

HATE

CRIME

in
California

PREFACE

2002

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

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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.
- Examine these data on an ongoing basis to better describe crime and the criminal justice system.
- Promote the responsible presentation and use of crime statistics.

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HATE CRIME REPORT

I'm pleased to announce that the number of hate crime events dropped in 2002. This is positive news about this serious type of crime, especially in light of modest increases in reported crime in California, and general increases in the country, for 2002. Since hate crimes are especially disturbing, this decrease hopefully signals a growing appreciation and tolerance for California's diverse population, cultures, lifestyles, and faiths.

The 1,659 hate crime events reported in 2002 represented a 26.6 percent decrease from 2001. The reported number of hate crime offenses in 2002 decreased 11.3 percent from 2001. Also, the 199 anti-other ethnicity/national origin hate crimes – which include Arab or Middle Eastern victims – decreased 53.5 percent in 2002.

The information contained in this report represents the concerted efforts of the entire criminal justice community in systematically responding to, investigating, and prosecuting hate crimes. In our continuing commitment to improve the understanding of these efforts, we have, in partnership with district attorneys, improved the quality and accuracy of prosecution information reported in this publication. The prosecution segment of this report now includes all cases, juvenile and adult, referred by law enforcement agencies for prosecution, the number of cases filed, and the number of convictions.

Although the number of hate crimes decreased this year, we Californians must not tolerate any of these crimes. Hate crimes impact not only their victims, but also spread concern throughout entire communities. Many communities and victims of hate crimes have long experienced such violence, and the fear and pain of a recurrence of historical injustice is deep and pervasive. Because hate crimes are among the most dehumanizing of crimes, we must increase our efforts to curtail these acts. I encourage all Californians to appreciate the richness of our diverse state, with its many people, faiths, and cultures, by continuing to treat each other with the dignity and respect we all want and deserve.

BILL LOCKYER
Attorney General

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HIGHLIGHTS

CRIME DATA

In 2002:

- **Hate crime events** decreased 26.6 percent from those reported for the year 2001 (1,659 vs. 2,261).
- **The number of victims** of reported hate crimes decreased 28.6 percent from those reported for the year 2001 (2,007 vs. 2,812).
- **The number of known suspects** of reported hate crimes decreased 20.8 percent from those reported for the year 2001 (1,963 vs. 2,479).
- **Hate crime offenses** decreased 11.3 percent from those reported for the year 2001 (2,009 vs. 2,265).

BIAS MOTIVATION

In 2002:

- **Race/ethnicity/national origin** hate crime events decreased 32.1 percent from those reported for the year 2001 (1,036 vs. 1,526).
- **Anti-other ethnicity/national origin*** hate crime events decreased 53.5 percent from those reported for the year 2001 (199 vs. 428).
- **Anti-Hispanic** hate crime events decreased 24.3 percent from those reported for the year 2001 (156 vs. 206).
- **Anti-gay** (male homosexual) hate crime events decreased 22.4 percent from those reported for the year 2001 (267 vs. 344).
- **Anti-black** hate crime events decreased 19.1 percent from those reported for the year 2001 (482 vs. 596).
- **Anti-Islamic** hate crime events decreased significantly from those reported for the year 2001 (14 vs. 73).

TYPE OF CRIME

In 2002:

- **Violent crime** events decreased 26.6 percent from those reported for the year 2001 (1,217 vs. 1,658).
- **Property crime** events decreased 26.7 percent from those reported for the year 2001 (442 vs. 603).

PROSECUTORIAL DATA

In 2002:

- **351 complaints were filed as hate crimes** by district attorneys and elected city attorneys. 253 convictions were obtained; 164 were for hate crimes and 89 were for non-bias motivated crimes.

TREND DATA

- **Anti-Asian/Pacific Islander** hate crime offenses have steadily decreased every year for the period 1997-2002. Anti-Asian/Pacific Islander hate crime offenses have dropped more than 50 percent from their high of 180 in 1996, to their current low of 78.
- **Anti-white** hate crime offenses for the period 1997-2002 have decreased each year with the exception of 2000, when they increased 12.6 percent over the 1999 totals. Anti-white hate crime offenses in 2002 are the lowest recorded totals since data collection began in 1995.
- **Sexual orientation** hate crime offenses have remained consistently between 20.1-22.3 percent of all hate crime offenses for the period 1997-2002, and have consistently been the second largest major bias reporting category (behind race/ethnicity) since hate crime reporting started in California in 1995.
- **Murder offenses** have consistently been reported between two to five per year since hate crime reporting began in California in 1995.

*Anti-other ethnicity/national origin includes Arab or Middle Eastern bias motivated hate crimes.

OVERVIEW

California Penal Code section 13023 (Appendix 2) requires the Attorney General to submit an annual report to the Legislature regarding crimes motivated by the victim's race, ethnicity, religion, gender, sexual orientation, national origin,* or physical or mental disability as reported by law enforcement agencies.

The Attorney General's Hate Crime Reporting Program was implemented in September 1994. Data collection began in the fall of 1994 after an orientation and training period was provided by the Department of Justice (DOJ). Agencies were requested to identify and submit all reports of hate crimes occurring on or after July 1 to December 31, 1994, to the DOJ. In 1995, the DOJ published its first report, *Hate Crime in California, July Through December 1994*. This is the ninth annual report and the eighth full-year report, which covers the period January 1 through December 31, 2002.

As defined in California Penal Code section 13023, hate crimes are "any criminal acts or attempted criminal acts to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe that the crime was motivated, in whole or in part, by the victim's race, ethnicity, religion, gender, sexual orientation, national origin, or physical or mental disability." Law enforcement agency crime reports are used to submit their data to the DOJ. Each crime report includes information about, but is not limited to, bias motivation, type of crime, location of crime, number of victims, and the number of known suspects.

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 developed local data collection programs, the results of which are presented in this publication.

* Effective January 1, 2001, national origin was added as an additional bias motivation category to Penal Code section 13023 (see Appendix 2).

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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 following:

- The DOJ be designated as the appropriate state agency to implement and coordinate statewide hate 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 hate 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 to begin collecting and reporting hate crime information.

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

Law enforcement agencies were notified by Information Bulletin 94-25-OMET, issued September 30, 1994, to begin reporting hate crimes to the DOJ.

Information Bulletin 95-09-BCIA, issued March 24, 1995, requested California District Attorneys and elected City Attorneys to report information on complaints filed and convictions secured for hate crimes by their office on a standard form. We now collect and report additional prosecutorial information, such as total cases referred by law enforcement agencies in the prosecution's jurisdiction, the total number of dispositions on filed cases, and further breakdowns of conviction information.

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METHODOLOGY

To ensure a consistent standard and quality control function, the DOJ requests that each agency establish a two-tier review process for bias motivated crimes before they are reported to the DOJ as hate crimes.

Reports of hate crimes received by the DOJ are reviewed by at least two staff members of the Hate Crime Unit before the data are included in the aggregate reports. All crime reports that meet the bias motivated criteria stated in Penal Code section 13023 are coded in a standard format by DOJ staff.

If a report is incomplete or does not contain sufficient information to determine a bias motivation, or it appears it may not be a hate crime, the reporting agency is notified. The agency can either provide additional information or agree with the DOJ that the event in question does not meet the criteria of a hate crime (a criminal offense that is motivated by a suspect's bias against a victim's race/ethnicity, religion, sexual orientation, etc.). Those crimes meeting the criteria are entered into the Hate Crime Statistical System. The data reflected in this report are gathered from this system.

The primary unit of count for hate crimes is the event. Other units of count include offenses, victims, known suspects, and violent and property crime types. In each hate crime event, the DOJ counts the total number of victims, the total number of known suspects, and the total number of criminal offenses in one event. These totals are also categorized and counted by type of bias motivation (anti-black, anti-Hispanic, anti-gay, anti-Jewish, etc.), type of crime (murder, aggravated assault, burglary, destruction/vandalism, etc.), the crime location (residence, street, synagogue, school, etc.), and the type of victim (individual or property).

When viewing prosecutorial data, the reader is advised that relating the number of hate crimes reported by law enforcement agencies to the number of hate crimes prosecuted by district attorneys and elected city attorneys is not possible. First, crimes often occur in different reporting years than their subsequent prosecutions. Second, the number of crimes reported by law enforcement is much higher than those calling for prosecutorial action, since the latter requires an arrested defendant who can be prosecuted in a court of law.

Continue to CRIME EVENTS →

CJSC* PUBLICATIONS

Annual Publications

Concealable Firearms Charges in California, Fiscal Year 2001/2002**
Crime in California**
Crime in California, Advance Release**
Criminal Justice Profile - A Supplement to Crime in California (statewide and individual counties)**
Hate Crime in California**
Homicide in California**
Preliminary Report, Crime (January through June, January through September, and January through December)**

BCS Foci and Forums

The California Experience in American Juvenile Justice: Some Historical Perspectives (December 1988)
Controlling Plea Bargaining in California (September 1985)
Coordinating Justice in California: "There ought to be a law about it" (December 1988)
Crime Control and the Criminal Career (December 1992)
The Development of California Drunk Driving Legislation (December 1988)
Employment and Crime (February 1989)
The Impact of California's "Prior Felony Conviction" Law (September 1987)
The Origins and Development of Penalties for Drunk Drivers in California (August 1988)
A Policy Role for Focus Groups: Community Corrections (September 1991)
The Prevalence and Incidence of Arrests Among Adult Males in California (August 1988)
The Social Structure of Street Drug Dealing (December 1988)

BCS Outlooks

Adult Felony Arrest Dispositions in California (1982-1984, 1986-1989)
Crime in Urban and Rural California (November 1984 and December 1997)**

Felony Drug Arrests in California, 1985 (December 1986)
Juvenile Justice in California, 1983 (June 1984)
Motor Vehicle Theft in California (December 1987)
Motor Vehicle Theft Recovery Data, 1983-1989 (October 1990)
Women in Crime: The Sentencing of Female Defendants (April 1988)

BCS Reports

Adult Felony Arrest Dispositions in California (April 1992)
Crime in California and the United States, (1983, 1990, 2000)**
Effectiveness of Statutory Requirements for the Registration of Sex Offenders - A Report to the California State Legislature Executive Summary of the Final Report - Blue Ribbon Commission on Inmate Population Management (January 1990)
The Juvenile Justice System in California: An Overview (April 1989)
Parolees Returned to Prison and the California Prison Population (January 1988)
Target Hardening: A Literature Review (October 1989)

CJSC Report Series

Report on Arrests for Burglary in California, 1998**
Report on Arrests for Domestic Violence in California, 1998**
Report on Arrests for Driving Under the Influence in California, 1997**
Report on Drug Arrests in California, From 1990 to 1999 (December 2000)**
Report on Juvenile Felony Arrests in California, 1998 (March 2000)**
Report on Violent Crimes Committed Against Senior Citizens in California, 1998**

CJSC Research Series

Why Did the Crime Rate Decrease Through 1999? (And Why Might it Decrease or Increase in 2000 and Beyond?) (December 2000)**
Special Report to the Legislature on Senate Bill 1608 (felons and others with firearms) (July 2002)
Special Report to the Legislature on Senate Resolution 18 (Crimes Committed Against Homeless Persons) (October 2002)**

Monograph Series

Conspicuous Depredation: Automobile Theft in Los Angeles, 1904 to 1987 (March 1990)
Controlling Felony Plea Bargaining in California: The Impact of the Victim's Bill of Rights (1986)
Development of a White Collar Crime Index (December 1992)
Incapacitation Strategies and the Career Criminal (December 1992)
Measuring White Collar Crime in Depository Institutions (December 1993)
Prosecutors' Response to Parental Child Stealing: A Statewide Study (April 1995)
Race & Delinquency in Los Angeles Juvenile Court, 1950 (December 1990)
Survey Report: "The Expansion of the Criminal Justice and Penal System in California - Is greater coordination required?" (December 1988)

Miscellaneous

California Criminal Justice Time Line, 1822-2000 (June 2001)**
Crime in California (April 2001)**
Gang Organization and Migration/Drugs, Gangs & Law Enforcement
Proceedings of the Attorney General's Crime Conference 85 (September 1985)
Proceedings of Symposium 87: White Collar/Institutional Crime - Its Measurement and Analysis

*Prior to 1991, the Criminal Justice Statistics Center (CJSC) was known as the Bureau of Criminal Statistics (BCS).

**Available on the Internet.

For your convenience, 1999-2001 annual publications are also available on CD-ROM, including data tables in the Excel spreadsheet format. Contact the Special Requests Unit to obtain a disc.

If you need a publication or assistance in obtaining statistical information or a customized statistical report, please contact the CJSC's Special Requests Unit at the:

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