

- Hate crime victimization not reported to police
- Hate crime victimization reported to police but not classified as hate crime by investigators and therefore not reported to the UCR
- Hate crime victimization reported to police and classified as hate crime and therefore reported to the UCR

RELEASING OPEN DATA ON HATE CRIMES

A Best Practices Guide for Law Enforcement Agencies

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*Madeline Masucci and Lynn Langton, "Hate Crime Victimization, 2004-2015"

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Introduction

Hate crimes are criminal offenses that are motivated to some extent by the offender's bias. They are different from traditional criminal offenses because they victimize entire groups rather than individuals. As a result, hate crimes tend to have a more severe and wide-reaching impact than traditional offenses, presenting distinct challenges for law enforcement agencies. In the words of Chief Will Johnson, Chair of the Human and Civil Rights Committee at the International Association of Chiefs of Police (IACP), "hate crimes and hate incidents are heinous acts that demand immediate attention, response, and resolution whenever possible."¹

One challenge associated with hate crimes is that they are highly traumatic for both individuals and communities. Victims have little to no control over the characteristics that motivate hate crime, leaving them feeling vulnerable to further attacks, along with everyone who shares the targeted characteristics.² Hate crime victims also exhibit greater degrees of anxiety, depression, stress, and anger compared to victims of other crimes.³

The high level of trauma associated with hate crimes may also be due to the fact that they tend to be more violent than other criminal offenses. According to a report from the Bureau of Justice Statistics (BJS), 92% of all hate crimes were violent between 2007 and 2011.⁴ Experts have further noted that the violence associated with hate crimes can be extreme, with murder victims exhibiting signs of literal overkill.⁵ With respect to anti-disability biases in particular, hate crimes "often involve extraordinary levels of sadism."⁶

Another challenge associated with hate crimes is escalation. In the absence of public condemnation for the bias underlying a hate crime, offenders may come to believe that others share and condone their prejudice. As a result, they may be emboldened to continue or escalate their actions.⁷ The targeted

Actual vs. Perceived Identity

A common misconception is that the hate crime classification depends on the victim's identity. In fact, it depends on the offender's **perception** of the victim's identity; it is possible for offenders to misidentify their victims and commit hate crimes in error. One such case gained international notoriety in February 2017, when a Kansas man shot two Indian men, killing one, because he believed them to be Iranian.⁹

Hate Crime vs. Hate Incident

Many people confuse hate crimes with hate incidents, in part because the FBI refers to each occurrence of a hate crime as a "hate crime incident." However, **hate incidents are different from hate crimes** in that they entail non-criminal behavior. For example, a hate incident might involve bias-motivated name-calling or pamphlet distribution. Because these acts are not criminal, hate incidents cannot be classified as hate crime, but they deserve attention from law enforcement nevertheless; as indicators of growing hostility toward a given community, hate incidents can be precursors to criminal activity.

communities, meanwhile, may seek redress for the bias motivation on their own, leading to a cycle of retaliatory crimes.⁸ Law enforcement officials must therefore acknowledge the underlying bias in order to address and prevent hate crime in their jurisdictions.

The Reporting Gap

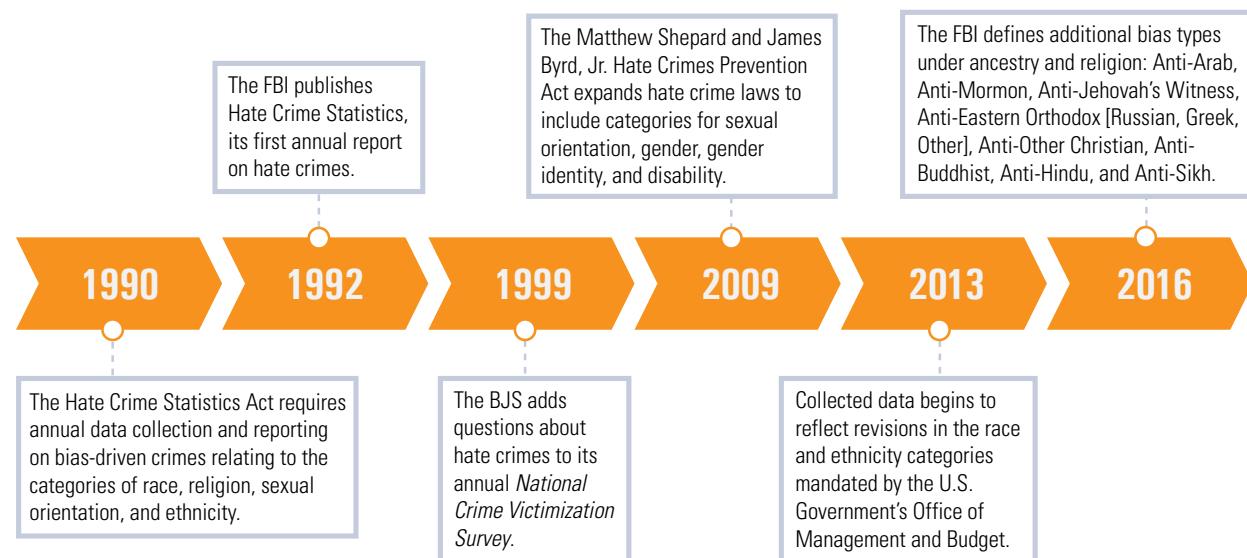
Even though hate crimes are a particularly harmful classification of offenses, they are not well documented in the United States. Some state and local jurisdictions mandate data collection and reporting on hate crimes, and many nonprofits that serve targeted communities also track related information. A national coalition of journalists and civil rights groups recently launched a project called Documenting Hate, which consolidates verified media reports of both hate crimes and hate incidents.¹⁰ However, this information relies on media coverage, which may not be available for all occurrences of hate crime. As a result, the federal government is the authoritative clearinghouse for hate crime data. (See Figure 1 for milestones in the history of hate crime data collection at the federal level.)



Pro Publica's Documenting Hate website

The FBI and BJS are responsible for hate crime data collection and reporting. The FBI's data come from voluntary submissions by law enforcement agencies to the Uniform Crime Reporting Program (UCR). The FBI's first standardized hate crime report was published in 1992, and the Bureau has continued to release *Hate Crime Statistics* on an annual basis since then.¹¹ BJS derives its data from the National Crime Victimization Survey (NCVS), a nationwide household survey that dates back to the 1970s. The NCVS has included questions relating to hate crime since 1999, and the BJS uses this data to publish periodic analyses.¹²

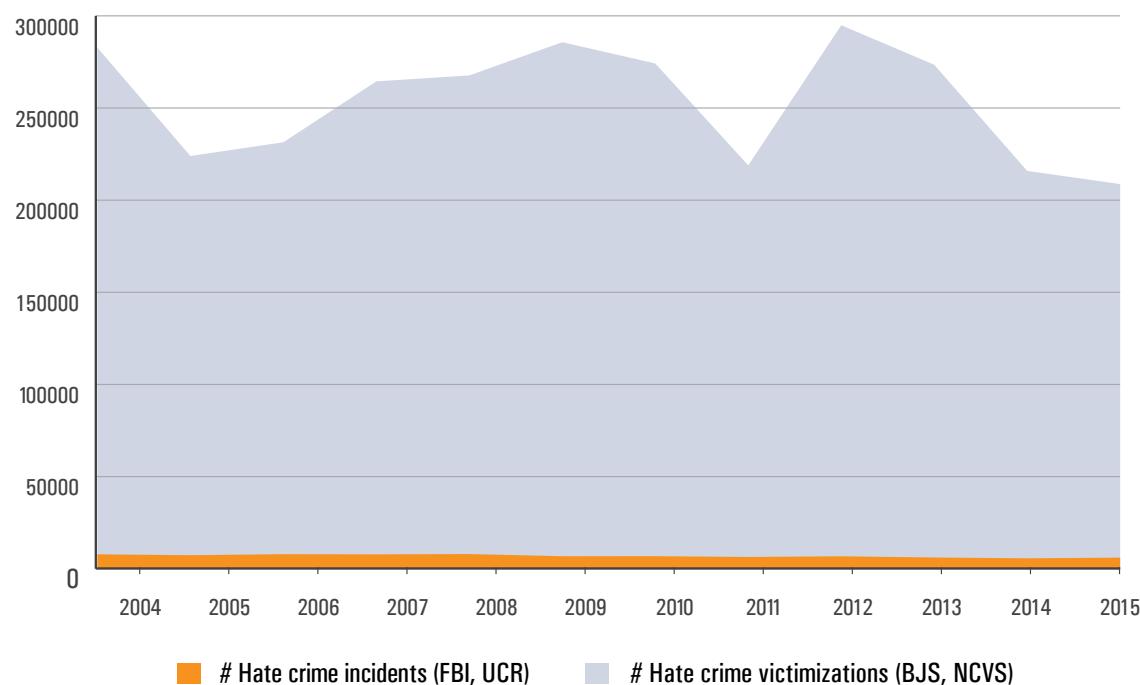
Figure 1. A timeline of hate crime data collection at the federal level



Although both the UCR and the NCVS provide information about hate crime at the national level, these data sources differ in a few ways. Unlike the UCR, which collects individual crime reports, the NCVS uses data from representative samples to calculate statistics for the U.S. population as a whole. While the UCR documents hate crime occurrences, the NCVS captures “hate crime victimizations,” the term for individuals and households that have been subjected to hate crime.¹³ Additionally, the NCVS contains information that is not reported to the police, so it is often used as a benchmark for determining how much crime goes unreported. The difference between the UCR numbers and the NCVS numbers constitutes the hate crime reporting gap.

Figure 2 illustrates the extent of the hate crime reporting gap. (See Appendix A for the underlying numbers.) From 2004 to 2015, the latest year for which data is available from both sources, the FBI reported between 5,479 and 7,783 hate crime incidents, including crimes motivated by single biases and by multiple biases.¹⁴ The BJS, meanwhile, reported between 207,880 and 293,790 hate crime victimizations for the same period.¹⁵

Figure 2. Hate crime incidents and victimizations as reported by the FBI and the BJS, 2004-2015



There are several reasons for the hate crime reporting gap. One reason is that a single incident or occurrence can produce multiple victimizations, which inevitably leads the BJS to record higher numbers than the FBI. Additionally, the BJS data reflect national estimates of hate crime prevalence based on data received from a small sample of the country; the FBI do not use their data to infer national level estimates. The FBI dataset only includes incidents reported by participating agencies; however, not all agencies participate in UCR reporting. In 2015, just 81% of the tribal, local, state, and federal jurisdictions in the United States participated in the UCR; meaning hate crime incidents occurring in nearly 20% of jurisdictions nationally are not reported to the FBI and therefore are not included

in their national figures.¹⁶ The main reason for the hate crime reporting gap, however, is pervasive underreporting. Of the jurisdictions that did participate in the UCR in 2015, 88% documented zero hate crimes.¹⁷ In many cases, however, historical tensions and contemporary media accounts contradict these reports, suggesting that the records do not reflect reality.¹⁸

According to the BJS, underreporting occurs on behalf of victims and law enforcement officials alike, as Figure 3 illustrates. Between 2003 and 2015, only 41% of all hate crime victimizations of individuals age 12 or older were brought to the police. Some victims handled the situation through alternative means, either privately or with the assistance of non-police officials; some victims believed that reporting the crime would cause more trouble for themselves, or that law enforcement officials would be ineffective in their response; and others believed that the crimes were not serious enough to warrant police involvement. Of the 104,600 victimizations that were reported to the police, all of which exhibited evidence of bias motivations, only 14% were classified as hate crime and reported to the UCR. As a result, based on these estimates, only about 6% of all victimizations are represented in UCR statistics.¹⁹ (Appendix B has more detail on the NCVS hate crime classification standards.) In some cases, jurisdictions may not have hate crime data collection policies in place, while in others, the information is not being logged correctly.²⁰

In spite of this widespread underreporting, available data indicate that hate crimes are a growing threat in the United States. According to the Center for the Study of Hate and Extremism at California State University, San Bernardino, hate crimes have been on the rise for the past three years. Comparing hate crime data from equivalent periods of 2016 and 2017, researchers also noted a spike of about 20% across the 20 states studied.²¹ Accordingly, addressing hate crimes is one of the priorities of the Justice Department's Task Force on Crime Reduction and Public Safety, established in February 2017. With a Hate Crime Subcommittee specifically dedicated to exploring improvements at the federal, state, and local levels, the Task Force plans to address the challenge of hate crime data collection explicitly.²²

Figure 3. Hate crime reporting rates among tribal, local, state, and federal jurisdictions in the U.S.



Madeline Masucci and Lynn Langton, "Hate Crime Victimization, 2004-2015"
4

An Opportunity for Law Enforcement

"When citizens know more about hate crimes that occur in the community, they are more likely to be part of the solution, by opposing the kind of bigotry that leads to the targeting of victims because of some things as their race, national origin, sexual identification, and religion. Many people are unaware of these offenses, which seldom come to their attention. Understanding that this kind of hatred exists, and how it impacts victims, helps to mobilize good people to stand against it."

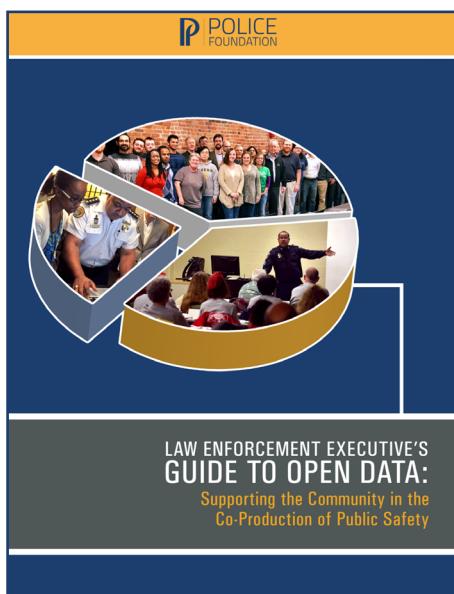
— Tom Casady, Director of Public Safety, Lincoln NE

While the Task Force on Crime Reduction and Public Safety has yet to release its recommendations, the FBI is already in the process of updating federal data collection standards. The UCR, which has traditionally accepted the voluntary data submissions through a summary reporting system (SRS), has started transitioning to the National Incident-Based Reporting System (NIBRS). NIBRS offers several advantages over SRS, including the ability to capture information that is more granular, complete, and standardized. For this reason, the FBI plans to retire SRS by 2021 and rely exclusively on NIBRS to analyze crime in the United States, including hate crimes.²³

Most law enforcement agencies are poised to make a difference before 2021. As a standard practice, law enforcement agencies already collect granular information about hate crimes, storing it within a computer-based Records Management Systems (RMS). By releasing this information to the public in the form of open data, agencies can help narrow the reporting gap to address these crimes and decrease the negative consequences hate crimes have on communities.

Open data is machine-readable data that is available for anyone to use and republish at no cost and without legal restrictions. As such, data that are open are usually available online and can be downloaded into an analyzable format such as a CSV file.²⁴ Releasing open data provides many benefits to law enforcement agencies. It helps members of the public understand policing and provides opportunities for two-way engagement between law enforcement officers and the communities they serve. In so doing, open data increases transparency and promotes legitimacy. It also enables collaboration between organizations, leading to the development of better insights and tools for improving public safety.

In addition to fostering these benefits, open hate crime data signals that the police take this type of offense seriously, which can cultivate trust for the law enforcement system among victims and help quell ambient community tensions. It can also warn potential perpetrators that their actions will not be



For more information on open data, see *The Law Enforcement Executive's Guide to Open Data*

tolerated. As a result, open hate crime data may increase reporting rates among victims. By providing an avenue for accountability, it may also ensure the accuracy of reporting rates among law enforcement officials. More accurate reporting will lead to a better understanding of hate crime in the United States, which in turn will enable informed decision-making around preventing and addressing this type of offense. For these reasons, law enforcement agencies across the country have already begun to release their hate crime data in an open format.

The following section offers case studies on two such agencies. It provides a summary of lessons learned, and ends with recommendations for agencies interested in releasing hate crime data.

Best Practices



Case Study: Louisville Metro Police Department

"It has helped reduce fear in vulnerable communities."

– Robert Schroeder, Assistant Chief of Police Louisville Metro Police Department²⁵

The Louisville Metro Police Department (LMPD) is the law enforcement branch of the consolidated city-county government in Louisville, Kentucky. Its jurisdiction encompasses 399 square miles and about 680,550 people.²⁶ LMPD began operations in January 2003 and currently manages eight patrol divisions as well as a number of special investigative and support units.²⁷

Under Mayor Greg Fischer's Open Data Executive Order, signed in October 2013, LMPD is an early adopter of open data practices. The department has a dedicated page on the Louisville Metro Government's open data portal, known as Louisville Open Data (<https://data.louisvilleky.gov>). Additionally, LMPD is a founding member of the Police Data Initiative (PDI), a community of practice for law enforcement agencies working to improve transparency and community engagement through open data. (See Appendix C for more detail.)

A screenshot of the Louisville Open Data website. The header features the Louisville Open Data logo and the text "OPEN DATA" and "data.louisvilleky.gov". The navigation bar includes links for About, Content, Topics, Developers, Gallery, Services, and Contact. Below the header, a breadcrumb trail shows Home / Groups / Metro Police. There are two buttons: "View" and "Revisions". On the left, there is a thumbnail of the Louisville Metro Police Department logo with the text "POLICE DEPARTMENT". On the right, the text "Metro Police" is displayed above a search bar and sorting options. The search bar contains "Search", "Sort by" (set to "Date Changed"), "Order" (set to "Descending"), and an "Apply" button.

LMPD's webpage on Louisville Open Data

As a PDI participant, LMPD has pioneered the release of many significant open data sets, including hate crime data (see <https://data.louisvilleky.gov/dataset/lmpd-hate-crimes>). LMPD leadership recognized early on that the information contained within a hate crime data set would be valuable to the community and relatively easy to prepare, because the department was already collecting hate crime data for the FBI's UCR Program using NIBRS. These factors made the hate crime data set an ideal candidate for Louisville Open Data.

Even so, proponents of this idea encountered some initial resistance. As controversial as hate crimes can be, this resistance stemmed mainly from general concerns about open data in policing. Would releasing unrestricted information undermine investigations or endanger the privacy of victims?

LMPD has largely been able to overcome these concerns by exercising caution in the selection of information to make public. The police data sets on the open data portal are scrubbed of personally identifiable information (PII) and exclude observations that could interfere with an investigation's progress. As a result, the department's commitment to transparency has not compromised its effectiveness. Ultimately, in the words of Assistant Chief Robert Schroeder, "there wasn't anything to fear."²⁸

On the contrary, making hate crime data publicly available has helped with some aspects of LMPD's work. LMPD now has a ready source of information for the media and members of the public who submit Freedom of Information Act requests as well as other inquiries. Open hate crime data also helps residents

Figure 4. LMPD hate crime data collection and reporting process



understand the actual state of hate crime in the city, which is usually less dire than people assume. Accordingly, access to open hate crime data has had a calming effect in LMPD's jurisdiction, especially in the wake of national incidents that increase fear of retaliatory hate crimes, such as terrorist attacks.

It has also increased the public's sense of procedural justice, or the idea of fairness in police processes. According to Assistant Chief Schroeder, "from time to time, you'll see people who think they've been victimized in a certain way and they think it's a hate crime but it doesn't actually meet the hate crime criteria... They'll think there's some kind of bias motive, but when you get into it, it's just a regular crime."²⁹ LMPD officers use those opportunities to educate the public about hate crime guidelines (see [Appendix D](#)), which can reduce the trauma that victims experience by helping them understand that they were not targeted for bias-related reasons.

LMPD officers periodically receive training on how to identify and respond to hate crime, starting at the Police Academy and continuing throughout their careers. They are thus equipped to file the incident reports that form the basis of the LMPD open hate crime data set. These reports are vetted by the Data Integrity Unit and added to the department's digital RMS. Should an officer fail to flag a crime that appears to have been motivated by bias, then the Data Integrity Unit provides appropriate quality control.

The process for releasing LMPD's open hate crime data is automated. Thanks to the self-taught programming skills of an officer on the force and close collaboration with the Metro Government's Department of Information Technology, LMPD's RMS connects directly to the open data portal, feeding hate crime data into an established interface on a daily basis. The initial stages of this configuration required a lot of work, and LMPD hired two additional police data analysts to assist with its configuration efforts. This investment has enabled the effortless publication of open data, including hate crime data. Figure 4 illustrates this workflow.

An important aspect of LMPD's configuration efforts is the selection of data fields within each data set. Due to reasons of confidentiality, not every field in the RMS is appropriate to share with the public. For LMPD's hate crime data set, the programming only extracts data for specific fields. See [Table 1](#) for the LMPD hate crime data set with explanations and examples. It also anonymizes PII, converting the RMS entries into less specific information. For example, street addresses in the RMS become block addresses in the hate crime data set.

Table 1. Fields for the LMPD hate crime data set with explanations and examples³⁰

FIELDS	EXPLANATIONS	EXAMPLES
ID	The row number	1
INCIDENT_NUMBER	The number associated with the incident or used as reference to store evidence, which also serves as a cross-reference to other data sets	80-10-000286
DATE_REPORTED	The date the incident was reported to LMPD	1/2/10 14:34
DATE_OCCURRED	The date the incident actually occurred	1/2/10 0:00
CRIME_TYPE	The crime type category	VANDALISM
BIAS_MOTIVATION_GROUP	Victim group that was targeted by the criminal act	ANTI-BLACK
BIAS_TARGETED AGAINST	Criminal act was against a person or property	OTHER PROPERTY
UOR_DESC	Uniform Offense Reporting code for the criminal act committed	CRIMINAL MISCHIEF-3RD DEGREE
NIBRS_CODE	The code that follows the guidelines of the National Incident Based Reporting System	290
UCR_HIERARCHY	Hierarchy that follows the guidelines of the FBI Uniform Crime Reporting	PART II
ATT_COMP	Status indicating whether the incident was an attempted crime or a completed crime	COMPLETED
LMPD_DIVISION	The LMPD division in which the incident actually occurred	7TH DIVISION
LMPD_BEAT	The LMPD beat in which the incident actually occurred	711
PREMISE_TYPE	The type of location in which the incident occurred (e.g. Restaurant)	RESIDENCE / HOME
BLOCK_ADDRESS	The location the incident occurred	9400 BLOCK PLUMWOOD RD
City	The city associated to the incident block location	LOUISVILLE
ZIP_CODE	The zip code associated to the incident block location	40291

Unlike LMPD's data extraction process, the community engagement around open data is not automatic. Many members of the public do not know how to work with data and need help interpreting it, so LMPD created its Transparency Page with insights into the department's open data (<https://louisvilleky.gov/government/police/lmpd-transparency>). Some of the reports on the Transparency Page are automatically generated, while others were originally produced for internal purposes by the department's crime analysts. LMPD has also participated in data-themed events hosted by the Metro Government, including a "hackathon" that brought together community coders and government representatives to use open data for problem-solving. The result? "We've gotten a lot of good community feedback," says Assistant Chief Schroeder.



Case Study: City of Bloomington Police Department

"Using the data is a good segue into discussing the bigger problems."

– Michael Diekhoff, Chief of Police Bloomington Police Department³¹

The City of Bloomington Police Department (BPD) is a full-service police agency in Bloomington, Indiana. Its jurisdiction encompasses about 23.36 square miles and 84,015 people,³² including a significant student population from Indiana University. BPD consists of several departments: The Administrative Division, Bike Patrol, Crime Analysis, the Critical Response Team, the Central Emergency Dispatch Center, the Detective Division, the Dive Team, the Honor Guard, the K-9 Unit, Parking Enforcement, the Patrol Division, Property and Evidence, the Records Division, and the LGBTQ Police Liaison Unit.³³

BPD's open data efforts started with the beginning of Mayor John Hamilton's administration. Embracing transparency as a means of uncovering and resolving issues, the new administration commissioned a web portal to house open data for all of Bloomington. The city's Information Technology (IT) department built and now maintains the portal, which is known as B-Clear (<https://data.bloomington.in.gov>).

The screenshot shows the B-Clear data portal interface. At the top, there is a header with the Bloomington.in.gov logo, the name "John Hamilton, Mayor", and a "Clear Open Data" button. To the right of the header are links for "Datasets", "Organizations", "Groups", "About", and a search bar. Below the header, the page title is "Groups / Public Safety". Underneath the title, there is a large icon of a clipboard with a diamond shape containing an exclamation mark. Below this icon, the text "Public Safety" is displayed. A welcome message for the B-Clear data portal follows. To the right of the main content area, there are two sections: "Use of Force Data" and "Calls For Service Data", each with a brief description and a "CSV" link. At the bottom of the page, there is a footer with the text "Webpage for the Public Safety group on the B-Clear data portal".

BPD has been contributing to B-Clear since 2016, when Mayor Hamilton announced that the department would be joining the Police Data Initiative. At that time, the police department also announced the release of ten open data sets, including one on hate crime. According to Chief Michael Diekhoff, the hate crime data set “was a no-brainer”³⁴ because it would fulfill the transparency mandate and be easy to produce, given BPD’s involvement in the UCR Program.

In designing the open hate crime data set, BPD tried to provide residents with the best possible understanding of local hate crime. Accordingly, the data set includes all of the information that BPD submits to UCR, as well as a few additional fields that are helpful to residents without compromising PII, such as “Date and Time” and “Case Number.” Table 2 lists all of the fields in Bloomington’s hate crime data set.

Table 2. Fields for the BPD hate crime data set with explanations and examples³⁵

FIELDS	EXPLANATIONS
Case Number	B17-23612
Date and Time	6/17/17 21:03
Day of Week	Saturday
Total Number of Victims	1
Victim Race	W
Victim Sex	M
Victim Type	Individual
Total Number of Offenders	1
Offender Race	W
Offender Sex	Male
Offense/ Crime	Vandalism
Offense/ Crime Location Type	Highway
Offense/Crime Bias Motivation	Anti-Homosexual Male

The information in the hate crime data set comes from case reports. Although officers may explicitly indicate a bias motivation within these reports, they are not ultimately responsible for flagging potential hate crimes. This task falls to the Records Division, which reviews every case file, looking for key words and

other evidence of bias. Flagged files are sent to the Records Supervisor for a final determination, and the results are entered into the computer-based RMS.

To extract data from the RMS and publish it on B-Clear, BPD relies on a full-time analyst. The analyst position was created specifically to manage the surge in data-related work, and was ultimately filled by an existing employee with advanced computer skills. Following BPD's established reporting schedule, the analyst updates the hate crime data set on a quarterly basis, using Crystal Reports to generate CSV files from the RMS. The analyst then uploads the CSV files to B-Clear, releasing data from the previous quarter to the public. With this protocol, BPD is able to update its open data in a regular and timely manner without making expensive IT investments. Figure 5 shows a visualization of this process.

As BPD was adapting its operations to incorporate open data, there were concerns about how the public might respond to having unprecedented access to police information. Would the department be inundated with inquiries? As it turned out, these concerns never manifested into actual problems. Members of the public seem content to access the information independently, as no one has requested assistance with the data to date. Hate crime reporting rates have also stayed consistent. As Chief Diekhoff observes, Bloomington was already "a pretty aware community"³⁶ before BPD released open hate crime data.

Figure 5. BPD hate crime data collection and reporting process



Lessons Learned

The experiences of LMPD and BPD provide insight into the processes and considerations behind releasing open hate crime data. Drawing from both case studies, the following lessons learned emerge.

 **Releasing open hate crime data has no negative impact on departmental operations or public relations.**

LMPD and BPD each had concerns about releasing open data, including hate crime data. In both cases, these concerns were unfounded. Releasing open data has not undermined investigations, nor has it triggered overwhelming public interest. The agencies continue to operate as usual, with the addition of procedures for updating the open data.

 **Using NIBRS is an efficient way to design an open hate crime data set.**

Agencies that use NIBRS to participate in the UCR have ready access to machine-readable information on hate crime in their jurisdictions. These agencies can use the data elements in NIBRS as fields in the open hate crime data set.

 **PII must be protected.**

As with any crime, the police should avoid making PII available to the public in cases of hate crimes. Depending on the situation, PII may include, but is not limited to names, locations, ages, full narratives, or some combination of identifiers. LMPD avoids this issue by automatically anonymizing the PII released. BPD, on the other hand, omits all fields with PII from the hate crime data set.

 **Existing resources can support the release of open hate crime data.**

To release open hate crime data, both LMPD and BPD leveraged available resources. LMPD harnessed the programming skills of existing staff, while BPD made use of previously established reporting procedures. Both agencies host their data on a citywide open data portal run by the IT department, minimizing the financial investment required.

 **Open hate crime data can improve the community's sense of transparency in the justice system.**

By being transparent about the classification of crime, agencies create opportunities to clarify misunderstandings among community members.

Based on these findings, releasing open hate crime data presents potential benefits without apparent drawbacks. Furthermore, the process is simple for law enforcement agencies that use a digital RMS to record information about hate crime.

Recommendations

Most law enforcement agencies are in a position to release open hate crime data with ease. Those that are NIBRS-compliant are at a particular advantage, as their RMSs have already been configured to the appropriate level of granularity. Nevertheless, any agency with a digital RMS can release open hate crime data by performing the following steps.

Obtain the necessary permissions.

If applicable, agencies should follow their open data policies. In the absence of an open data policy, agencies should consult the appropriate jurisdictional official(s).

Decide on a web-based platform for hosting the data.

As in the case studies, some jurisdictions may have access to an open data portal, while some may have the resources to create their own. Other jurisdictions may decide to use a page from their agency's web site to host the data set.

Design a data set based on existing fields within the digital RMS.

Agencies must strike a balance between providing useful information and protecting PII. At a minimum, a useful open hate crime data set contains the following information:

- Incident or Case Number (NIBRS data element number 2)
- Incident Date (NIBRS data element number 3)
- Offense Type (NIBRS data element number 6, "UCR Offense Code")
- Bias Motivation (NIBRS data element number 8A)
- Location Type (NIBRS data element number 9)

Larger jurisdictions may also consider the following fields, but these fields may compromise PII in smaller jurisdictions:

- Sex of Victim (NIBRS data element number 27)
- Race of Victim (NIBRS data element number 28)
- Ethnicity of Victim (NIBRS data element number 29)
- Sex of Offender (NIBRS data element number 38)
- Race of Offender (NIBRS data element number 39)
- Ethnicity of Offender (NIBRS data element number 39A)

"Publishing open data enhances police transparency. It demonstrates that the police are willing to submit their data to independent examination and analysis. When the open data includes hate crime, it shows that the police are willing to having their judgement reviewed by others, and rather than trying to suppress information about hate crime, are interested in making this information freely and widely available."

– Tom Casady, Director of Public Safety,
Lincoln NE



Determine a data extraction process and a protocol for updating the data set.

Data extraction can either be automated, as in Louisville, or manual, as in Bloomington. To automate the data extraction process, agencies must use software programming to connect their RMS to the web-based data hosting platform. To use a manual data extraction process, agencies must be able to export the desired fields from their RMS into a CSV file and upload it to the web-based data hosting platform. Based on the extraction method, agencies should set a schedule for updating the hate crime data set. Automated data sets can be refreshed as often as new data appears in the RMS. Manual data sets should be updated monthly, quarterly, or yearly.



Develop metadata for the data set.

Metadata consists of definitions and explanations that describe the information in a data set. It provides context that helps users interpret the data.



Launch the data set.

For the first publication of hate crime data, agencies may choose to notify the press and announce the new data set on social media.

By releasing open hate crime data, tribal, local, state, and federal jurisdictions can immediately improve the public's understanding of hate crime nationwide and encourage official reporting of these crimes on the part of citizens as well as the police. As a result, policymakers and law enforcement agencies alike will be empowered to assign appropriate resources for the prevention and resolution of these often violent crimes.

The Police Data Initiative can provide additional support for designing and releasing open hate crime data sets. Find more information at www.policedatainitiative.org.

Appendix A. Federal Hate Crime Counts by Year, 2004-2015

YEAR	NUMBER OF HATE CRIME VICTIMIZATIONS ACCORDING TO THE BJS ^a	NUMBER OF SINGLE AND MULTIPLE BIAS HATE CRIME INCIDENTS ACCORDING TO THE FBI ^b	DIFFERENCE
2004	281,670	7,649	274,021
2005	223,060	7,163	215,897
2006	230,490	7,722	222,768
2007	263,440	7,624	255,816
2008	266,640	7,783	258,857
2009	284,620	6,604	278,016
2010	273,100	6,628	266,472
2011	218,010	6,222	211,788
2012	293,790	6,573	287,217
2013	272,420	5,928	266,492
2014	215,010	5,479	209,531
2015	207,880	5,850	202,030

^a Masucci & Langton, "Hate Crime Victimization," 2.

^b FBI, "UCR Publications."

Appendix B. Measuring Hate Crime on the National Crime Victimization Survey

Excerpt from Masucci & Langton, "Hate Crime Victimization," 1-3.

BJS and the FBI use the hate crime definition established by the Hate Crime Statistics Act (28 U.S.C. § 534): "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity." The NCVS measures crimes perceived by victims to be motivated by an offender's bias against them for belonging to or being associated with a group largely identified by these characteristics. . . .

Hate crime victimization refers to a single victim or household that experienced a criminal incident believed to be motivated by hate. For violent crimes (rape or sexual assault, robbery, aggravated assault, and simple assault) and for personal larceny, the count of hate crime victimizations is the number of individuals who experienced a violent hate crime. For crimes against households (burglary, motor vehicle theft, or other theft), each household affected by a hate crime is counted as a single victimization. . . .

For a crime to be classified as a hate crime in the NCVS, the victim must report at least one of three types of evidence that the act was motivated by hate:

- the offender used hate language
- the offender left behind hate symbols
- police investigators confirmed that the incident was hate crime.

Appendix C. The Police Data Initiative

The Police Data Initiative (PDI) is a community of practice that promotes the use of open data in law enforcement. The PDI originated as a result of a national conversation about policing and includes leading agencies, technologists, and researchers committed to demonstrating transparency and partnering with their communities to co-produce public safety.

All U.S. law enforcement agencies are eligible for participation in the PDI. To join, agencies pledge to release a minimum of three open data sets, which they host and control on their own websites. Besides common-sense security precautions, there are no restrictions on the open data's form or content. The PDI network has collectively released over 200 open data sets to date. More than 130 law enforcement agencies across the United States currently participate, with jurisdictions including cities, college campuses, counties, states, and even transit and school systems.

The Police Foundation administers and facilitates the PDI with support from the U.S. Department of Justice – Office of Community Oriented Policing Services (the COPS Office). Among other resources, the Police Foundation offers technical assistance and exclusive webinars to help participating agencies select and release open data sets, and to engage their communities around this flow of information. With support from the COPS Office, the Police Foundation also produced the “Law Enforcement Executive’s Guide to Open Data,” which covers open data concepts related to policing. (It is available for download at <https://www.policefoundation.org/publication/law-enforcement-executives-guide-to-open-data/>). In addition, the Police Foundation hosts regular conference calls, through which agencies discuss their progress and challenges.

More information is available on the public PDI website, which houses resources for promoting, using, and sharing police open data, including links to all of the open data sets released by participating agencies. See www.policedatainitiative.org.

Appendix D. Sample Hate Crime Guidelines – Louisville Metro Police Department

8.4 HATE CRIMES

8.4.1 PURPOSE

This policy is designed to assist members in identifying crimes motivated by bias toward an individual's actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics attributed to an individual as a member of such a group and to outline the appropriate steps for aiding victims and apprehending perpetrators.

8.4.2 POLICY

It is the policy of the department to protect the rights of all individuals regardless of their actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics. Any crimes designed to infringe upon these rights are viewed seriously and given high priority.

8.4.3 DEFINITIONS

Bias: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics or other similar personal characteristics.

Hate Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against an actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics or other similar personal characteristics; also known as a bias crime.

Even if the offender was mistaken in his/her perception that the victim was a member, or the property belonged to a member, of the group that he/she was acting against, the offense is still a hate crime as long as the offender's actions were motivated by bias against the group.

8.4.4 INITIAL RESPONSE PROCEDURES (KACP 17.5)

Before an incident can be reported as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

Officers should consider the following factors when determining whether a hate crime has occurred (CALEA 42.2.1a):

- Information received from the victim
- Evidence observed or collected at the scene
- Knowledge of existing criminal patterns in the area
- Information received from the perpetrator

Obscene or threatening phone calls that contain racial, religious, homophobic, or ethnic slurs are considered hate crimes.

The following procedures should be followed at the scene of a hate crime:

- Identify the injured parties and provide medical assistance, if needed
- Determine whether any perpetrators are present and take appropriate enforcement action
- Identify any witnesses or others who have knowledge of the crime (CALEA 42.2.1b)
- Protect the crime scene (CALEA 42.2.1c)
- Notify a supervisor
- Complete an incident report

When graffiti is the basis of a hate crime, the responding or investigating officer shall secure video or photographic evidence of the graffiti. The responding or investigating officer shall contact Metro Public Works and Assets to remove the graffiti immediately.

Officers shall document a hate crime in the Records Management System (RMS) in the "offense" section under the "bias" category. These cases shall be forwarded to the detective sergeant before the end of the officer's tour of duty.

8.4.5 SUPERVISORY RESPONSIBILITIES (KACP 17.4)

Supervisors will confer with the initial responding officer to verify the following:

- All necessary preliminary actions have been taken.
- The victim has been provided immediate assistance.
- All relevant facts have been documented appropriately.

After assessing the situation, supervisors will determine if a division detective should be notified and have one respond to the scene, if necessary.

8.4.6 INVESTIGATOR RESPONSIBILITIES

If a follow-up investigation reveals information affecting the categorization of a hate crime, investigators should complete a supplement to the original report for any of the following circumstances:

- If a previously reported crime was motivated by bias and it was not categorized as a hate crime, the supplemental report should indicate that the crime was a hate crime.
- If a previously reported crime was categorized as a hate crime and the follow-up investigation reveals the crime was not motivated by bias, the supplemental report should indicate that the crime was not a hate crime.
- If a previously reported crime was categorized as a specific type of hate crime and the follow-up investigation reveals the crime as another type of hate crime, the supplemental report should indicate the corrected type of hate crime (e.g. racial bias changed to religious bias).

Notes

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