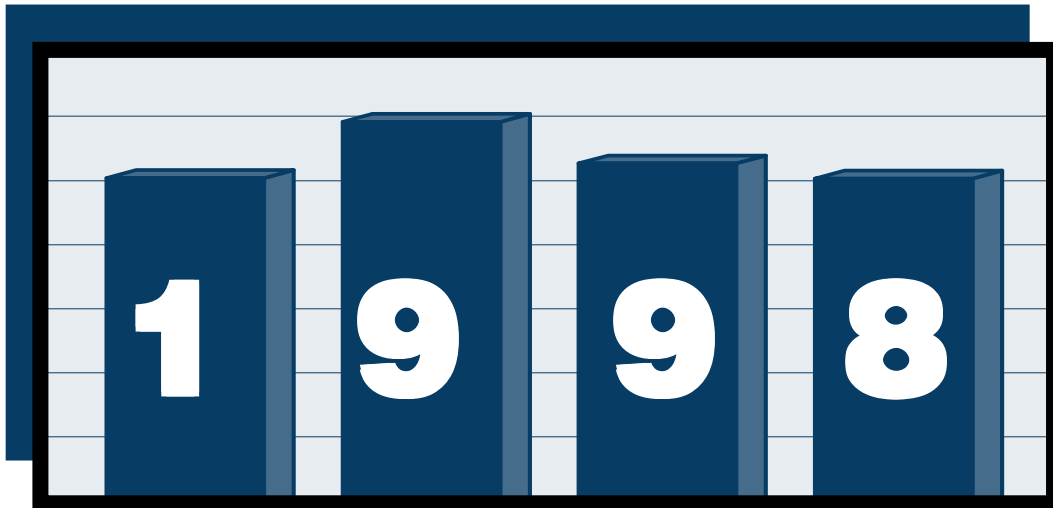


HATE CRIME IN CALIFORNIA



California Department of Justice
Bill Lockyer, Attorney General
Division of Criminal Justice Information Services

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Hate Crime in California, 1998

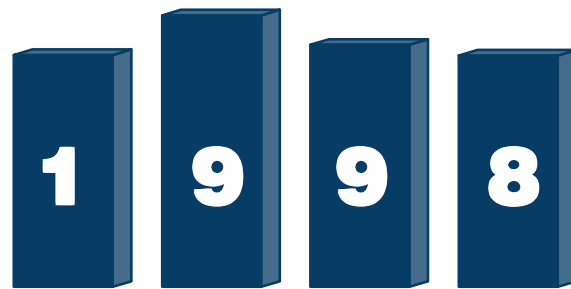
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HATE CRIME

IN CALIFORNIA



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The role of the Criminal Justice Statistics Center is:

- To collect, analyze, and report statistical data, which provide valid measures of crime and the criminal justice process;
- To examine these data on an ongoing basis to better describe crime and the criminal justice system;
- To promote the responsible presentation and use of crime statistics.

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HATE CRIME REPORT

More than 1,800 hate crime offenses were reported by California law enforcement agencies in 1998. That's a shocking number when one considers the motivation behind a hate crime - the victim's race, ethnicity, religion, sexual orientation or physical or mental disability. But this report is more than criminal statistics and numbers - each offense is a crime with a human victim, sometimes more than one.

Over 2,100 Californians fell victim to a hate crime in 1998. The majority of reported hate crimes were tied to the victim's race, accounting for 64.8 percent of the incidents, and 68.8 percent of the known offenses were classified as violent.

While these statistics seem overwhelming, they cannot convey the pain endured by each victim. Hate crimes are among the ugliest of crimes, in which the perpetrator thinks the victim is less of a human being because of his or her skin color, religion, sexual orientation or disability - that by virtue of mere individual differences, the victim is not entitled to the protection of the rights enshrined in our Constitution for all. With the release of these data, we hope to increase awareness of this issue and send a message to those who would commit these crimes of intolerance that we, as a society, will not tolerate such hatred.

BILL LOCKYER
Attorney General

HIGHLIGHTS

Crime Data

In 1998,

- The Department of Justice received reports from 239 law enforcement agencies detailing 1,750 hate crime events. Included in these events were 1,801 offenses, 2,136 victims, and 1,985 known suspects.
- 64.8 percent of the events were motivated by the race/ethnicity of the victim.
- Violent crime accounted for 68.8 percent of known offenses.
- Most of the hate crimes occurred on a highway, road, alley, street, or sidewalk (25.3 percent) or at the home or residence of the victim (31.8 percent).

Prosecutorial Data

In 1998,

- There were a total of 244 hate crime complaints filed by the district attorneys and elected city attorneys.
- There were a total of 131 convictions.
- The conviction rate (131/244) was 53.7 percent.

HATE CRIME IN CALIFORNIA



Overview

The Attorney General's Hate Crime Reporting Program was implemented in 1994. In 1995, the first publication, *Hate Crime in California, July through December, 1994*, was issued. This fifth yearly publication, *Hate Crime in California, 1998*, includes data for January through December.

As defined in California Penal Code section 13023, a hate crime is any criminal act or attempted criminal act motivated by hatred based on race, religion, ethnicity, sexual orientation or disability. These crimes must be reported to the Department of Justice (DOJ) by law enforcement agencies. Information about bias motivation, type of crime, location of crime, number of victims, and number of known suspects is included in each crime report.

All law enforcement agencies in California participate in this program. These agencies recognize that quality information is central to developing effective measures to deal with hate crime. In cooperation with the DOJ, agencies in California have initiated local data collection programs, the results of which are presented in this publication.

HATE CRIME IN CALIFORNIA



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- Criminal Justice Glossary

HATE CRIME IN CALIFORNIA, 1998

Introduction

California Penal Code Section 13023 ([Appendix 1](#)) requires the Attorney General to submit an annual report to the Legislature regarding crimes motivated by the victim's race, ethnicity, religion, sexual orientation or physical or mental disability as reported by law enforcement agencies. Data collection began in the fall of 1994 after an orientation and training period. Agencies were requested to identify and submit all reports of bias motivated crime occurring on or after July 1, 1994, to the Department of Justice. In 1995, the Department of Justice published its first report covering data reported for July through December 1994. This is the fifth report and covers the period January 1 through December 31, 1998.

Since this is a relatively new program and long-term comparative information is not available, caution is advised in interpreting the data. As program participants gain experience in identifying, documenting, interpreting, aggregating and displaying the information, statistical data will become available that will provide a basis for annual trend analysis and policy development.

Background

In January 1986, the California Department of Justice (DOJ) submitted a report to the Legislature in response to Senate Bill 2080 (Watson). This report, entitled *Racial, Ethnic, and Religious Crime Project, Preliminary Steps to Establish Statewide Collection of Data*, recommended:

- The Department of Justice be designated as the appropriate state agency to implement and coordinate statewide bias-motivated crime data collection.
- Law enforcement agencies submit existing crime reports identified as bias motivated to the DOJ.
- Uniform definitions and guidelines be established to ensure reliable and consistent identification of bias motivated crimes.
- Adequate funding be provided for data collection and local law enforcement agency training.

Senate Bill 202 (Watson) was chaptered in 1989. The bill added Section 13023 to the Penal Code requiring the Attorney General, subject to the availability of funding, to begin collecting and reporting bias motivated crime information.

Background (continued)

The federal "Hate Crime Statistics Act," Public Law 101-275, which became law on April 23, 1990, required the United States Attorney General to collect bias motivated crime information. The FBI began collecting the data from volunteer agencies in 1991. Their first report was published in 1992.

After funding for the California program was obtained, agencies were notified by Information Bulletin 94-25-OMET, issued September 30, 1994, to begin reporting bias motivated crimes to the DOJ.

Information Bulletin 95-09-BCIA, issued March 24, 1995, requested California district attorneys to report information on complaints filed and convictions for bias motivated crimes on a standard form.

Methodology

Following the recommendations in the 1986 report, the DOJ requires each law enforcement agency in the state to submit copies of bias-motivated crime reports on a monthly basis. To ensure relevancy to the subject matter, the DOJ requests that each agency establish a two-tier review process of possible bias-motivated incidents before reports are forwarded.

Reports received by the DOJ are reviewed by at least two members of the bias-motivated crime unit before the data are included in the aggregate reports. All crime reports that meet the bias motivated criteria are coded in a standard format by the DOJ staff. If the report is not complete or if it appears that the incident is not bias-motivated, the agency is notified.

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