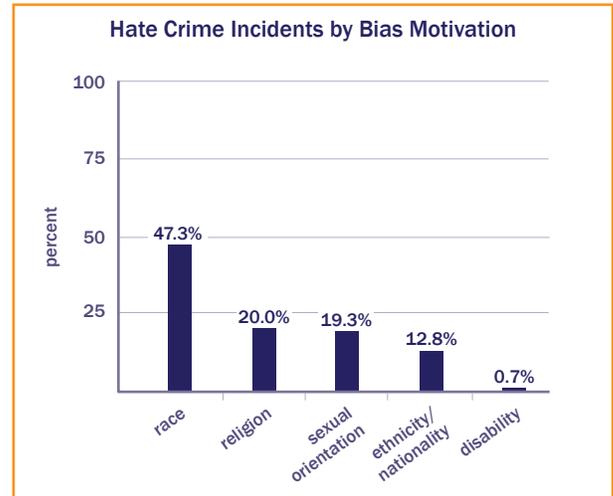


Hate and Bias Crime

Hate crimes are criminal offenses “against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, ethnic origin, or sexual orientation.”¹ Hate crimes are not merely hate speech, which is generally protected by the Constitution, but rather are criminal acts which, in addition to being illegal, carry additional penalties because of the bias motivation. While hate crime legislation varies from state to state, hate crime statutes share in the recognition that bias-motivated crimes not only affect the victim because of a real or perceived membership in a class of people, but have an indirect victimization effect on the class of people targeted.

- From 2003 to 2009, the rate of violent hate crime victimizations in the United States per 1,000 persons age 12 or older decreased from 0.8 to 0.5.²
- From 2003 to 2009, hate crime victimizations accounted for less than 1 percent of the total victimizations captured by the NCVS.³
- Police were notified of fewer than half (45 percent) of all hate crime victimizations.⁴
- In 2010, 6,628 hate crime incidents, involving 7,699 offenses and 8,208 victims, were reported to the Federal Bureau of Investigation by local law enforcement agencies.⁵
- In 2010, the race of 4,432 offenders of bias-motivated crimes was known. The majority of these offenders were white (72 percent), and 20 percent were black.⁶
- In about 37 percent of violent hate crimes the offender knew the victim; in violent nonhate crimes, half of all victims knew the offender.⁷

- In 2010, racial bias motivated 47 percent of single-bias hate crime incidents; bias based on religious beliefs motivated 20 percent; bias based on sexual orientation motivated 19 percent; bias based on ethnicity or nationality motivated 13 percent; and bias based on disability motivated 0.7 percent.⁸



- In 2010, there were 3,978 incidences of hate crimes against persons (as opposed to property). Of these, 45 percent were intimidation, 37 percent were simple assault, and 17 percent were aggravated assault. Seven murders and four forcible rapes were reported as hate crimes.⁹
- In nearly 90 percent of hate crime victimizations occurring between 2003 and 2009, the victim suspected the offender was motivated by racial or ethnic prejudice.¹⁰
- Four in ten violent hate crimes against white victims between 2003 and 2009 involved a white offender and two in ten violent hate crimes against black victims involved a black offender. During this same timeframe, more than seven in ten violent crimes against white victims involving no apparent bias were perpetrated by white offenders and more than eight in ten violent crimes with no bias against black victims were perpetrated by black offenders.¹¹

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

2 Lynn Langton and Michael Planty, *Hate Crime, 2003-2009*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2011), 1, accessed October 25, 2012, <http://bjs.ojp.usdoj.gov/content/pub/pdf/hc0309.pdf>.

3 *Ibid.*, 3.

4 *Ibid.*, 6.

5 Federal Bureau of Investigation, *Hate Crime Statistics, 2010*, (Washington, DC: U.S. Department of Justice, 2011), Table 1, accessed October 25, 2012, <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2010/tables/table-1-incidents-offenses-victims-and-known-offenders-by-bias-motivation-2010.xls>.

6 *Ibid.*, calculated from data in Table 3, accessed October 25, 2012, <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2010/tables/table-3-offenses-known-offenders-race-by-offense-type-2010.xls>.

7 Langton and Planty, *Hate Crime, 2003-2009*, 8.

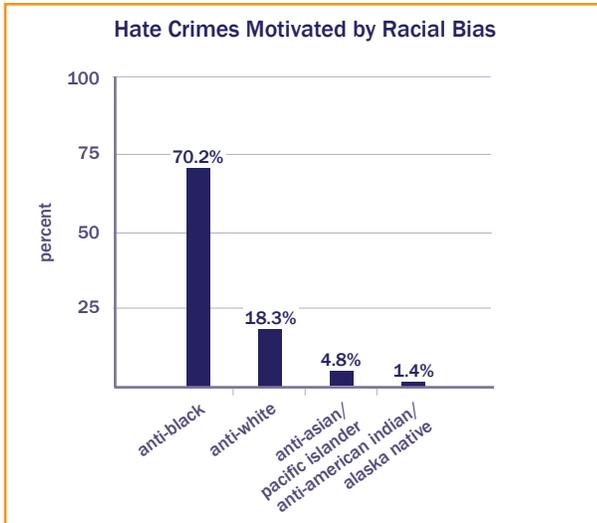
8 Federal Bureau of Investigation, *Hate Crime Statistics, 2010*, calculated from data in Table 1.

9 *Ibid.*, calculated from data in Table 2, accessed October 25, 2012, <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2010/tables/table-2-incidents-offenses-victims-and-known-offenders-by-offense-type-2010.xls>.

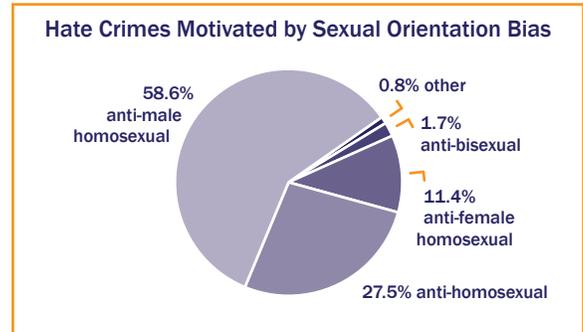
10 Langton and Planty, *Hate Crime, 2003-2009*, 4.

11 *Ibid.*, 9.

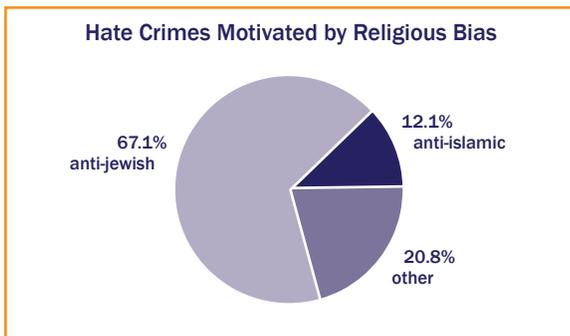
- Of the 3,135 single-bias incidents that were motivated by race, 70 percent were incidents of an anti-black bias; an anti-white bias motivated crimes against 18 percent; an anti-Asian/Pacific Islander bias motivated crimes against 5 percent; and 1 percent were incidents of an anti-American Indian/Alaska Native bias.¹²



- NCAVP documented 27 anti-LGBTQH murders in 2010, the second highest yearly total recorded in a decade, and a 23 percent increase from the 22 people murdered in 2009.¹⁷
- Of the 1,277 reported incidents of sexual-orientation bias in 2010, 58 percent were because of a bias against gay males.¹⁸



- Single-bias anti-Hispanic incidents accounted for 63 percent of 847 reported incidents of ethnicity-based bias in 2010.¹³
- Of the 1,322 incidents involving religious bias-related incidences, 67 percent were incidents of an anti-Jewish bias; anti-Islamic bias motivated crimes against 12 percent of incidents in 2010.¹⁴



- In 2010, 2,503 hate and bias incidents against lesbian, gay, bisexual, transgender, queer, or HIV-affected (LGBTQH)¹⁵ victims were reported to the National Coalition of Anti-Violence Programs (NCAVP)—a 15 percent increase over incidents reported in 2009.¹⁶

- In 2010, LGBTQH victims reported 89 sexual assaults, 74 sexual harassment incidents, and 199 assaults with a weapon.¹⁹ ★

¹² Federal Bureau of Investigation, *Hate Crime Statistics, 2010*, calculated from data in Table 1.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ LGBTQH: Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-affected communities.

¹⁶ National Coalition of Anti-Violence Programs, *Hate Violence Against Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Communities in the United States in 2010*, (New York: New York City Gay & Lesbian Anti-Violence Project, Inc., 2011), calculated from data on p. 7, accessed September 7, 2012, <http://avp.org/documents/NCAVPHateViolenceReport2011Finaldjjfinala.pdf>.

¹⁷ Ibid., 17.

¹⁸ Federal Bureau of Investigation, *Hate Crime Statistics, 2010*, calculated from data in Table 1.

¹⁹ National Coalition of Anti-Violence Programs, *Hate Violence Against Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Communities*, 30.