state-north-dakota](https://www.house.gov/representatives#state-north-dakota)
OHIO

Total population: 11,614,373
Rank of Arab American population by state: 8

OHIO does not publish anti-Arab hate crime statistics.

Ohio is the 7th most populated state and has the 8th largest Arab American population.

The Ohio Department of Public Safety, Office of Criminal Justice Services, is the state agency responsible for the collection and publication of crime data. The OCJS publishes an annual hate crime report based on data in FBI Hate Crime Statistics.

HATE CRIME STATUTE
Ohio Rev. Code § 2927.12 provides enhanced penalties for certain crimes committed “by reason of the race, color, religion, or national origin of another person or group of persons.”

The current Ohio hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

DATA COLLECTION STATUTE
There is no Ohio statute that requires hate crime reporting or data collection. Ohio Rev. Code § 5502.62 established the Office of Criminal Justice Services (OCJS) within the Ohio Department of Public Safety. Pursuant to Section 5502.62, The OCJS is required to “collect, analyze, and correlate information and data concerning the criminal justice system in the state.” The OCJS maintains the Ohio Incident-Based Reporting System (OIBRS).

Additionally, in accordance with Section 5502.62, all Ohio law enforcement agencies that receive federal criminal justice grants or general revenue funds through the OCJS are required to participate in the OIBRS or the FBI’s Uniform Crime Reporting (UCR) program. The OCJS is also required to provide “assistance, advice, and reports requested by the governor, the general assembly, or the [FBI].”

LAW ENFORCEMENT TRAINING STATUTE
There is no Ohio statute that requires specific law enforcement training on hate crime. Pursuant to Ohio Rev. Code § 109.73, the Ohio Peace Officer Training Commission is required to consult the Attorney General with respect to the minimum basic training and advanced in-service training of law enforcement officers within the state.

The Ohio Peace Officer Training Academy currently offers an elective course on bias crimes investigations.

OHIO

Hate Crime Statute  20/40
No statute; civil action or civil rights law -
Hate crime statute, with protections for:
  Race/ethnicity/ancestry  5
  Religion  5
  Sexual orientation -
  Disability -
  Gender -
  Gender identity -

Data Collection Statute  0/15
Data collection (voluntary reporting) -
Mandatory reporting and data collection -

Law Enforcement Training Statute  0/15
No statute; comprehensive training -
Mandatory training -

Annual Hate Crime Report  10/20
Annual hate crime report, including:
  Anti-Arab hate crime statistics -
  Anti-Islamic (Muslim) hate crime statistics -

FBI Hate Crime Statistics Participant  10/10

TOTAL  40

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3 Ohio Rev. Code § 5502.62(D)(1), Id.
4 Ohio Rev. Code § 5502.62(C)(6), Id.
DATA COLLECTION & STATISTICS
Housed within the OCJS, the Ohio Statistical Analysis Center (SAC) publishes annual crime statistics, including a specialized report on hate crime. The 2005-2016 editions of Ohio Hate Crime Statistics can be found on the OCJS website.

Annual reports published by the OCJS, including Ohio Hate Crime Statistics, “summarize data contained in the FBI’s annual publications, with emphasis on Ohio data whenever possible.”

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the OCJS do not include data on anti-Arab or anti-Islamic (Muslim) hate crime. Ohio Hate Crime Statistics is a summary of the FBI UCR Program’s annual report, Hate Crime Statistics, with a focus on Ohio. Hate crime data in the OCJS reports is tabulated according to the number of incidents per aggregate bias motivation category.

In 1995, the Ohio Advisory Committee to the United States Commission on Civil Rights (USCCR) published a report on hate crime in the state’s five largest cities. Hate Crime in Ohio summarizes 1989-1993 data from Cleveland, Toledo, Dayton, Columbus, and Cincinnati and includes some accounts of anti-Arab hate crime.

- ANTI-ARAB HATE CRIME STATISTICS
  The OCJS does not publish annual statistics on anti-Arab hate crime.

- ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  The OCJS does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE OFFICE OF CRIMINAL JUSTICE SERVICES DOES NOT PUBLISH ANNUAL DISAGGREGATED HATE CRIME STATISTICS.

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Arab and 15 anti-Islamic (Muslim) hate crime incidents were reported in Ohio in 2016. Ohio law enforcement agencies submit hate crime data to the FBI UCR Program through the OCJS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>11</td>
<td>15</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Ohio UCR program is one of 18 state programs that rely on both SRS and NIBRS data. According to the Bureau of Justice Statistics, more than 80 percent of law enforcement agencies in Ohio are NIBRS-certified.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Ohio Department of Public Safety
Office of Criminal Justice Services
1970 West Broad Street
Columbus, Ohio 43223
(614) 644-6797
www.ocjs.ohio.gov

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8 Id.
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{13}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{14}\)

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Ohio submit hate crime data to the FBI UCR Program through the OCJS. According to the FBI UCR Program's annual report, *Hate Crime Statistics*, 442 hate crime incidents were reported in Ohio in 2016.

In 2016, 115 of the 562 Ohio law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

According to annual hate crime statistics published by the OCJS, 442 hate crime incidents were reported in Ohio in 2016. Ohio Hate Crime Statistics is a summary of the FBI UCR Program's annual report, *Hate Crime Statistics*, with a focus on Ohio.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>194</td>
<td>257</td>
</tr>
<tr>
<td>2013</td>
<td>257</td>
<td>370</td>
</tr>
<tr>
<td>2014</td>
<td>105</td>
<td>403</td>
</tr>
<tr>
<td>2015</td>
<td>109</td>
<td>416</td>
</tr>
<tr>
<td>2016</td>
<td>115</td>
<td>442</td>
</tr>
</tbody>
</table>

SUMMARY
The current Ohio hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity. While Ohio does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime, the state does publish an annual statewide hate crime report and has introduced a course on bias crimes investigations into its basic police training curriculum. The Ohio Department of Public Safety, Office of Criminal Justice Services, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Hate Crime Statistics: Hate Crime in the U.S. and Ohio* can be found on the OCJS website. The reports provide neither anti-Arab nor anti-Islamic (Muslim) hate crime statistics. In 2016, 115 Ohio law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 447 participating agencies provided only zero data. A total of 90 participating agencies recorded blank data in at least one quarterly submission period. Ohio receives an overall score of 40 points, denoting a limited response to hate crime.

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ADVOCACY RESOURCES - Ohio

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Ohio receives an overall score of 40 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Ohio should promote the following:

1. The current Ohio hate crime statute offers protections for race, color, religion, and national origin. The Ohio hate crime statute should be amended to include protections for **citizenship status, ethnicity, disability, age, ancestry, gender or gender identity, sexual orientation, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. Ohio state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 115 of the 562 Ohio law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the Ohio Office of Criminal Justice Services (OCJS).
   - The OCJS must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. Currently, the OCJS publishes an annual data summary of the FBI UCR Program’s annual report, *Hate Crime Statistics* with a focus on data from Ohio.
   - Ohio must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.
   - The Ohio Peace Officer Training Commission must promote instruction relating to investigating and reporting hate crime incidents for law enforcement officers throughout the state.

STATE CONTACTS
Advocates for an improved response to hate crime in Ohio should contact current state legislators and members of Congress.

Ohio Legislature
Both Chambers: [https://www.legislature.ohio.gov](https://www.legislature.ohio.gov)

United States Senate
Contact: Ohio
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

United States House of Representatives
Directory of Representatives: Ohio
[https://www.house.gov/representatives#state-ohio](https://www.house.gov/representatives#state-ohio)
**OKLAHOMA**

Total population: 3,923,561  
Rank of Arab American population by state: 27

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**Oklahoma** is the 28th most populated state and has the 27th largest Arab American population.

The Oklahoma State Bureau of Investigation is the state agency responsible for the collection and publication of hate crime data. The OSBI does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**  
Okla. Stat. tit. 21, § 21-850(A) prohibits any person from committing an offense “maliciously and with specific intent to intimidate or harass another person because of that person’s race, color, religion, ancestry, national origin or disability.” Punishable offenses include assault or battery, damage, destruction, vandalism, or defacement of property, or threatening by word or act to do so.

Okla. Stat. tit. 21, § 21-850(B) and 21-850(C) prohibit any person from inciting or producing imminent violence against another person because of their race, color, religion, ancestry, national origin or disability, whether by means of “telephonic, computerized, or electronic” communication or “broadcast, published, or distributed” material. A first offense in violation of subsections A, B, or C is considered a misdemeanor and punishable by fine or imprisonment. Any subsequent offense is considered a felony and subject to increased punishment and civil liability on behalf of the victim.

The current Oklahoma hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, gender, or gender identity.

**DATA COLLECTION STATUTE**  
Okla. Stat. tit. 21, § 21-850(F) requires the OSBI to “develop a standard system for state and local law enforcement agencies to report incidents of crime which are apparently directed against members of racial, ethnic, religious groups or other groups specified by [Section 21-850].”

Pursuant to Section 21-850(F), all Oklahoma law enforcement agencies are required to submit a monthly report containing the “number and nature of the offenses committed within their respective jurisdictions, the disposition of such matters and any other information the Bureau may require.”

The current Oklahoma hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, gender, or gender identity.

**LAW ENFORCEMENT TRAINING STATUTE**  
There is no Oklahoma statute that requires specific law enforcement training on hate crime. Okla. Stat. tit. 70, § 70-3311.5 outlines the mandatory basic training courses for law enforcement certification as prepared by the state’s Council on Law Enforcement Education and Training (CLEET).

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<table>
<thead>
<tr>
<th>OKLAHOMA</th>
<th></th>
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<tbody>
<tr>
<td><strong>Hate Crime Statute</strong></td>
<td>25/40</td>
</tr>
<tr>
<td>No statute; civil action or civil rights law</td>
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</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
<td>10</td>
</tr>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>5</td>
</tr>
<tr>
<td>Religion</td>
<td>5</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>-</td>
</tr>
<tr>
<td>Disability</td>
<td>5</td>
</tr>
<tr>
<td>Gender</td>
<td>-</td>
</tr>
<tr>
<td>Gender identity</td>
<td>-</td>
</tr>
<tr>
<td><strong>Data Collection Statute</strong></td>
<td>15/15</td>
</tr>
<tr>
<td>Data collection (voluntary reporting)</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory reporting and data collection</td>
<td>15</td>
</tr>
<tr>
<td><strong>Law Enforcement Training Statute</strong></td>
<td>0/15</td>
</tr>
<tr>
<td>No statute; comprehensive training</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory training</td>
<td>-</td>
</tr>
<tr>
<td><strong>Annual Hate Crime Report</strong></td>
<td>15/20</td>
</tr>
<tr>
<td>Annual hate crime report, including:</td>
<td>10</td>
</tr>
<tr>
<td>Anti-Arab hate crime statistics</td>
<td>-</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
<td>5</td>
</tr>
<tr>
<td><strong>FBI Hate Crime Statistics Participant</strong></td>
<td>10/10</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>65</td>
</tr>
</tbody>
</table>

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2 Okla. Stat. tit. 21, §§ 21-850(B) – 21-850(C), id.
3 Okla. Stat. tit. 21, § 21-850(D), id.
4 Okla. Stat. tit. 21, § 21-850(F), id.
5 Okla. Stat. tit. 21, § 21-850(G), id.
DATA COLLECTION & STATISTICS
The OSBI publishes an annual report on crime statistics. The 2002-2016 editions of Crime in Oklahoma can be found on the OSBI website and include hate crime statistics.7

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the OSBI include data on anti-Islamic (Muslim) hate crime. The OSBI tabulates hate crime data according to the number of incidents per disaggregated bias motivation category in the 2002-2013 reports and offenders per disaggregated category in subsequent editions. The OSBI does not provide anti-Arab hate crime statistics.

ANTI-ARAB HATE CRIME STATISTICS
The OSBI does not publish annual statistics on anti-Arab hate crime.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2002-2016 editions of Crime in Oklahoma. According to the OSBI, 2 anti-Islamic (Muslim) hate crime offenders were reported in Oklahoma in 2016.

Crime in Oklahoma Hate Crime Incidents (2002-2013); Offenders (2014-2016)

| Bias motivation                     | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|-------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                           | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   |
| Anti-Islamic (Muslim)               | -   | -   | 0   | 0   | 1   | 1   | 3   | 0   | 0   | 1   | 1   | 2   | 2   | 1   | 1   | 2   |
| Anti-other race/ethnicity/ancestry  | -   | -   | 10  | 6   | 4   | 0   | 2   | 1   | 1   | 0   | 0   | 4   | 1   | 1   | 1   | 3   |

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in Oklahoma from 2015 to 2016. This total conflicts with OSBI statistics. Oklahoma law enforcement agencies submit hate crime data to the FBI UCR Program through the OSBI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

### FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^\text{11}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^\text{12}\)

### FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Oklahoma submit hate crime data to the FBI UCR Program through the OSBI. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 33 hate crime incidents were reported in Oklahoma in 2016.

In 2016, 22 of the 355 Oklahoma law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Oklahoma failed to provide data in at least one quarterly submission period.

According to annual hate crime statistics published by the OSBI, 49 hate crime incidents were reported in Oklahoma in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

### PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>18</td>
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<tr>
<td>2013</td>
<td>25</td>
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<td>2014</td>
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<tr>
<td>2015</td>
<td>29</td>
<td>37</td>
</tr>
<tr>
<td>2016</td>
<td>22</td>
<td>33</td>
</tr>
</tbody>
</table>

### SUMMARY

The current Oklahoma hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, gender, or gender identity. While Oklahoma has a statute that requires reporting and data collection, there is no state law regarding mandatory police training on hate crime. The Oklahoma State Bureau of Investigation maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Oklahoma* can be found on the OSBI website and include anti-Islamic (Muslim) hate crime statistics. The OSBI does not publish annual statistics on anti-Arab hate crime. In 2016, 22 Oklahoma law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 333 participating agencies provided only zero data. A total of 46 participating agencies recorded blank data in at least one quarterly submission period. Oklahoma receives an overall score of 65 points, denoting an average response to hate crime.

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ADVOCACY RESOURCES - Oklahoma

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Oklahoma receives an overall score of 65 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Oklahoma should promote the following:

1. The current Oklahoma hate crime statute offers protections for race, color, religion, ancestry, national origin, and disability. The Oklahoma hate crime statute should be amended to include protections for **citizenship status, ethnicity, age, gender or gender identity, sexual orientation, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. While the Oklahoma State Bureau of Investigation (OSBI) publishes statistics in the form of an annual hate crime report, such statistics do not conform to national UCR standards. In 2016, 22 of the 355 Oklahoma law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - OSBI hate crime data collections should be amended to include additional bias motivation categories, particularly categories relating to gender and gender identity. The OSBI must also provide hate crime data corresponding to the eight additional bias motivation categories, including Anti-Arab, introduced to national UCR data collections in 2015.
   - Oklahoma must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Oklahoma state code does not require specific law enforcement training on hate crime. The Oklahoma Council on Law Enforcement Education and Training must prepare mandatory basic training courses for law enforcement certification that include instruction relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Oklahoma should contact current state legislators and members of Congress.

**Oklahoma State Legislature**
Senate: [http://www.oksenate.gov/Senators](http://www.oksenate.gov/Senators)
House: [https://www.okhouse.gov/Members](https://www.okhouse.gov/Members)

**United States Senate**
Contact: Oklahoma
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Oklahoma
[https://www.house.gov/representatives#state-oklahoma](https://www.house.gov/representatives#state-oklahoma)
Oregon is the 27th most populated state and has the 25th largest Arab American population.

The Oregon State Police, Criminal Justice Information Services Division, is the state agency responsible for the collection and publication of hate crime data. According to the CJIS, there was a single anti-Arab hate crime incident reported in Oregon in 2016. According to the FBI, however, there were two incidents reported.

HATE CRIME STATUTE
Or. Rev. Stat. § 166.155 prohibits any person from tampering or interfering with property, intentionally subjecting another to offensive physical contact, or threatening to inflict serious physical injury, any other felony, or substantial property damage to a person or the person’s family members “because of [the defendant’s] perception of race, color, religion, sexual orientation, disability or national origin of another or of a member of the other’s family.” A more severe penalty is available for hate crimes perpetrated by two or more people under Or. Rev. Stat. § 166.165.A.²

Pursuant to Or. Rev. Stat. § 174.100(7), sexual orientation is defined in all Oregon statutes so as to include gender and gender identity, “regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.”³

DATA COLLECTION STATUTE
Or. Rev. Stat. § 181A.225(1)(c) requires all Oregon law enforcement agencies to report statistics concerning crimes motivated by prejudice, including prejudice based on the perceived race, color, religion, national origin, sexual orientation, and physical or mental disability of the victim to the Department of State Police (OSP).⁴ Other reportable bias motivations include marital status, political affiliation or beliefs, stance on labor organizations, age, economic or social status, and citizenship.⁵

Pursuant to Or. Rev. Stat. § 181A.225(2)(b), the OSP is required to prepare an annual public report of incident-based statistics on crimes motivated by prejudice as described above.⁶

LAW ENFORCEMENT TRAINING STATUTE
Or. Rev. Stat. § 181A.470 requires the state’s Board on Public Safety Standards and Training to ensure that law enforcement officers in Oregon are trained to “investigate, identify, and report” hate crimes.

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DATA COLLECTION & STATISTICS
Pursuant to Oregon state code, the CJIS publishes state-level hate crime statistics in an annual report. The 1995-2016 editions of *Annual Oregon Crime Report* can be found on the official state government website and include hate crime statistics.8

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CJIS include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The CJIS tabulates hate crime data according to the number of incidents per aggregate bias motivation category in the 1995-2012 reports and incidents per disaggregated category in subsequent editions.

ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 2014-2016 editions of *Annual Oregon Crime Report*. From 2001 to 2012 the CJIS provided hate crime victim data based on race and ethnicity. During this period, the CJIS reported 79 Arab victims of hate crime. The CJIS attributed a significant increase of Arab hate crime victims in 2001 to the “large number of anti-Arab / anti-Muslim offenses occurring after September 11th, 2001.”9

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2013-2016 editions of *Annual Oregon Crime Report*. While the CJIS provided hate crime victim data based on race and ethnicity from 2001 to 2012, a significant number of those victims were likely targeted because of their actual or perceived faith. The 2015-2016 CJIS reports suggest an increase of hate crimes targeting American Muslims.

ANNUAL OREGON CRIME REPORT HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
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<th>'03</th>
<th>'04</th>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>2</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Arab and 5 anti-Islamic (Muslim) hate crime incidents were reported in Oregon in 2016. This total conflicts with CJIS statistics. Discrepancies occur between state and federal anti-Islamic (Muslim) hate crime statistics for 2015 as well. Oregon law enforcement agencies submit hate crime data to the FBI UCR Program through the CJIS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
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</thead>
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<tr>
<td>Anti-Arab</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>5</td>
</tr>
</tbody>
</table>

184 | Arab American Institute Foundation
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."\(^{13}\)

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.\(^{14}\)

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Oregon submit hate crime data to the FBI UCR Program through the CJIS. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 104 hate crime incidents were reported in Oregon in 2016.

In 2016, 28 of the 170 Oregon law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Hillsboro Police Department, which represents a population of 104,440, submitted only zero data.

According to annual hate crime statistics published by the CJIS, 134 hate crime incidents were reported in Oregon in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
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<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<td>16</td>
<td>65</td>
</tr>
<tr>
<td>2016</td>
<td>28</td>
<td>104</td>
</tr>
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</table>

SUMMARY
The state of Oregon has an inclusive hate crime statute. Furthermore, Oregon has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Oregon State Police, Criminal Justice Information Services Division, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Annual Oregon Crime Report can be found on the official state government website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 28 Oregon law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 142 participating agencies provided only zero data. A total of 10 participating agencies recorded blank data in at least one quarterly submission period. Oregon receives an overall score of 100 points, denoting a strong response to hate crime.

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ADVOCACY RESOURCES - Oregon

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Oregon receives an overall score of 100 points, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in Oregon should promote the following:

1. The current Oregon hate crime statute offers protections for race, color, religion, sexual orientation, which is defined so as to include gender and gender identity, disability, and national origin. The Oregon hate crime statute should be amended to include citizenship status, ethnicity, age, ancestry, homelessness, or association with a person or group with one of these actual or perceived characteristics.

In 2016, 28 of the 170 Oregon law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

- While Oregon state code already requires hate crime reporting and data collection, the Oregon State Police must ensure that law enforcement officers in the state are prepared to investigate, identify, and report hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Oregon should contact current state legislators and members of Congress.

**Oregon State Legislature**
Senate: [https://www.oregonlegislature.gov/senate](https://www.oregonlegislature.gov/senate)
House: [https://www.oregonlegislature.gov/house](https://www.oregonlegislature.gov/house)

**United States Senate**
Contact: Oregon
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Oregon
[https://www.house.gov/representatives#state-oregon](https://www.house.gov/representatives#state-oregon)
Pennsylvania is the 6th most populated state and has the 11th largest Arab American population in the US. The Pennsylvania State Police (PSP), Bureau of Research and Development (BRD) is the state agency responsible for the collection and publication of hate crime data. According to the PSP, there were no reported anti-Arab hate crime incidents in Pennsylvania in 2016.

**HATE CRIME STATUTE**

18 Pa. Cons. Stat. § 2710 provides enhanced penalties for the crime of “ethnic intimidation.” A person commits ethnic intimidation when, “with malicious intention toward the race, color, religion or national origin of another individual or group of individuals,” that person commits a certain offense “with respect to such individual or his or her property or with respect to one or more members of such group or to their property.”¹ Those offenses include any under the provisions of Article B. Offenses Involving Danger to the Person, ² or under Chapter 33 (relating to arson, criminal mischief and other property destruction), ³ or under Section 3503 (relating to criminal trespass). ⁴

The current Pennsylvania hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

**DATA COLLECTION STATUTE**

037 Pa. Code § 53.11 requires law enforcement agencies in Pennsylvania to report hate crimes on a monthly basis to the state’s UCR program housed within the Pennsylvania State Police. The PSP is responsible for “collecting, preserving, protecting and disseminating” all hate crime-related information received from participating law enforcement agencies. ⁶

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Pennsylvania statute that requires specific law enforcement training on hate crime. According to 037 Pa. Code § 203.51, the Pennsylvania Municipal Police Officers’ Education and Training Commission (MPOETC) is required to prescribe the basic training curriculum for law enforcement officers in the state. ⁷

The current MPOETC basic police training curriculum includes instruction on ethnic intimidation and bias crimes. ⁸

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DATA COLLECTION & STATISTICS
Pursuant to PL 1383, No. 180 § 506, the BRD publishes an annual report on crime statistics. The 1999-2015 editions of Crime in Pennsylvania can be found on the state’s UCR program website and include hate crime statistics. The PSP also provides up-to-date Monthly Summary Hate Reports.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the BRD include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The BRD tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

• ANTI-ARB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 2015 edition of Crime in Pennsylvania and subsequent Monthly Summary Hate Reports. According to the BRD, 2 anti-Arab hate crime incidents were reported in Pennsylvania in 2015.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1999-2015 editions of Crime in Pennsylvania and subsequent Monthly Summary Hate Reports. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime incidents. According to the BRD, 2 anti-Islamic (Muslim) hate crime incidents were reported in Pennsylvania in 2016.

CRIME IN PENNSYLVANIA HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
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<th>'02</th>
<th>'03</th>
<th>'04</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
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<td>2</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>0</td>
<td>0</td>
<td>4</td>
<td>1</td>
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</tbody>
</table>

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Pennsylvania in 2016. This total conflicts with BRD statistics. Pennsylvania law enforcement agencies submit hate crime data to the FBI UCR Program through the BRD.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
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<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Pennsylvania submit hate crime data to the FBI UCR Program through the BRD. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 61 hate crime incidents were reported in Pennsylvania in 2016.

In 2016, 20 of the 1,463 Pennsylvania law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Pennsylvania submitted only zero data.

According to annual hate crime statistics published by the BRD, 72 hate crime incidents were reported in Pennsylvania in 2016. This total conflicts with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<tbody>
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<td>20</td>
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<tr>
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<td>26</td>
<td>64</td>
</tr>
<tr>
<td>20</td>
<td>61</td>
</tr>
</tbody>
</table>

SUMMARY
The current Pennsylvania hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity. While Pennsylvania has statutes that require reporting and data collection, there is no state law regarding mandatory police training on hate crime. The Pennsylvania Municipal Police Officers Education and Training Commission has, however, incorporated instruction on ethnic intimidation/bias crime into its basic training curriculum for law enforcement officers within the state. The Pennsylvania State Police maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Pennsylvania can be found on the state’s UCR program website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 20 Pennsylvania law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 1,443 participating agencies provided only zero data. A total of 292 participating agencies recorded blank data in at least one quarterly submission period. Pennsylvania receives an overall score of 70 points, denoting an average response to hate crime.

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ADVOCACY RESOURCES - Pennsylvania

IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Pennsylvania receives an overall score of 70 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Pennsylvania should promote the following:

1. **The current Pennsylvania hate crime statute offers protections for race, color, religion, and national origin. The Pennsylvania hate crime statute should be amended to include protections for citizenship status, ethnicity, disability, age, ancestry, gender or gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.**

   In 2016, 20 of the 1,463 Pennsylvania law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   - Pennsylvania must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

2. **Pennsylvania state code does not require specific law enforcement training on hate crime. While the Pennsylvania Municipal Police Officers’ Education and Training Commission has established a basic police training curriculum that includes instruction on ethnic intimidation and bias crime, instruction relating to investigating and reporting hate crime incidents should be required by law.**

STATE CONTACTS

Advocates for an improved response to hate crime in Pennsylvania should contact current state legislators and members of Congress.

**Pennsylvania General Assembly**
Senate: [http://www.pasen.gov](http://www.pasen.gov)
House: [http://www.house.state.pa.us](http://www.house.state.pa.us)

**United States Senate**
Contact: Pennsylvania
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Pennsylvania
[https://www.house.gov/representatives#state-pennsylvania](https://www.house.gov/representatives#state-pennsylvania)
RHODE ISLAND

Total population: 1,056,426
Rank of Arab American population by state: 31

0 anti-Arab hate crime incidents were reported in RI in 2016.

Rhode Island is the 43rd most populated state and has the 31st largest Arab American population in the US.

The Rhode Island State Police, Uniform Crime Reporting Unit, is the state agency responsible for the collection and publication of hate crime data. According to the RISP, there were no anti-Arab hate crime incidents reported in Rhode Island in 2016.

HATE CRIME STATUTE
12 R.I. Gen. Laws § 12-19-38 provides enhanced penalties for crimes committed against a person or property “because of the actor’s hatred or animus toward the actual or perceived disability, religion, color, race, national origin or ancestry, sexual orientation, or gender” of that person or owner or occupant of that property.\(^1\)

The current Rhode Island hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

DATA COLLECTION STATUTE
42 R.I. Gen. Laws § 42-28-46 requires law enforcement agencies to report the occurrence of crimes evidently motivated by “racial, religious, ethnic, sexual orientation, gender, gender identity or expression or disability prejudice or motivated by prejudice against a person who is homeless or is perceived to be homeless” to the Rhode Island State Police (RISP).\(^2\) The RISP is required to maintain a permanent record of hate crime offenses and manage the “collection, analysis, and dissemination” of hate crime data.\(^3\)

LAW ENFORCEMENT TRAINING STATUTE
42 R.I. Gen. Laws § 42-28.2-8.1 requires the Rhode Island Police Officers Commission on Standards and Training to “prepare and publish mandatory training standards to provide instruction for police officers in identifying, responding to and reporting” hate crimes.\(^4\) Pursuant to this section, the training must be included “in all curricula for recruits and in-service trainees, in all police academies operated or certified by the commission.”\(^5\)

The basic recruit requirements for Rhode Island police officers are provided on the state’s municipal police training academy website.\(^6\) Hate crimes are included as a mandatory topic of instruction.

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\(^3\) 42 R.I. Gen. Laws § 42-28-46(b), id.


\(^5\) Id.

DATA COLLECTION & STATISTICS
Pursuant to 12 R.I. Gen. Laws § 12-24-3, the RISP publishes an annual report on crime statistics. The 1997-2016 editions of Crime in Rhode Island can be found on the RISP website and include hate crime statistics.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the RISP include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The RISP tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

- **Anti-Arab Hate Crime Statistics**
  Anti-Arab hate crime statistics for are provided in the 1997-2004 and 2014-2016 editions of Crime in Rhode Island. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime incidents. According to the RISP, no anti-Arab hate crime incidents were reported in Rhode Island in 2016.

- **Anti-Islamic (Muslim) Hate Crime Statistics**
  Anti-Islamic (Muslim) hate crime statistics dating back to 1992 are provided in the 1997-2016 editions of Crime in Rhode Island. According to the RISP, a single anti-Islamic (Muslim) hate crime incident was reported in Rhode Island in 2016.

**CRIME IN RHODE ISLAND HATE CRIME INCIDENTS (2000-2016)**

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<thead>
<tr>
<th>Bias motivation</th>
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</tbody>
</table>

According to supplemental data from the FBI, 3 anti-Islamic (Muslim) hate crime incidents were reported in Rhode Island from 2015 to 2016. This total is consistent with RISP statistics. Rhode Island law enforcement agencies submit hate crime data to the FBI UCR Program through the RISP.

**FBI HATE CRIME STATISTICS (2015-2016)**

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>2</td>
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</tr>
</tbody>
</table>

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."12

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.13

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Rhode Island submit hate crime data to the FBI UCR Program through the RISP. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 12 hate crime incidents were reported in Rhode Island in 2016.

In 2016, 10 of the 49 Rhode Island law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Rhode Island submitted only zero data.

According to annual hate crime statistics published by the RISP, 12 hate crime incidents were reported in Rhode Island in 2016. This total is consistent with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2014.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
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<th>Agencies submitting incident reports</th>
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<tr>
<td>2013</td>
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<td>8</td>
<td>18</td>
</tr>
<tr>
<td>2016</td>
<td>10</td>
<td>12</td>
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</tbody>
</table>

SUMMARY
The current Rhode Island hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. Rhode Island has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Rhode Island State Police, Uniform Crime Reporting Unit, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. In 2016, 10 Rhode Island law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 39 participating agencies provided only zero data. Rhode Island receives an overall score of 95 points, denoting a moderate response to hate crime.

---

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Rhode Island receives an overall score of 95 points, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Rhode Island should promote the following:

1. The current Rhode Island hate crime statute offers protections for disability, religion, color, race, national origin or ancestry, sexual orientation, and gender. **The Rhode Island hate crime statute should be amended to include protections for citizenship status, ethnicity, gender identity, homelessness, or association with a person or group with one of these actual or perceived characteristics.**

   In 2016, 10 of the 49 Rhode Island law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   - Rhode Island must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

STATE CONTACTS
Advocates for an improved response to hate crime in Rhode Island should contact current state legislators and members of Congress.

**Rhode Island General Assembly**
Senate: [http://www.rilin.state.ri.us/senators](http://www.rilin.state.ri.us/senators)
House: [http://www.rilin.state.ri.us/representatives](http://www.rilin.state.ri.us/representatives)

**United States Senate**
Contact: Rhode Island
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Rhode Island
[https://www.house.gov/representatives#state-rhode-island](https://www.house.gov/representatives#state-rhode-island)
South Carolina is the 23rd most populated state and has the 29th largest Arab American population.

The South Carolina Law Enforcement Division (SLED) is the state agency responsible for the collection and publication of crime data. The SLED does not publish annual hate crime statistics.

**HATE CRIME STATUTE**

South Carolina is one of five states, along with Arkansas, Georgia, Indiana, and Wyoming, that do not have a hate crime statute. South Carolina does have a statute that provides enhanced penalties for “offenses against civil rights.” Pursuant to S.C. Code § 16-5-10, it is unlawful for two or more persons to conspire “with the intent to injure, oppress, or violate” another person or their property because of their political opinion or expression...or for those persons to “hinder, prevent, or obstruct a citizen in the free exercise” of their civil rights.\(^1\)

The provisions in South Carolina’s civil rights law do not constitute hate crime protections.

**DATA COLLECTION STATUTE**

There is no South Carolina statute that requires hate crime reporting or data collection. Pursuant to S.C. Code § 23-3-120, all South Carolina law enforcement agencies and court officials are required to report “all criminal data and related information within their respective jurisdictions” to the Central Records Repository housed within the SLED.\(^2\)

**LAW ENFORCEMENT TRAINING STATUTE**

There is no South Carolina statute that requires specific law enforcement training on hate crime. Pursuant to S.C. Code § 23-23-80, the South Carolina Law Enforcement Training Council (SCLETC) is authorized to consult with various state agencies and institutions, either within South Carolina or from another state, “concerning the development of police training schools, programs, or courses of instruction, selection, and training standards, or other pertinent matters relating to law enforcement.”\(^3\)

The most up-to-date lesson plan catalog provided on the South Carolina Criminal Justice Academy’s website bears no indication of instruction on hate crime.\(^4\) The SCLETC oversees the state’s criminal justice academy.\(^5\)

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DATA COLLECTION & STATISTICS
In cooperation with the Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP), the SLED publishes an annual report on crime statistics. The 2002-2015 editions of Crime in South Carolina can be found on the SLED website but do not include hate crime statistics.6

ANNUAL STATEWIDE HATE CRIME REPORT
The SLED does not publish annual state-level hate crime statistics.

Bias motivation is a mandatory data element in all NIBRS submissions. As South Carolina is 100 percent NIBRS compliant, all crime data submissions from South Carolina law enforcement agencies indicate bias motivation. The SLED collects these submissions and forwards the data to the FBI UCR Program. Given the state's NIBRS status, South Carolina is better equipped to publish annual state-level hate crime statistics than other non-reporting states.

• ANTI-ARAB HATE CRIME STATISTICS
The SLED does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
The SLED does not publish annual statistics on anti-Islamic (Muslim) hate crime.

THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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<tr>
<td>Anti-other race/ ethnicity/ancestry</td>
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</tbody>
</table>

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in South Carolina from 2015 to 2016. South Carolina law enforcement agencies submit hate crime data to the FBI UCR Program through the SLED.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
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<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.7 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The South Carolina UCR program is one of 16 state programs that rely exclusively on NIBRS data.8

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
South Carolina Law Enforcement Division
Post Office Box 21398
Columbia, South Carolina 29221-1398
(803) 896-1639
www.sled.sc.gov

**FBI HATE CRIME STATISTICS**

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

<table>
<thead>
<tr>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
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<td>21</td>
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</table>

**SUMMARY**

South Carolina is one of five states, along with Arkansas, Georgia, Indiana, and Wyoming, that do not have a hate crime statute. While it does not qualify as a hate crime statute, South Carolina does have a law that provides enhanced penalties for certain offenses against civil rights. South Carolina lacks statutes that require reporting, data collection, or specific law enforcement training on hate crime. The South Carolina Law Enforcement Division maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in South Carolina* can be found on the SLED website but do not include hate crime statistics. In 2016, 21 South Carolina law enforcement agencies submitted hate crime reports to the FBI UCR Program. The remaining 419 participating agencies provided only zero data. A total of 9 participating agencies recorded blank data in at least one quarterly submission period. South Carolina receives an overall score of 15 points, denoting a minimal response to hate crime.

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IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, South Carolina receives an overall score of 15 points, denoting a minimal response to hate crime. Advocates for an improved response to hate crime in South Carolina should promote the following:

1. **South Carolina is one of five states without a hate crime statute.** The South Carolina General Assembly must enact legislation for a new criminal statute prohibiting crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness, or association with a person or group with one of these actual or perceived characteristics. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute.

2. South Carolina state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 21 of the 440 South Carolina law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   
   - Law enforcement agencies must report hate crimes to the South Carolina Law Enforcement Division (SLED).
   - The SLED must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - The South Carolina Law Enforcement Training Council must prescribe instruction relating to investigating and reporting hate crime incidents for police training schools throughout the state.

STATE CONTACTS

Advocates for an improved response to hate crime in South Carolina should contact current state legislators and members of Congress.

**South Carolina General Assembly**

Senate: [https://www.scstatehouse.gov/senate.php](https://www.scstatehouse.gov/senate.php)

House: [https://www.scstatehouse.gov/house.php](https://www.scstatehouse.gov/house.php)

**United States Senate**

Contact: South Carolina

[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**

Directory of Representatives: South Carolina

[https://www.house.gov/representatives#state-south-carolina](https://www.house.gov/representatives#state-south-carolina)
South Dakota is the 46th most populated state and has the 45th largest Arab American population.

Housed within the state’s Bureau of Criminal Statistics, the South Dakota Criminal Statistical Analysis Center is the state agency responsible for the collection and publication of hate crime data. According to the SAC, there were no anti-Arab hate crime incidents reported in South Dakota in 2016.

HATE CRIME STATUTE
S.D. Codified Laws § 22-19B-1 prohibits any person from committing a crime “maliciously and with specific intent to intimidate or harass” another person or group of persons because of their “race, ethnicity, religion, ancestry, or national origin.” A violation of Section 22-19B-1, whether by assault, damaging or defacing property, or threatening to do so, is considered a felony and is defined as malicious intimidation or harassment.²

The current South Dakota hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

DATA COLLECTION STATUTE
There is no South Dakota statute that requires hate crime reporting or data collection. S.D. Codified Laws § 23-6-4 requires the Bureau of Criminal Statistics (BCS), housed within the South Dakota Office of the Attorney General, to “collect and compile information, statistical and otherwise, which will...present an accurate survey of the number and character of crimes committed in the state.”³

S.D. Codified Laws § 23-6-16 requires South Dakota law enforcement agencies to submit reports and information relating to crime as requested by the director of the BCS.⁴ Housed within the BCS, the Criminal Statistical Analysis Center (SAC) fulfills the duties pursuant to S.D. Codified Laws § 23-6-4.

LAW ENFORCEMENT TRAINING STATUTE
There is no South Dakota statute that requires specific law enforcement training on hate crime. Pursuant to S.D. Codified Laws § 23-3-35(4), the South Dakota Law Enforcement Officers Standards and Training Commission (LEOSTC) is authorized to “establish minimum curriculum requirements for preparatory, in-service, and advanced courses and programs for schools operated by or for the state or any political subdivisions of the state for the specific purpose of training recruits or other law enforcement officers.”⁵ Hate crime does not appear to be a mandatory topic of instruction in the current LEOSTC basic training curriculum.⁶

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² Id.

Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans | 199
**DATA COLLECTION & STATISTICS**
Pursuant to S.D. Codified Laws § 23-6-4, the SAC publishes an annual report on crime statistics. The 1997-2016 editions of Crime in South Dakota can be found on the state’s Office of the Attorney General website and, excluding the 2004-2007 reports, provide hate crime statistics.\(^7\)

**ANNUAL STATEWIDE HATE CRIME REPORT**
State-level hate crime statistics published by the SAC include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The SAC published a specialized report on hate crime from 1998 to 2003.\(^8\) The SAC tabulates hate crime data according to the number of offenses per disaggregated bias motivation category.

- **ANTI-ARAB HATE CRIME STATISTICS**
  Anti-Arab hate crime statistics are provided in the 2014-2016 editions of *Crime in South Dakota*. According to the SAC, no anti-Arab hate crime offenses were reported in South Dakota in 2016.

- **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Anti-Islamic (Muslim) hate crime statistics are provided in the 2008-2016 editions of *Crime in South Dakota*. According to the SAC, a single anti-Islamic (Muslim) hate crime offense was reported in South Dakota in 2015.

**CRIME IN SOUTH DAKOTA HATE CRIME OFFENSES (2000-2016)**

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'15</th>
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<tbody>
<tr>
<td>Anti-Arab</td>
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<td>-</td>
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<td>-</td>
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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
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<td>0</td>
<td>1</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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<td>7</td>
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<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, a single anti-Arab hate crime incident was reported in South Dakota in 2015. This total conflicts with SAC statistics. South Dakota law enforcement agencies submit hate crime data to the FBI UCR Program through the SAC.

**FBI HATE CRIME STATISTICS (2015-2016)**

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in South Dakota submit hate crime data to the FBI UCR Program through the SAC. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 18 hate crime incidents, involving 21 offenses, were reported in South Dakota in 2016.

In 2016, 12 of the 112 South Dakota law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Watertown Police Department, which represents the fifth largest city in South Dakota, submitted only zero data.

According to annual hate crime statistics published by the SAC, 21 hate crime offenses were reported in South Dakota in 2016. This total is consistent with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2013 and 2015.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

SUMMARY
The current South Dakota hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity. Furthermore, South Dakota does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. The South Dakota Division of Criminal Investigation, Criminal Statistical Analysis Center, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in South Dakota can be found on the state’s Office of the Attorney General website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 12 South Dakota law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 100 participating agencies provided only zero data. A total of 4 participating agencies recorded blank data in at least one quarterly submission period. South Dakota receives an overall score of 50 points, denoting a limited response to hate crime.

\[ \text{Source: FBI UCR Program, Hate Crime Statistics, 2016.} \]
IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, South Dakota receives an overall score of 50 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in South Dakota should promote the following:

1. The current South Dakota hate crime statute offers protections for race, ethnicity, religion, ancestry, and national origin. The South Dakota hate crime statute should be amended to include protections for **citizenship status, color, disability, age, gender or gender identity, sexual orientation, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. While South Dakota publishes statistics in the form of an annual hate crime report, state code does not require hate crime reporting or data collection. In 2016, 12 of the 112 South Dakota law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the South Dakota Bureau of Criminal Statistics (BCS), which is currently responsible for publishing annual hate crime statistics.
   - The BCS should be required by law to collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. The BCS currently provides hate crime data corresponding to the bias motivation categories identified in the FBI UCR Program’s annual report, *Hate Crime Statistics*.

3. South Dakota state code does not require specific law enforcement training on hate crime. The South Dakota Law Enforcement Officers Standards and Training Commission must establish minimum standards and curriculum requirements, which include instruction relating to investigating and reporting hate crime incidents, for law enforcement training throughout the state.

STATE CONTACTS

Advocates for an improved response to hate crime in South Dakota should contact current state legislators and members of Congress.

**South Dakota Legislature**
Both Chambers: [http://www.sdlegislature.gov](http://www.sdlegislature.gov)

**United States Senate**
Contact: South Dakota
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: South Dakota
[https://www.house.gov/representatives#state-south-dakota](https://www.house.gov/representatives#state-south-dakota)
Tennessee is the 16th most populated state and has the 16th largest Arab American population.

The Tennessee Bureau of Investigation is the state agency responsible for the collection and publication of hate crime data. According to the TBI, there were three anti-Arab hate crime offenses reported in Tennessee in 2016.

**HATE CRIME STATUTE**

Tenn. Code § 40-35-114(17) provides enhanced sentencing for criminal offenses in which the defendant intentionally selects a person or property “because of the defendant’s belief or perception regarding the race, religion, color, disability, sexual orientation, national origin, ancestry or gender of that person or the owner or occupant of that property.”

Tenn. Code § 39-17-309 prohibits any person, whether by assault, destroying or defacing property, or threatening to do so, from intimidating another person from the free exercise or enjoyment of their civil rights.

Pursuant to Section 39-17-309, “the advocacy of unlawful acts by groups or individuals against other persons or groups for the purpose of inciting and provoking damage to property and bodily injury or death to persons is not constitutionally protected, poses a threat to public order and safety, and should be subject to criminal sanctions.”

The current Tennessee hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**DATA COLLECTION STATUTE**

There is no Tennessee statute that requires hate crime reporting or data collection. Tenn. Code § 38-10-102 requires Tennessee law enforcement agencies to submit “reports setting forth their activities in connection with law enforcement and criminal justice, including uniform crime reports,” to the Tennessee Bureau of Investigation. The TBI is an independent agency within the state government of Tennessee. Pursuant to Tenn. Code § 38-10-104, the TBI compiles and submits an annual report based on information received from Tennessee law enforcement agencies through the Tennessee Incident Based Reporting System (TIBRS).

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Tennessee statute that requires specific law enforcement training on hate crime. Pursuant to Tenn. Code § 38-8-104(a)(5), the Tennessee Peace Officers Standards and Training Commission is required to “establish minimum standards and curriculum requirements for the courses of study” at Tennessee law enforcement training schools.

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3 Id.
DATA COLLECTION & STATISTICS
Pursuant to Tenn. Code § 38-10-104 the TBI publishes an annual report on crime statistics and a specialized report on hate crime. The 2001-2016 editions of Hate Crime in Tennessee can be found on the official state government website.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the TBI include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The TBI tabulates hate crime data according to the number of offenses and victims per disaggregated bias motivation category.

• ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 2015-2016 editions of Hate Crime in Tennessee. According to the TBI, 3 anti-Arab hate crime offenses were reported in Tennessee in 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2001-2016 editions of Hate Crime in Tennessee. The 2014-2016 TBI reports suggest an escalation of hate crimes targeting American Muslims.

HATE CRIME IN TENNESSEE OFFENSES (2000-2016)

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                        | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | 0   | 0   | 3   |
| Anti-Islamic (Muslim)            | 0   | 0   | 0   | 0   | -   | -   | -   | 0   | 0   | 0   | 0   | 1   | 0   | 6   | 9   | 3   |
| Anti-other race/ethnicity/ancestry| 0   | 2   | 0   | 1   | -   | -   | -   | 3   | 2   | 7   | 0   | 0   | 1   | 49  | 51  | 2   |

According to supplemental data from the FBI, 2 anti-Arab and 3 anti-Islamic (Muslim) hate crime incidents, involving 5 offenses, were reported in Tennessee in 2016. This total is consistent with TBI statistics. Tennessee law enforcement agencies submit hate crime data to the FBI UCR Program through the TBI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>8</td>
<td>3</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Tennessee UCR program is one of the 16 state programs that rely exclusively on NIBRS data.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Tennessee Bureau of Investigation
Crime Statistics Unit
901 R. S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4014
www.tbi.state.tn.us

HATE CRIME IN TENNESSEE OFFENSES (2000-2016)

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                        | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | 0   | 0   | 3   |
| Anti-Islamic (Muslim)            | 0   | 0   | 0   | 0   | -   | -   | -   | 0   | 0   | 0   | 0   | 1   | 0   | 6   | 9   | 3   |
| Anti-other race/ethnicity/ancestry| 0   | 2   | 0   | 1   | -   | -   | -   | 3   | 2   | 7   | 0   | 0   | 1   | 49  | 51  | 2   |

According to supplemental data from the FBI, 2 anti-Arab and 3 anti-Islamic (Muslim) hate crime incidents, involving 5 offenses, were reported in Tennessee in 2016. This total is consistent with TBI statistics. Tennessee law enforcement agencies submit hate crime data to the FBI UCR Program through the TBI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'16</th>
</tr>
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<tr>
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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>8</td>
<td>3</td>
</tr>
</tbody>
</table>
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990, the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Tennessee submit hate crime data to the FBI UCR Program through the TBI. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 142 hate crime incidents were reported in Tennessee in 2016.

In 2016, 55 of the 463 Tennessee law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

According to the Tennessee Crime Online statistics website, which provides incident-based hate crime data tabulated according to disaggregated bias motivation categories, 146 hate crime incidents were reported in Tennessee in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>Agencies submitting incident reports</td>
<td>80</td>
<td>56</td>
<td>53</td>
<td>61</td>
<td>55</td>
</tr>
<tr>
<td>Total number of incidents reported</td>
<td>317</td>
<td>196</td>
<td>194</td>
<td>221</td>
<td>142</td>
</tr>
<tr>
<td>2012</td>
<td></td>
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<td></td>
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<tr>
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<tr>
<td>2015</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>2016</td>
<td></td>
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<td></td>
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</tbody>
</table>

SUMMARY

The current Tennessee hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. Furthermore, Tennessee lacks statutes that require reporting, data collection, or specific law enforcement training on hate crime. The Tennessee Bureau of Investigation, Criminal Justice Information Services Division, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Hate Crime in Tennessee* can be found on the Tennessee.gov website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 55 Tennessee law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 408 participating agencies provided only zero data. A single participating agency recorded blank data in at least one quarterly submission period. Tennessee receives an overall score of 65 points, denoting an average response to hate crime.

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ADVOCACY RESOURCES - Tennessee

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Tennessee receives an overall score of 65 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Tennessee should promote the following:

1. The current Tennessee hate crime statute offers protections for race, religion, color, disability, sexual orientation, national origin, ancestry, and gender. The Tennessee hate crime statute should be amended to include protections for **citizenship status, ethnicity, age, gender identity, homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. While the Tennessee Bureau of Investigation (TBI) publishes statistics in the form of an annual hate crime report, state code does not require hate crime reporting or data collection. In 2016, 55 of the 463 Tennessee law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the TBI, which is currently responsible for publishing annual hate crime statistics.
   - The TBI should be required by law to collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. The TBI currently provides hate crime data corresponding to the bias motivation categories identified in the FBI UCR Program’s annual report, *Hate Crime Statistics*.

3. Tennessee state code does not require specific law enforcement training on hate crime. The Tennessee Peace Officers Standards and Training Commission must establish minimum standards and curriculum requirements for courses of study at Tennessee law enforcement training schools relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Tennessee should contact current state legislators and members of Congress.

**Tennessee General Assembly**
Senate: [http://www.capitol.tn.gov/senate/members](http://www.capitol.tn.gov/senate/members)
House: [http://www.capitol.tn.gov/house/members](http://www.capitol.tn.gov/house/members)

**United States Senate**
Contact: Tennessee
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Tennessee
[https://www.house.gov/representatives#state-tennessee](https://www.house.gov/representatives#state-tennessee)
Texas is the 2nd most populated state and has the 4th largest Arab American population.

The Texas Department of Public Safety, Crime Information Bureau (CIB), is the state agency responsible for the collection and publication of hate crime data. According to the TXDPS, there were five anti-Arab hate crime incidents reported throughout Texas in 2016.

**HATE CRIME STATUTE**

Texas Code of Crim. Proc. Ann. § 42.014 permits a sentencing judge to “require attendance in an educational program to further tolerance and acceptance of others” for any person found to have committed an offense because of “bias or prejudice against a group identified by race, color, disability, religion, national origin or ancestry, age, gender, or sexual preference.”¹

Texas Pen. Code § 12.47 provides enhanced penalties for any offense, excluding a first-degree felony, found to have been committed because of bias or prejudice as described in Article 42.014.² Article 42.014 of the Texas Code of Criminal Procedure was amended to provide increased penalties for any criminal offense committed because of bias or prejudice “on the basis of status as a peace officer or judge.”³

The current Texas hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity.

**DATA COLLECTION STATUTE**

Texas Gov. Code § 411.046 requires Texas law enforcement agencies to report offenses “motivated by prejudice, hatred, or advocacy of violence, including, but not limited to, incidents for which statistics are or were kept under [the Hate Crime Statistics Act]” to the Texas Department of Public Safety (TXDPS).⁴ The TXDPS is in turn required to “file an annual report to the Governor and Legislature containing the summary and analysis” of information received in accordance with Section 411.046.⁵

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Texas statute that requires specific law enforcement training on hate crime. Pursuant to Texas OC Code § 1701.253(c), the Texas Commission on Law Enforcement (TCOLE) is required to “establish a statewide comprehensive education and training program on civil rights, racial sensitivity, and cultural diversity” for all law enforcement officers in the state.⁶ The current TCOLE course curriculum does not appear to include hate crime as a mandatory topic of instruction.⁷

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⁵ Texas Gov. Code § 411.046(b), id.
⁷ Texas Commission on Law Enforcement, Course Curriculum Materials and Updates, https://www.tcole.texas.gov/content/course-curriculum-materials-and-updates-0.
DATA COLLECTION & STATISTICS
Pursuant to Texas state code, the CIB publishes an annual crime report that includes hate crime statistics. The 1999-2016 editions of Crime in Texas can be found on the TXDPS website.1 Archived 1994-1998 reports are provided on the University of North Texas digital library.2

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CIB include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The CIB tabulates hate crime data according to the number of incidents per disaggregated bias motivation category in the 1994-1999 reports and offenses per disaggregated category in subsequent editions.

• ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1994-2016 editions of Crime in Texas. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime offenses. According to the CIB, 5 anti-Arab hate crime offenses, corresponding to 5 separate incidents, were reported in Texas in 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1994-2016 editions of Crime in Texas. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. The 2014-2016 CIB reports suggest an increase of hate crimes targeting American Muslims.

CRIME IN TEXAS HATE CRIME OFFENSES (2000-2016)

| Bias motivation              | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                    | 4   | 64  | 19  | 13  | 12  | 10  | 4   | 4   | 6   | 6   | 5   | 1   | 1   | 2   | 1   | 0   | 5   |
| Anti-Islamic (Muslim)        | 3   | 29  | 11  | 4   | 8   | 9   | 5   | 4   | 2   | 3   | 5   | 6   | 4   | 3   | 12  | 17  | 12  |
| Anti-other race/ethnicity/ancestry | 3   | 29  | 21  | 17  | 17  | 9   | 10  | 10  | 4   | 3   | 4   | 7   | 6   | 6   | 3   | 12  | 3   |

According to supplemental data from the FBI, no anti-Arab hate crime incidents were reported in Texas in 2016. This total conflicts with CIB statistics, as 5 anti-Arab hate crime incidents are recorded in 2016 Crime in Texas. Texas law enforcement agencies submit hate crime data to the FBI UCR Program through the CIB.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>17</td>
<td>12</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.3 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Texas UCR program is one of 18 state programs that rely on both SRS and NIBRS data.4 Pursuant to Texas Gov. Code §411.054, the TXDPS is required to submit an annual report to the legislature regarding the number of law enforcement agencies reporting NIBRS-compliant data.5 As stipulated in this section, Texas will be 100 percent NIBRS-certified by 2019.6 As of 2017, a total of 97 law enforcement agencies, representing 14.4 percent of the state’s population, have achieved NIBRS status.7

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Uniform Crime Reporting
Crime Information Bureau
Texas Department of Public Safety
Post Office Box 4143
Austin, Texas 78765-4143
(512) 424-2418
www.txdps.state.tx.us

DATA COLLECTION & STATISTICS
Pursuant to Texas state code, the CIB publishes an annual crime report that includes hate crime statistics. The 1999-2016 editions of Crime in Texas can be found on the TXDPS website.1 Archived 1994-1998 reports are provided on the University of North Texas digital library.2

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CIB include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The CIB tabulates hate crime data according to the number of incidents per disaggregated bias motivation category in the 1994-1999 reports and offenses per disaggregated category in subsequent editions.

• ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1994-2016 editions of Crime in Texas. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime offenses. According to the CIB, 5 anti-Arab hate crime offenses, corresponding to 5 separate incidents, were reported in Texas in 2016.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 1994-2016 editions of Crime in Texas. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. The 2014-2016 CIB reports suggest an increase of hate crimes targeting American Muslims.

CRIME IN TEXAS HATE CRIME OFFENSES (2000-2016)

| Bias motivation              | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                    | 4   | 64  | 19  | 13  | 12  | 10  | 4   | 4   | 6   | 6   | 5   | 1   | 1   | 2   | 1   | 0   | 5   |
| Anti-Islamic (Muslim)        | 3   | 29  | 11  | 4   | 8   | 9   | 5   | 4   | 2   | 3   | 5   | 6   | 4   | 3   | 12  | 17  | 12  |
| Anti-other race/ethnicity/ancestry | 3   | 29  | 21  | 17  | 17  | 9   | 10  | 10  | 4   | 3   | 4   | 7   | 6   | 6   | 3   | 12  | 3   |

According to supplemental data from the FBI, no anti-Arab hate crime incidents were reported in Texas in 2016. This total conflicts with CIB statistics, as 5 anti-Arab hate crime incidents are recorded in 2016 Crime in Texas. Texas law enforcement agencies submit hate crime data to the FBI UCR Program through the CIB.

FBI HATE CRIME STATISTICS (2015-2016)

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<tr>
<td>Anti-Islamic (Muslim)</td>
<td>17</td>
<td>12</td>
</tr>
</tbody>
</table>
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Texas submit hate crime data to the FBI UCR Program through the CIB. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 178 hate crime incidents were reported in Texas in 2016.

In 2016, 66 of the 1,097 Texas law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 19 agencies representing populations greater than 100,000 submitted only zero data.

According to annual hate crime statistics published by the CIB, 178 hate crime incidents were reported in Texas in 2016. While this total is consistent with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*, the CIB report indicates that a greater number of agencies (67) submitted incident reports in 2016, and that some agencies reported different hate crime totals. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>64</td>
<td>181</td>
</tr>
<tr>
<td>2013</td>
<td>50</td>
<td>132</td>
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<tr>
<td>2014</td>
<td>57</td>
<td>145</td>
</tr>
<tr>
<td>2015</td>
<td>65</td>
<td>191</td>
</tr>
<tr>
<td>2016</td>
<td>66</td>
<td>178</td>
</tr>
</tbody>
</table>

**SUMMARY**

The current Texas hate crime statute is not sufficiently inclusive, as it does not offer protections for gender identity. While Texas has statutes that require reporting and data collection, there is no state law regarding mandatory police training on hate crime. The Texas Department of Public Safety, Uniform Crime Reporting Bureau, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. In 2016, 66 Texas law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 1,031 participating agencies provided only zero data. Texas receives an overall score of 80 points, denoting a moderate response to hate crime.

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IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Texas receives an overall score of 80 points, denoting a moderate response to hate crime. Advocates for an improved response to hate crime in Texas should promote the following:

1. The current Texas hate crime statute offers protections for race, color, disability, religion, national origin or ancestry, age, gender, and sexual preference. The Texas hate crime statute should be amended to include protections for *citizenship status, ethnicity, gender identity, homelessness*, or association with a person or group with one of these actual or perceived characteristics.

2. In 2016, 66 of the 1,097 Texas law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Texas must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Texas state code does not require specific law enforcement training on hate crime. The Texas Commission on Law Enforcement must prescribe a statewide comprehensive education and police training program that includes instruction relating to investigating and reporting hate crime incidents. Instruction relating to civil rights, racial sensitivity, and cultural diversity is already required by law.

STATE CONTACTS
Advocates for an improved response to hate crime in Texas should contact current state legislators and members of Congress.

Texas Legislature
Senate: [http://www.capitol.state.tx.us/MnuSenate.aspx](http://www.capitol.state.tx.us/MnuSenate.aspx)
House: [http://www.capitol.state.tx.us/MnuHouse.aspx](http://www.capitol.state.tx.us/MnuHouse.aspx)

United States Senate
Contact: Texas
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

United States House of Representatives
Directory of Representatives: Texas
[https://www.house.gov/representatives#state-texas](https://www.house.gov/representatives#state-texas)
**UTAH**

Total population: 3,051,217  
Rank of Arab American population by state: 36

UT does not publish anti-Arab hate crime statistics.

*Utah* is the 31st most populated state and has the 36th largest Arab American population.

The Utah Department of Public Safety, Bureau of Criminal Identification (BCI), is the state agency responsible for the collection and publication of hate crime data. The Utah DPS does not publish annual statistics on anti-Arab hate crimes.

**HATE CRIME STATUTE**

Utah Code § 76-3-203.3 provides enhanced penalties for certain misdemeanors committed “with intent to intimidate or terrorize” another person from freely exercising their civil rights. Pursuant to Utah Code § 76-3-203.4, the sentencing judge is required to consider “the public harm resulting from the commission of the offense” as an aggravating factor.

The current Utah hate crime statute is not sufficiently inclusive, as it does not offer protections for race, ethnicity, ancestry, religion, sexual orientation, disability, gender, or gender identity. Proposed legislation for a hate crime statute that is more definitive with respect to its protections, and more expansive regarding its punishable criminal offenses, has faced significant push back in the Utah statehouse.

Utah S.B. 72 (2017), which sought penalty enhancement for crimes motivated by a victim’s actual or perceived “ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation,” never received a committee hearing.

**DATA COLLECTION STATUTE**

Utah Code § 53-10-202(2) requires the BCI to establish a statewide uniform crime reporting system that includes “statistics concerning crimes that exhibit evidence of prejudice based on race, religion, ancestry, national origin, ethnicity, or other categories that the division finds appropriate.” Pursuant to Utah Code § 53-10-202(5), the BCI is required to publish an annual report concerning the extent, fluctuation, distribution, and nature of crime in Utah.

Utah law enforcement officers are not required to submit hate crime data to the BCI.

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Utah statute that requires specific law enforcement training on hate crime. Utah Code § 53-6-105 requires the director of the Utah Peace Officer Standards and Training (POST) Council to prescribe the standards and minimum qualifications for certification as a law enforcement officer in the state. Pursuant to Utah Code § 53-6-107, the council is required to advise the director regarding the minimum courses of study and basic training requirements for certification as a law enforcement officer.

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DATA COLLECTION & STATISTICS
Pursuant to Utah Code § 53-10-202(5), the BCI publishes an annual crime report that includes hate crime statistics. The 1997-2015 editions of Crime in Utah can be found on the BCI website.8

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the BCI include data on anti-Islamic (Muslim) hate crime. The BCI tabulates hate crime data according to the number of offenses per aggregate bias motivation category in the 1997 and 2002-2008 reports and offenses per disaggregated category in the 2001 and 2014-2015 reports. Hate crime statistics are not provided in the 1998-2000 and 2009-2013 editions of Crime in Utah. The BCI does not provide anti-Arab hate crime statistics.

• ANTI-ARAB HATE CRIME STATISTICS
The BCI does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
Anti-Islamic (Muslim) hate crime statistics are provided in the 2001 and 2014-2015 editions of Crime in Utah. According to the BCI, the 6 anti-Islamic (Muslim) hate crime incidents reported in 2001 occurred after 9/11.9 The BCI has not published 2016 hate crime statistics.

CRIME IN UTAH HATE CRIME OFFENSES (2000-2016)

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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>-</td>
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</table>

According to supplemental data from the FBI, no anti-Arab hate or anti-Islamic (Muslim) hate crime incidents were reported in Utah in 2016. In 2015, a single anti-Islamic (Muslim) hate crime incident, involving a single offense, was reported. This total conflicts with BCI statistics. Utah law enforcement agencies submit hate crime data to the FBI UCR Program through the BCI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<td>Anti-Islamic (Muslim)</td>
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FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Utah submit hate crime data to the FBI UCR Program through the BCI. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 66 hate crime incidents were reported in Utah in 2016.

In 2016, 32 of the 130 Utah law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Utah submitted only zero data.


PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
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<td>47</td>
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<tr>
<td>2016</td>
<td>32</td>
<td>66</td>
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SUMMARY
The current Utah hate crime statute is not sufficiently inclusive, as it does not offer protections for race, ethnicity, ancestry, religion, sexual orientation, disability, gender, or gender identity. Furthermore, the current statute only covers misdemeanor offenses. While Utah has a statute requiring the BCI to collect hate crime data, law enforcement officers in the state are not required to report hate crime, nor do they receive mandatory training. The Utah Department of Public Safety, Bureau of Criminal Investigation, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Utah can be found on the BCI website and include anti-Islamic (Muslim) hate crime statistics. The BCI does not publish annual statistics on anti-Arab hate crime. In 2016, 32 Utah law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 97 participating agencies provided only zero data. A total of 14 participating agencies recorded blank data in at least one quarterly submission period. Utah receives an overall score of 40 points, denoting a limited response to hate crime.

IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Utah receives an overall score of 40 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Utah should promote the following:

1. The current Utah hate crime statute identifies no protected characteristics and applies only to misdemeanor offenses. The Utah State Legislature must enact legislation for a criminal statute prohibiting crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness, or association with a person or group with one of these actual or perceived characteristics. This statute must cover a wide range of criminal offenses.

2. While the Utah Bureau of Criminal Identification (BCI) is required to collect data on hate crimes, law enforcement agencies in Utah are not required to report hate crime incidents. In 2016, 32 of the 130 Utah law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the BCI, which is currently responsible for publishing annual statistics.
   - The BCI must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. Utah’s annual hate crime report does not ostensibly provide data corresponding to the bias motivation categories identified in the FBI UCR Program’s annual report, *Hate Crime Statistics*.
   - Utah must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Utah state code does not require specific law enforcement training on hate crime. The Utah Peace Officer Standards and Training Council must prescribe minimum courses of study and basic training requirements, relating to investigating and reporting hate crime incidents, for certification as a law enforcement officer in the state.

STATE CONTACTS

Advocates for an improved response to hate crime in Utah should contact current state legislators and members of Congress.

**Utah State Legislature**
Senate: [http://senate.utah.gov](http://senate.utah.gov)

**United States Senate**
Contact: Utah
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Utah
[https://www.house.gov/representatives#state-utah](https://www.house.gov/representatives#state-utah)
Vermont is the 49th most populated state and has the 43rd largest Arab American population.

Housed within the state’s Department of Public Safety, the Vermont Crime Information Center (VCIC) is the state agency responsible for the collection and publication of hate crime data. The VCIC does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

Vt. Stat. Ann. tit. 13, § 1455 provides enhanced penalties for crimes and attempted crimes “maliciously motivated by the victim's actual or perceived race, color, religion, national origin, sex, ancestry, age, service in the U.S. Armed Forces, disability as defined by 21 V.S.A. § 495d(5), sexual orientation, or gender identity.”1

Pursuant to Vt. Stat. Ann. tit. 21, § 495d(5), disability is defined so as to include both “physical and mental impairments.”2

**DATA COLLECTION STATUTE**

There is no Vermont statute that requires hate crime reporting or data collection. Pursuant to Vt. Stat. Ann. tit. 20, § 20151, the VCIC maintains the official state repository for all “criminal records, records of the commission of crimes...and such other information as the [head of the Vermont Department of Public Safety] deems pertinent to criminal activity.”3

In accordance with Vt. Stat. Ann. tit. 20, § 2057, the VCIC must publish “information relating to criminal activity, arrests, convictions” and other relevant information “from time to time, but at least annually.”4 Furthermore, Vt. Stat. Ann. tit. 20, § 2054 requires all Vermont law enforcement agencies to comply with crime reporting standards as regulated by the VCIC.5

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Vermont statute that requires specific law enforcement training on hate crime. Pursuant to Vt. Stat. Ann. tit. 20, § 2358(e)(1), the minimum standards and basic training curriculum for law enforcement officers in the state must incorporate “anti-bias training approved by the Vermont Criminal Justice Training Council (VCJTC) and training on the State, county, or municipal law enforcement agency’s fair and impartial policing policy.” The current VCJTC’s model fair and impartial policing policy includes guidance on “Bias-Based Reports or Reports Regarding Bias from the Community.”6 According to the VCJTC model policy, mandatory basic police training must provide instruction on hate crime investigations.7

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DATA COLLECTION & STATISTICS
Pursuant to Vt. Stat. Ann. tit. 20, § 20157, the VCIC publishes an annual report on crime statistics. The 1997-2014 editions of Vermont Crime Report can be found on the VCIC website. The reports do not provide data on hate crime. Statewide hate crime statistics are available, however, on a query-based website. Vermont Crime On-Line is based completely on NIBRS submissions from law enforcement agencies across the state. The Vermont Crime On-Line database provides incident-based hate crime data tabulated according to disaggregated bias motivation categories.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the VCIC include data on anti-Islamic (Muslim) hate crime. The VCIC tabulates hate crime data according to the number of incidents per disaggregated bias motivation category. Hate crime statistics for 2004-2015 are provided in the Vermont Crime On-Line database. The VCIC does not provide anti-Arab hate crime statistics.

ANTI-ARAB HATE CRIME STATISTICS
- The VCIC does not publish annual statistics on anti-Arab hate crime.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
- Anti-Islamic (Muslim) hate crime statistics for 2004-2015 are provided in the Vermont Crime On-Line database. According to the VCIC, a single anti-Islamic (Muslim) hate crime incident was reported in 2011. The VCIC has not published 2016 hate crime statistics.

VERMONT CRIME ON-LINE HATE CRIME INCIDENTS (2000-2016)

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<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Vermont in 2016. Vermont law enforcement agencies submit hate crime data to the FBI UCR Program through the VCIC.

FBI HATE CRIME STATISTIC (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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</thead>
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<td>Anti-Arab</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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</table>
**FBI HATE CRIME STATISTICS**

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."¹³

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.¹⁴

**FBI HATE CRIME STATISTICS PARTICIPANT**

Law enforcement agencies in Vermont submit hate crime data to the FBI UCR Program through the VCIC. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 25 hate crime incidents were reported in Vermont in 2016.

In 2016, 15 of the 90 Vermont law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing three of the five largest cities in Vermont submitted only zero data.

The VCIC has not released 2016 hate crime statistics. Discrepancies occur between state and federal hate crime statistics for previous years.

**PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM**

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
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<td>5</td>
<td>8</td>
</tr>
<tr>
<td>2016</td>
<td>15</td>
<td>15</td>
</tr>
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**SUMMARY**

While Vermont has an inclusive hate crime statute, state code does not require hate crime reporting, data collection, or specific law enforcement training. Despite this lack of statutory requirements, the Vermont Crime Information Center (VCIC) publishes annual hate crime statistics and the Vermont Criminal Justice Training Council has set policies that require hate crime training. The VCIC maintains the state clearinghouse for all police reported crime data, including hate crime, and is responsible for publishing annual statistics. State-level hate crime statistics can be found on the Vermont Crime On-Line database and include anti-Islamic (Muslim) hate crime statistics. The VCIC does not publish annual statistics on anti-Arab hate crime. In 2016, 15 Vermont law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 75 participating agencies provided only zero data. A total of 11 participating agencies recorded blank data in at least one quarterly submission period. Vermont receives an overall score of 70 points, denoting an average response to hate crime.

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IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Vermont receives an overall score of 70 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Vermont should promote the following:

1. The current Vermont hate crime statute offers protections for race, color, religion, national origin, sex, ancestry, age, service in the U.S. Armed Forces, disability, sexual orientation, and gender identity. The Vermont hate crime statute should be amended to include protections for *citizenship status, ethnicity, homelessness*, or association with a person or group with one of these actual or perceived characteristics.

2. While the Vermont Crime Information Center (VCIC) publishes hate crime statistics through an online database, state code does not require hate crime reporting or data collection. In 2016, 15 of the 90 Vermont law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   - Law enforcement agencies must report hate crimes to the VCIC, which is currently responsible for publishing annual statistics.
   - The VCIC should be required by law to collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. The Vermont online crime database does not currently provide hate crime data corresponding to the bias motivation categories identified in the FBI UCR Program’s annual report, *Hate Crime Statistics*.

3. Vermont state code does not require specific law enforcement training on hate crime. While the Vermont Criminal Justice Training Council (VCJTC) model policy for mandatory basic police training includes instruction on hate crime investigations, mandatory statewide instruction relating to investigating and reporting hate crime incidents should be required by law. Pursuant to Vermont state code, statewide law enforcement training must already incorporate VCJTC-approved anti-bias training.

STATE CONTACTS

Advocates for an improved response to hate crime in Vermont should contact current state legislators and members of Congress.

**Vermont General Assembly**
Both Chambers: [https://legislature.vermont.gov](https://legislature.vermont.gov)

**United States Senate**
Contact: Vermont
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Vermont
[https://www.house.gov/representatives#state-vermont](https://www.house.gov/representatives#state-vermont)
**VIRGINIA**

**Total population:** 8,411,808  
**Rank of Arab American population by state:** 9

*VA does not publish anti-Arab hate crime statistics.*

**Virginia** is the 12th most populated state and has the 9th largest Arab American population.

The Virginia State Police, Criminal Justice Information Services Division (CJIS), is the state agency responsible for the collection and publication of hate crime data. The CJIS does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

Va. Code § 18.2-57 provides enhanced penalties for assault and battery committed because of a victim’s “race, religious conviction, color or national origin.” Pursuant to Va. Code § 52-8.5, hate crime is defined as a criminal act committed against a person or their property “with the specific intent of instilling fear or intimidation” in that person because of race, religion, or ethnic origin, in order to restrain them from the exercise of their civil rights, and furthermore, any illegal act directed against a person or their property because of their “race, religion, and national origin,” and all other incidents per the discretion of law enforcement intended to intimidate or harass any individual or group because of the reasons described above.

The current Virginia hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity.

**DATA COLLECTION STATUTE**

Va. Code § 52-8.5 also requires Virginia law enforcement agencies to report all hate crimes occurring within their jurisdictions to the Department of State Police (VSP). In accordance with Va. Code § 52-25, the VSP maintains a “uniform crime reporting system for the purpose of receiving, compiling, classifying, analyzing and publishing crime statistics.”

**LAW ENFORCEMENT TRAINING STATUTE**

There is no Virginia statute that requires specific law enforcement training on hate crime. Pursuant to Va. Code § 15.2-1706, all Virginia law enforcement officers must be certified through “the successful completion of training at an approved criminal justice training academy.” The current Virginia Criminal Justice Training Reference Manual includes hate crime as a topic of instruction.

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DATA COLLECTION & STATISTICS
Pursuant to Va. Code § 52-25, the CJIS publishes an annual report on crime statistics. The 1999-2016 editions of *Crime in Virginia* can be found on the VSP website and include hate crime statistics.¹

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.² This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Virginia UCR program is one of the 16 state programs that rely exclusively on NIBRS data.³

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Criminal Justice Information Services Division
Virginia State Police
Post Office Box 27472
Richmond, Virginia 23261-7472
(804) 674-2143
www.vsp.state.va.us/Crime_in_Virginia.shtm

CRIME IN VIRGINIA HATE CRIME OFFENSES (2000-2016)

<table>
<thead>
<tr>
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<td>10</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>5</td>
<td>5</td>
<td>6</td>
<td>5</td>
<td>5</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>16</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>16</td>
<td>16</td>
<td>4</td>
<td>22</td>
<td>13</td>
<td>6</td>
<td>8</td>
<td>10</td>
<td>0</td>
<td>3</td>
<td>7</td>
<td>12</td>
<td>10</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 6 anti-Islamic (Muslim) hate crime incidents, involving 6 offenses, were reported in Virginia in 2016. This total is consistent with CJIS statistics. Virginia law enforcement agencies submit hate crime data to the FBI UCR Program through the CJIS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>7</td>
<td>6</td>
</tr>
</tbody>
</table>

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Virginia submit hate crime data to the FBI UCR Program through the CJIS. According to the FBI UCR Program's annual report, Hate Crime Statistics, 122 hate crime incidents, involving 150 offenses, were reported in Virginia in 2016.

In 2016, 55 of the 419 Virginia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

According to annual hate crime statistics published by the CJIS, 137 hate crime offenses were reported in Virginia in 2016. This total conflicts with the FBI UCR Program's annual report, Hate Crime Statistics, 2016. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

SUMMARY
The current Virginia hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, gender, or gender identity. While Virginia has statutes that require reporting and data collection, there is no state law regarding mandatory police training on hate crime. Despite the lack of a specific mandate, the Virginia Criminal Justice Training Reference Manual includes hate crime as a topic of instruction. The Virginia State Police, Criminal Justice Information Services Division, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Virginia can be found on the VSP website and include anti-Islamic (Muslim) hate crime statistics. The CJIS does not currently publish statistics on anti-Arab hate crime. In 2016, 55 Virginia law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 364 participating agencies provided only zero data. A total of 7 participating agencies recorded blank data in at least one quarterly submission period. Virginia receives an overall score of 65 points, denoting an average response to hate crime.

<table>
<thead>
<tr>
<th>Incidents per bias motivation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race/ethnicity/ancestry</td>
<td>84</td>
<td>77</td>
<td>79</td>
<td>108</td>
<td>76</td>
<td>424</td>
</tr>
<tr>
<td>Religion</td>
<td>24</td>
<td>30</td>
<td>16</td>
<td>24</td>
<td>21</td>
<td>111</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>26</td>
<td>12</td>
<td>22</td>
<td>24</td>
<td>22</td>
<td>106</td>
</tr>
<tr>
<td>Disability</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Gender</td>
<td>-</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Gender identity</td>
<td>-</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>134</td>
<td>119</td>
<td>118</td>
<td>158</td>
<td>122</td>
<td>651</td>
</tr>
</tbody>
</table>

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. An inclusive hate crime statute, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. Statutes that require reporting, data collection, and specific law enforcement training on hate crime. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Virginia receives an overall score of 65 points, denoting an average response to hate crime. Advocates for an improved response to hate crime in Virginia should promote the following:

1. The current Virginia hate crime statute offers protections for race, religion, and national origin. The Virginia hate crime statute should be amended to include protections for *citizenship status, ethnicity, color, disability, age, ancestry, gender or gender identity, sexual orientation, homelessness*, or association with a person or group with one of these actual or perceived characteristics.

2. While the Virginia Criminal Justice Information Services (CJIS) Division publishes statistics in the form of an annual hate crime report, such statistics do not conform to national standards. In 2016, 55 of the 419 Vermont law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - The CJIS must provide statistics on hate crimes relating to gender and gender identity, in addition to the eight bias motivation categories introduced to national UCR data collections in 2015.
   - Virginia must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Virginia state code does not require specific law enforcement training on hate crime. While the Virginia Criminal Justice Training Reference Manual includes material on hate crime, instruction relating to investigating and reporting hate crime incidents should be required by law for police officer certification throughout the state.

STATE CONTACTS
Advocates for an improved response to hate crime in Virginia should contact current state legislators and members of Congress.

**Virginia General Assembly**
Both Chambers: https://virginiageneralassembly.gov

**United States Senate**
Contact: Virginia
https://www.senate.gov/senators/contact

**United States House of Representatives**
Directory of Representatives: Virginia
https://www.house.gov/representatives#state-virginia
WASHINGTON

Total population: 7,288,000
Rank of Arab American population by state: 18

3 anti-Arab hate crime incidents were reported in WA in 2016.

Washington is the 13th most populated state and has the 18th largest Arab American population.

The Washington Association of Sheriffs and Police Chiefs, Criminal Justice and Information Support (CJIS), is the state agency responsible for the collection and publication of hate crime data. According to the CJIS, there were three anti-Arab hate crime incidents reported throughout Washington in 2016.

HATE CRIME STATUTE
Wash. Rev. Code § 9A.36.080 prohibits any person from committing certain crimes, including assault, damaging or destroying property, or threatening to do so, because of their perception of the victim’s “race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap.” Defined as “malicious harassment,” the offense is a class C felony. Pursuant to Wash. Rev. Code § 9A.36.083, any person who commits malicious harassment may be liable to civil action on behalf of the victim.

According to Washington’s hate crime statute, sexual orientation is defined so as to include gender identity or expression.

DATA COLLECTION STATUTE
Wash. Rev. Code § 36.28A.030 requires all Washington law enforcement agencies to report information relating to malicious harassment and “any other crimes of bigotry or bias” to the Washington Association of Sheriffs and Police Chiefs (WASPC). The WASPC must in turn “monitor, record, and classify” this information and file an annual report with select government entities.

LAW ENFORCEMENT TRAINING STATUTE
Wash. Rev. Code § 43.101.290 requires the Washington Criminal Justice Training Commission (WCJTC) to “provide training for law enforcement officers in identifying, responding to, and reporting all violations of [Washington’s hate crime statute] and any other crimes of bigotry or bias.”

The current WCJTC basic law enforcement academy “720-hour core block syllabus” bears no mention of hate crime, malicious harassment, or bigotry as topics of instruction.

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DATA COLLECTION & STATISTICS
As a division of the WASPC, the CJIS publishes an annual crime report that includes hate crime statistics. The 1995-2016 editions of Crime in Washington can be found on the WASPC website.\(^7\)

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the CJIS include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The CJIS tabulates hate crime data according to the number of incidents per disaggregated bias motivation category.

* ANTI-ARAB HATE CRIME STATISTICS
Anti-Arab hate crime statistics are provided in the 1995-2011 and 2016 editions of Crime in Washington. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime incidents. According to the CJIS, 3 anti-Arab hate crime incidents were reported in Washington in 2016.

* ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS

CRIME IN WASHINGTON HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'00</th>
<th>'01</th>
<th>'02</th>
<th>'03</th>
<th>'04</th>
<th>'05</th>
<th>'06</th>
<th>'07</th>
<th>'08</th>
<th>'09</th>
<th>'10</th>
<th>'11</th>
<th>'12</th>
<th>'13</th>
<th>'14</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>1</td>
<td>37</td>
<td>8</td>
<td>18</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td>2</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>3</td>
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<td>7</td>
<td>6</td>
<td>9</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
<td>13</td>
<td>19</td>
<td>14</td>
<td>9</td>
<td>9</td>
<td>6</td>
<td>7</td>
<td>13</td>
<td>18</td>
<td>9</td>
<td>15</td>
<td>13</td>
<td>2</td>
<td>16</td>
<td>15</td>
<td>17</td>
<td>12</td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, 2 anti-Arab and 22 anti-Islamic (Muslim) hate crime incidents were reported in Washington in 2016. This total conflicts with CJIS statistics. Discrepancies occur between state and federal anti-Arab and anti-Islamic (Muslim) hate crime statistics for 2015 as well. Washington law enforcement agencies submit hate crime data to the FBI UCR Program through the CJIS.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>18</td>
<td>22</td>
</tr>
</tbody>
</table>

Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

WASHINGTON 2012-2016

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."11

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.12

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Washington submit hate crime data to the FBI UCR Program through the CJIS. According to the FBI UCR Program’s annual report, *Hate Crime Statistics*, 387 hate crime incidents were reported in Washington in 2016.

In 2016, 80 of the 253 Washington law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Spokane Police Department, which represents a population of 214,028, failed to provide data during the third quarter.

According to annual hate crime statistics published by the CJIS, 386 hate crime incidents were reported in Washington in 2016. This total conflicts with the FBI UCR Program’s annual report, *Hate Crime Statistics, 2016*. Discrepancies occur between state and federal hate crime statistics for 2012-2015 as well.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>69</td>
<td>272</td>
</tr>
<tr>
<td>2013</td>
<td>80</td>
<td>291</td>
</tr>
<tr>
<td>2014</td>
<td>67</td>
<td>308</td>
</tr>
<tr>
<td>2015</td>
<td>79</td>
<td>275</td>
</tr>
<tr>
<td>2016</td>
<td>80</td>
<td>387</td>
</tr>
</tbody>
</table>

SUMMARY
Washington has an inclusive hate crime statute. Furthermore, Washington has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Washington Association of Sheriffs and Police Chiefs, Criminal Justice Information Support, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Washington* can be found on the WASPAC website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 80 Washington law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 173 participating agencies provided only zero data. A total of 14 participating agencies recorded blank data in at least one quarterly submission period. Washington receives an overall score of 100 points, denoting a strong response to hate crime.

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**ADVOCACY RESOURCES - Washington**

**IMPROVING THE RESPONSE**
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

**STATE RECOMMENDATIONS**
According to our rating methodology, Washington receives an overall score of 100 points, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in Washington should promote the following:

1. The current Washington hate crime statute offers protections for race, color, religion, ancestry, national origin, gender, sexual orientation, which is defined so as to include gender identity, and mental, physical, or sensory handicap. The Washington hate crime statute should be amended to include protections for citizenship status, ethnicity, age, homelessness, or association with a person or group with one of these actual or perceived characteristics.

   In 2016, 80 of the 253 Washington law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.

   - Washington must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

2. While Washington state code requires specific law enforcement training on hate crime, the current Washington Criminal Justice Training Commission basic law enforcement academy curriculum does not ostensibly include hate crime or malicious harassment training. The WCJTC must ensure that law enforcement officers throughout the state receive instruction relating to investigating and reporting hate crime incidents.

**STATE CONTACTS**
Advocates for an improved response to hate crime in Washington should contact current state legislators and members of Congress.

**Washington State Legislature**
Senate: [http://leg.wa.gov/Senate](http://leg.wa.gov/Senate)
House: [http://leg.wa.gov/House](http://leg.wa.gov/House)

**United States Senate**
Contact: Washington
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Washington
[https://www.house.gov/representatives#state-washington](https://www.house.gov/representatives#state-washington)
West Virginia is the 38th most populated state and has the 38th largest Arab American population.

The West Virginia State Police is the state agency responsible for the collection and publication of hate crime data. The WVSP does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**

W. Va. Code § 61-6-21 prohibits any attempted deprivation of another person’s civil rights, whether by force or threat of force, or by causing property damage, because of that person’s “race, color, religion, ancestry, national origin, political affiliation or sex.” A violation of Section 61-6-21 amounts to a felony, and furthermore, may “be considered a circumstance in aggravation of any crime in imposing sentence.”

The current West Virginia hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity.

**DATA COLLECTION STATUTE**

*There is no West Virginia statute that requires hate crime reporting or data collection.* Pursuant to W. Va. Code § 15-2-24, law enforcement agencies are required to submit uniform crime reports to the Criminal Identification Bureau (CIB), housed within the WVSP. The CIB must in turn compile these submissions and present a semiannual report to the governor and state legislature.

**LAW ENFORCEMENT TRAINING STATUTE**

*There is no West Virginia statute that requires specific law enforcement training on hate crime.* According to W. Va. Code § 30-29.3(a)(6), the West Virginia Law-enforcement Professional Standards Subcommittee is required to “promulgate standards governing the training...and ongoing professional certification of law-enforcement officers and the entry-level law-enforcement training curricula.”

The current WVSP training course schedule does not include hate crime as a mandatory topic of instruction. An eight-hour class on “Terrorism, Hate Crimes, and Human Trafficking” is available for in-service training.

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**WEST VIRGINIA**

<table>
<thead>
<tr>
<th>Category</th>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hate Crime Statute</td>
<td>25/40</td>
<td>No statute; civil action or civil rights law -</td>
</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
<td>10</td>
<td>Race/ethnicity/ancestry 5, Religion 5, Sexual orientation -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Disability -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gender 5, Gender identity -</td>
</tr>
<tr>
<td>Data Collection Statute</td>
<td>0/15</td>
<td>Data collection (voluntary reporting) -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mandatory reporting and data collection -</td>
</tr>
<tr>
<td>Law Enforcement Training Statute</td>
<td>0/15</td>
<td>No statute; comprehensive training -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mandatory training -</td>
</tr>
<tr>
<td>Annual Hate Crime Report</td>
<td>15/20</td>
<td>Annual hate crime report, including: 10, Anti-Arab hate crime statistics -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Anti-Islamic (Muslim) hate crime statistics 5</td>
</tr>
<tr>
<td>FBI Hate Crime Statistics Participant</td>
<td>10/10</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>50</strong></td>
<td>-</td>
</tr>
</tbody>
</table>

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DATA COLLECTION & STATISTICS
The WVSP publishes an annual crime report that includes hate crime statistics. The 1996-2014 editions of Crime in West Virginia can be found on the WVSP website.6

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the WVSP include data on anti-Islamic (Muslim) hate crime. The CJIS tabulates hate crime data according to the number of incidents, offenses, known offenders, and victims per disaggregated bias motivation category. The WVSP has not released 2015-2016 statistics. Provided WVSP hate crime data collections conform to national UCR standards, the 2015-2016 editions of Crime in West Virginia will include data on anti-Arab hate crime.

• ANTI-ARAB HATE CRIME STATISTICS
  The WVSP does not publish annual statistics on anti-Arab hate crime.

• ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
  Anti-Islamic (Muslim) hate crime statistics are provided in the 1999-2014 editions of Crime in West Virginia. The WVSP has not released 2015-2016 statistics.

CRIME IN WEST VIRGINIA HATE CRIME INCIDENTS (2000-2014)

| Bias motivation            | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                  | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   |
| Anti-Islamic (Muslim)      | 1   | 1   | 2   | 1   | 0   | 2   | 0   | 0   | 0   | 0   | 1   | 1   | 1   | 1   | 0   | -   |
| Anti-other race/ethnicity/ancestry | 0   | 0   | 1   | 0   | 0   | 0   | 1   | 0   | 4   | 0   | 1   | 0   | 0   | 0   | 1   | -   |

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in West Virginia in 2016. The WVSP has not released 2015-2016 hate crime statistics. West Virginia law enforcement agencies submit hate crime data to the FBI UCR Program through the WVSP.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.9 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The West Virginia UCR program is one of 16 state programs that rely exclusively on NIBRS data.10 NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Uniform Crime Reporting Program
West Virginia State Police
725 Jefferson Road
South Charleston, West Virginia 25309
(304) 746-2474
www.wvstatepolice.com

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6 West Virginia State Police, Annual Reports, https://www.wvsp.gov/about/Pages/Publications.aspx.
FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in West Virginia submit hate crime data to the FBI UCR Program through the WVSP. According to the FBI UCR Program's annual report, *Hate Crime Statistics*, 41 hate crime incidents were reported in West Virginia in 2016.

In 2016, 19 of the 324 West Virginia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. The Morgantown Police Department, which represents West Virginia's third largest city, submitted only zero data.


PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>17</td>
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<tr>
<td>2015</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>2016</td>
<td>19</td>
<td></td>
</tr>
</tbody>
</table>

SUMMARY
The current West Virginia hate crime statute is not sufficiently inclusive, as it does not offer protections for sexual orientation, disability, or gender identity. West Virginia does not have statutes that require hate crime reporting, data collection, or specific law enforcement training. The West Virginia State Police maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. The WVSP has not released the 2015-2016 editions of *Crime in West Virginia*. Previous reports do not provide statistics on anti-Arab hate crime. In 2016, 19 West Virginia law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 305 participating agencies provided only zero data. A total of 23 participating agencies recorded blank data in at least one quarterly submission period. West Virginia receives an overall score of 50 points, denoting a limited response to hate crime.

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IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, West Virginia receives an overall score of 50 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in West Virginia should promote the following:

1. The current West Virginia hate crime statute offers protections for race, color, religion, ancestry, national origin, political affiliation, and sex. The West Virginia hate crime statute should be amended to include protections for citizenship status, ethnicity, disability, age, gender identity, sexual orientation, homelessness, or association with a person or group with one of these actual or perceived characteristics.

2. While the West Virginia State Police (WVSP) publishes statistics in the form of an annual hate crime report, state code does not require hate crime reporting or data collection. In 2016, 19 of the 324 West Virginia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the WVSP, which is currently responsible for publishing annual statistics.
   - The WVSP should be required by law to collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. Currently, the WVSP only provides statistics based on aggregate bias motivation categories. The WVSP has not historically provided data on hate crimes relating to gender or gender identity.

3. West Virginia state code does not require specific law enforcement training on hate crime. The West Virginia Law-enforcement Professional Standards Subcommittee must prescribe statewide standards for law enforcement training that include instruction relating to investigating and reporting hate crime incidents.

STATE CONTACTS

Advocates for an improved response to hate crime in West Virginia should contact current state legislators and members of Congress.

**West Virginia Legislature**
- Senate: [http://www.wvlegislature.gov/Senate1/roster.cfm](http://www.wvlegislature.gov/Senate1/roster.cfm)

**United States Senate**
- Contact: West Virginia
  - [https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
- Directory of Representatives: West Virginia
  - [https://www.house.gov/representatives#state-west-virginia](https://www.house.gov/representatives#state-west-virginia)
Wisconsin is the 20th most populated state and has the 28th largest Arab American population.

The Wisconsin Department of Justice (WDOJ), Bureau of Justice Information and Analysis (BJIA), is the state agency responsible for the collection and publication of hate crime data. The BJIA does not publish annual statistics on anti-Arab hate crime.

**HATE CRIME STATUTE**
Wis. Stat. § 939.645 provides enhanced penalties for crimes in which the defendant selects a victim or their property because of the defendant’s “belief or perception regarding the race, religion, color, disability, sexual orientation, national origin or ancestry of [the victim] or the owner or occupant of that property, whether or not the actor’s belief or perception was correct.”

The current Wisconsin hate crime statute is not sufficiently inclusive, as it does not offer protections for gender or gender identity.

**DATA COLLECTION STATUTE**
There is no Wisconsin statute that requires hate crime reporting or data collection. Wis. Stat. § 165.845(1)(a) requires the WDOJ to “collect information concerning the number and nature of offenses known to have been committed in this state and such other information as may be useful in the study of crime and the administration of justice.”

Pursuant to Wis. Stat. § 165.845(2), all law enforcement agencies are required to submit such information as described in subsection (1)(a) to the Department. As required by Section 165.83(2)(m), the Department must in turn publish reports, at least once a year, containing statistical information relating to crime and criminal justice.

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Wisconsin statute that requires specific law enforcement training on hate crime. Pursuant to Wis. Stat. § 165.85(3)(b), the Wisconsin Law Enforcement Standards Board (LESB) is authorized to “establish minimum educational and training standards for admission to employment” as a law enforcement officer in the state.

The current LESB basic training curriculum includes hate crime as a topic of instruction.

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DATA COLLECTION & STATISTICS
Pursuant to Wis. Stat. § 165.83(2)(m), the BJIA is required to publish annual reports on crime statistics. The 2006-2007 editions of *Crime in Wisconsin*, along with the 2008-2009 editions of the specialized report, *Hate Crime in Wisconsin*, are provided on the Wisconsin Law Enforcement Network (WILENET) website.\(^7\) Hate crime statistics for 2010-2016 are not provided online.

ANNUAL STATEWIDE HATE CRIME REPORT
State-level hate crime statistics published by the BJIA include data on both anti-Arab and anti-Islamic (Muslim) hate crime. The BJIA, which tabulated hate crime data according to the number of incidents per disaggregated bias motivation category in the 2006-2009 reports, has not published 2010-2016 hate crime statistics. The 2006 edition of *Crime in Wisconsin* includes 1999-2005 hate crime data.

• **ANTI-ARAB HATE CRIME STATISTICS**
  Anti-Arab hate crime statistics are provided in the 2006-2007 editions of *Crime in Wisconsin*. The BJIA does not currently publish annual statistics on anti-Arab hate crime.

• **ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS**
  Anti-Islamic (Muslim) hate crime statistics are provided in the 2006-2007 editions of *Crime in Wisconsin* and the 2008-2009 editions of *Hate Crime in Wisconsin*. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime statistics.

CRIME IN WISCONSIN HATE CRIME INCIDENTS (2000-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<th>'01</th>
<th>'02</th>
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<td>-</td>
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<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
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<td>-</td>
<td></td>
</tr>
<tr>
<td>Anti-other race/ethnicity/ancestry</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in Wisconsin in 2016. The BJIA has not released 2010-2016 hate crime statistics. Wisconsin law enforcement agencies submit hate crime data to the FBI UCR Program through the BJIA.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.\(^8\) This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Wisconsin UCR program is one of 18 state programs that rely on both SRS and NIBRS data.\(^9\) In 2013 there were 93 Wisconsin law enforcement agencies participating in the NIBRS.\(^10\) According to the Bureau of Justice Statistics, Wisconsin has received funding through the National Crime Statistics Exchange (NCS-X) Initiative to assist with the statewide transition to NIBRS-compliant reporting.\(^11\)

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Uniform Crime Reporting Program
Bureau of Justice Information and Analysis
Wisconsin Department of Justice
Post Office Box 2718
Madison, Wisconsin 53701-2718
(608) 266-7185
www.doj.state.wi.us/dles/bureau-justice-information-and-analysis

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\(^{13}\) Id.


Underreported/ Under Threat: Hate Crime in the United States and the Targeting of Arab Americans

FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on “crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.”

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Wisconsin submit hate crime data to the FBI UCR Program through the BJIA. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 34 hate crime incidents were reported in Wisconsin in 2016.

In 2016, 18 of the 414 Wisconsin law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing two of the five largest cities in Wisconsin submitted only zero data.


PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
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<td>68</td>
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<tr>
<td>2013</td>
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<td>25</td>
<td>43</td>
</tr>
<tr>
<td>2016</td>
<td>18</td>
<td>34</td>
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</table>

SUMMARY
The current Wisconsin hate crime statute is not sufficiently inclusive, as it does not offer protections for gender or gender identity. Wisconsin does not have statutes that require hate crime reporting, data collection, or specific law enforcement training. Despite this lack of statutory requirements, the Wisconsin Law Enforcement Standards Board (LESB) has incorporated hate crime into its mandatory basic training curriculum. The current training appears minimal. The Wisconsin Department of Justice, Bureau of Justice Information and Analysis (BJIA), maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. The BJIA has not published 2010-2016 hate crime statistics. In 2016, 18 Wisconsin law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 396 participating agencies provided only zero data. Wisconsin receives an overall score of 45 points, denoting a limited response to hate crime.

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IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Wisconsin receives an overall score of 45 points, denoting a limited response to hate crime. Advocates for an improved response to hate crime in Wisconsin should promote the following:

1. The current Wisconsin hate crime statute offers protections for race, religion, color, disability, sexual orientation, and national origin or ancestry. The Wisconsin hate crime statute should be amended to include protections for **citizenship status**, **ethnicity**, **age**, **gender or gender identity**, **homelessness**, or association with a person or group with one of these actual or perceived characteristics.

2. Wisconsin state code does not require hate crime reporting or data collection. In 2016, 18 of the 414 Wisconsin law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crime incidents to the Wisconsin Bureau of Justice Information and Analysis (BJIA), which formerly published annual hate crime statistics.
   - The BJIA must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - Wisconsin must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Wisconsin state code does not require specific law enforcement training on hate crime. While the Wisconsin Law Enforcement Standards Board’s basic training curriculum includes instruction on hate crime, mandatory instruction for law enforcement officers relating to investigating and reporting hate crime incidents must be required by law.

STATE CONTACTS
Advocates for an improved response to hate crime in Wisconsin should contact current state legislators and members of Congress.

**Wisconsin Legislature**
Senate: [http://legis.wisconsin.gov/senate/](http://legis.wisconsin.gov/senate/)

**United States Senate**
Contact: Wisconsin
[https://www senate.gov/senators/contact](https://www senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Wisconsin
[https://www.house.gov/representatives#state-wisconsin](https://www.house.gov/representatives#state-wisconsin)
Wyoming is the least populated state and has the smallest Arab American population.

The Wyoming Office of the Attorney General, Division of Criminal Investigation, is the state agency responsible for the collection and publication of hate crime data. The DCI does not currently publish annual statistics on anti-Arab hate crime.

### HATE CRIME STATUTE
Wyoming is one of five states, along with Arkansas, Georgia, Indiana, and South Carolina, that do not have a hate crime statute. Wyo. Stat. § 6-9-102 prohibits any person from denying another’s “right to life, liberty, pursuit of happiness or the necessities of life because of race, color, sex, creed or national origin.” Defined as “discrimination,” a violation of Wyo. Stat § 6-9-102 amounts to a misdemeanor.

The provisions in Wyoming’s discrimination law do not constitute hate crime protections.

### DATA COLLECTION STATUTE
There is no Wyoming statute that requires hate crime reporting or data collection. Pursuant to Wyo. Stat. § 7-19-107, the DCI is “designated as the central repository for criminal history record information.”

### LAW ENFORCEMENT TRAINING STATUTE
There is no Wyoming statute that requires specific law enforcement training on hate crime. Pursuant to Wyo. Stat. § 9-1-702(e), The Wyoming Peace Officers Standards and Training Commission is required to establish certification standards for law enforcement officers in the state, including basic training requirements and mandatory courses of study.

### WYOMING

<table>
<thead>
<tr>
<th>Category</th>
<th>Score</th>
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<tbody>
<tr>
<td>Hate Crime Statute</td>
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</tr>
<tr>
<td>No statute; civil action or civil rights law</td>
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</tr>
<tr>
<td>Hate crime statute, with protections for:</td>
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<td></td>
</tr>
<tr>
<td>Race/ethnicity/ancestry</td>
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<td>Religion</td>
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<td>Disability</td>
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<td>Gender</td>
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<td>Mandatory reporting and data collection</td>
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<tr>
<td>Law Enforcement Training Statute</td>
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<td>Mandatory training</td>
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<tr>
<td>Annual Hate Crime Report</td>
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<tr>
<td>Annual hate crime report, including:</td>
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<tr>
<td>Anti-Arab hate crime statistics</td>
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<tr>
<td>Anti-Islamic (Muslim) hate crime statistics</td>
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</tr>
<tr>
<td>FBI Hate Crime Statistics Participant</td>
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<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>20</td>
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</tr>
</tbody>
</table>

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DATA COLLECTION & STATISTICS

Housed within the Wyoming Office of the Attorney General, the DCI publishes an annual crime report that includes hate crime statistics. While there is no statute requiring hate crime reporting or data collection in Wyoming, the DCI compiles hate crime statistics for its annual report “in response to the Hate Crime Statistics Act of 1990.” The 1999-2016 editions of Crime in Wyoming can be found on the DCI website.

UNIFORM CRIME REPORTING (UCR)

By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data. This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Wyoming UCR program is one of 15 state programs that still rely exclusively on SRS data. According to the Bureau of Justice Statistics, Wyoming has received funding through the National Crime Statistics Exchange (NCS-X) Initiative to assist the statewide transition to NIBRS-compliant reporting. More on Wyoming’s planned transition to the NIBRS can be found on the DCI website.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT

Wyoming State Attorney General’s Office
Division of Criminal Investigation
208 South College Drive
Cheyenne, Wyoming 82002
(307) 777-7625
http://attorneygeneral.state.wy.us/dci/

DATA COLLECTION & STATISTICS

Housed within the Wyoming Office of the Attorney General, the DCI publishes an annual crime report that includes hate crime statistics. While there is no statute requiring hate crime reporting or data collection in Wyoming, the DCI compiles hate crime statistics for its annual report “in response to the Hate Crime Statistics Act of 1990.” The 1999-2016 editions of Crime in Wyoming can be found on the DCI website.

ANNUAL STATEWIDE HATE CRIME REPORT

State-level hate crime statistics published by the DCI include data on anti-Islamic (Muslim) hate crime. The DCI tabulates hate crime data according to the number of offenses per disaggregated bias motivation category. The DCI does not currently provide anti-Arab hate crime statistics.

ANTI-ARAB HATE CRIME STATISTICS

A single anti-Arab hate crime offense was reported in the 2007 edition of Crime in Wyoming. The DCI does not currently publish annual statistics on anti-Arab hate crime.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS

Anti-Islamic (Muslim) hate crime statistics are provided in the 1999-2016 editions of Crime in Wyoming. According to the DCI, 4 anti-Islamic (Muslim) hate crime offenses were reported in Wyoming from 2001 to 2016.

CRIME IN WYOMING HATE CRIME OFFENSES (2000-2016)

| Bias motivation                  | '00 | '01 | '02 | '03 | '04 | '05 | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Anti-Arab                        | -   | -   | -   | -   | -   | -   | 1   | -   | -   | -   | -   | -   | -   | -   | -   | -   |
| Anti-Islamic (Muslim)            | 0   | 2   | 1   | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   |
| Anti-other race/ethnicity/ancestry | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   |

According to supplemental data from the FBI, no anti-Arab or anti-Islamic (Muslim) hate crime incidents were reported in Wyoming in 2016. This total is consistent with DCI statistics. Wyoming law enforcement agencies submit hate crime data to the FBI UCR Program through the DCI.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
<th>'15</th>
<th>'16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Arab</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Anti-Islamic (Muslim)</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.

FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Wyoming submit hate crime data to the FBI UCR Program through the DCI. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 3 hate crime incidents, involving 4 offenses, were reported in Wyoming in 2016.

In 2016, 1 of the 55 Wisconsin law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Wyoming submitted only zero data.

According to annual hate crime statistics published by the DCI, 4 hate crime offenses were reported in Wyoming in 2016. This total is consistent with the FBI UCR Program’s annual report, Hate Crime Statistics, 2016.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

<table>
<thead>
<tr>
<th>Year</th>
<th>Agencies submitting incident reports</th>
<th>Total number of incidents reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>2</td>
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</tr>
<tr>
<td>2013</td>
<td>2</td>
<td>1</td>
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<td>2014</td>
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<td>2015</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>2016</td>
<td>1</td>
<td>3</td>
</tr>
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</table>

SUMMARY

Wyoming is one of five states, along with Arkansas, Georgia, Indiana, and South Carolina, that do not have a hate crime statute. The provisions in Wyoming’s discrimination law do not constitute hate crime protections. Even though Wyoming does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime, the state does publish an annual hate crime report. The Wyoming Office of the Attorney General, Division of Criminal Investigation, maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Crime in Wyoming can be found on the DCI website and include hate crime statistics. Given that law enforcement agencies in Wyoming are not required to report hate crimes, and that Wyoming is the least populated state, the DCI records a small number of hate crimes each year. The DCI has published data on both anti-Arab and anti-Islamic (Muslim) hate crime. In 2016, a single Wyoming law enforcement agency submitted hate crime incident reports to the FBI UCR Program. The remaining 54 participating agencies provided only zero data. A single participating agency recorded blank data in at least one quarterly submission period. No law enforcement agencies in Wyoming submitted incident reports to the FBI UCR Program in 2014. Wyoming receives an overall score of 20 points, denoting a minimal response to hate crime.

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IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime**. Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Wyoming receives an overall score of 20 points, denoting a minimal response to hate crime. Advocates for an improved response to hate crime in Wyoming should promote the following:

1. Wyoming is one of five states without a hate crime statute. The Wyoming Legislature must enact legislation for a new criminal statute prohibiting crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness, or association with a person or group with one of these actual or perceived characteristics. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute.

2. While the Wyoming Division of Criminal Investigation (DCI) publishes statistics in the form of an annual hate crime report, state code does not require hate crime reporting or data collection. In 2016, 1 of the 55 Wyoming law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the DCI.
   - The DCI should be required by law to collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state. Currently, Wyoming’s annual hate crime report does not provide statistics relating to the eight additional bias motivation categories introduced to national UCR data collections in 2015.
   - Wyoming must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.

3. Wyoming state code does not require specific law enforcement training on hate crime. The Wyoming Peace Officers Standards and Training Commission must establish certification standards for law enforcement officers throughout the state that include instruction relating to investigating and reporting hate crime incidents.

STATE CONTACTS
Advocates for an improved response to hate crime in Wyoming should contact current state legislators and members of Congress.

**Wyoming Legislature**
Both Chambers: [http://legisweb.state.wy.us](http://legisweb.state.wy.us)

**United States Senate**
Contact: Wyoming
[https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
Directory of Representatives: Wyoming
[https://www.house.gov/representatives#state-wyoming](https://www.house.gov/representatives#state-wyoming)