



HATE CRIME
IN CALIFORNIA
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California Department of Justice
Division of Criminal Justice Information Services
Bureau of Criminal Information and Analysis
Daniel E. Lungren, Attorney General



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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.

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Nick Dedier, Director

BUREAU OF CRIMINAL INFORMATION AND ANALYSIS

Douglas A. Smith, Chief
Mike Acosta, Assistant Chief

CRIMINAL JUSTICE STATISTICS CENTER

Steve Galeria, Manager

STATISTICAL DATA CENTER

Roy V. Lewis, Ph.D. Manager
Ann Kelly Publication Author
Robin Tipton Publication Tables

STATISTICAL ANALYSIS CENTER

John Dumbauld Manager
Michelle Rose Editorial Technician
Rebecca Bowe Graphics/Internet



HATE CRIMES REPORT

More than 2,000 people were reportedly victims of a hate crime in California in 1997. 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.

My office is tasked with collecting statewide data on the number of hate crimes committed each year, and this is the third full-year report we have issued reflecting the information provided to us by local law enforcement. As in previous reports - and similar to national statistics - the majority of reported hate crimes in 1997 were tied to the victim's race, accounting for 67.2 percent of the incidents. Most of the known offenses were violent crimes (73.6 percent), with intimidation accounting for 715 of the nearly 1,500 violent offenses.

While these statistics seem overwhelming, they cannot begin to convey the pain endured by each victim. These are truly 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. With the release of this data, we hope to bring an awareness to 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.

It is incumbent upon all Californians to report hate crimes so that the perpetrators can be brought to justice. As law enforcement, we are responsible for documenting the crimes and showing sensitivity to the needs of each victim. The response to a hate crime must involve the whole community, since an attack on an individual also affects the community at large.

California's modern heritage is one in which diversity is respected, not scorned. As long as hate crimes continue to counter that heritage, we must be diligent in denouncing intolerance and protecting the rights of all.

DANIEL E. LUNGREN
Attorney General



HIGHLIGHTS

Crime Data

In 1997,

- The Department of Justice received reports from 242 law enforcement agencies detailing 1,831 hate crime events. Included in these events were 2,023 offenses, 2,279 victims, and 2,206 known suspects.
- 67.2 percent of the events were motivated by the race/ethnicity of the victim.
- Violent crime accounted for 73.6 percent of known offenses.
- Most of the hate crimes occurred on a highway, road, alley, street, or sidewalk (31.5 percent) or at a home or residence of the victim (31.0 percent).

Prosecutorial Data

In 1997,

- There were a total of 313 hate crime complaints filed by the district attorneys and elected city attorneys.
- There were a total of 223 convictions.
- The conviction rate (223/313) was 71.2 percent.



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 fourth yearly publication, *Hate Crime in California, 1997*, 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.

Data Comparison - A Cautionary Note

Data resulting from new reporting programs should be collected for several years in order that statistical data can be properly analyzed. Because of this, the DOJ does not recommend comparing these data with previously published data. In addition, the DOJ believes that the data may be underreported. Future reporting will improve as law enforcement personnel are trained to identify, investigate, and report hate crimes.

A number of additional factors can influence the volume of hate crime reported to the DOJ. These are:

- Efforts of community groups and law enforcement hate crime networks to identify and report hate crime to appropriate authorities.
- Cultural practices and likeliness of reporting hate crime.
- Strength and investigative emphasis of law enforcement agencies.
- Policies of law enforcement and prosecutorial agencies.
- Community policing policies.



HATE CRIME IN CALIFORNIA, 1997

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 fourth report and covers the period January 1 through December 31, 1997.

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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