Inaccuracies in Hate Crime Data

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**Introduction**

Hate crimes happen frequently in the United States and they are not bound to any one area or state. They are defined as “a crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation of any person” (International Association of Chiefs of Police, 2016, p. 1). In this paper we will explore the inaccuracy of hate crimes data and three causes that perpetuate this problem. The first cause being that the reporting of hate crime occurrences to the Federal Bureau of Investigations’ Uniform Crime Reporting (UCR) Program, where the data is compiled, is voluntary. The second cause being that victims of hate crimes don’t always report these instances to the police. Lastly, it can be difficult to determine when a crime has been committed due to bias or prejudice, and not due to another motivating factor.

**Problems with Hate Crime Data**

The FBI’s UCR Program complies data on hate crimes. They rely on the voluntary participation of various law enforcement agencies to gather this data. Because the “participation in the FBI’s national reporting program, which—like the rest of the UCR Program—is voluntary” we cannot guarantee that the data that we have compiled is complete. This could mean that data, such as the data in the table below, is inaccurate. “Measurement and reporting challenges make it impossible to determine with any degree of certainty, the actual magnitude of hate crimes” (International Association of Chiefs of Police, 2016, p. 4).

Victims play a huge role in the accuracy of hate crime data. Without their willingness to report instances to police, we can never have accurate data. In the table below, it shows that hate crimes based on race and ethnicity have consistently made up the largest portion of hate crimes committed. However, we can’t know this for certain. For example, hate crimes based on religion come in second making up a little over 20 percent of total single bias-motivated hate crimes year after year. This number could much higher. Perhaps factors such as religious views on forgiveness and final judgement prevent victims of religious hate crimes from reporting these instances to police. Any number of factors could play a role in preventing victims in any of the categories explored in the graph from reporting the crime to police. This is just one possible example that I’ve used to prove a point. Because victims don’t always report the crimes perpetrated against them we know our hate crime data is inaccurate/incomplete.

(US Department of Justice, 2018)

Lastly, it can be difficult to differentiate between a bias-motivated crime and a crime born of a different motivation. “Many officers and reporting agencies are reluctant to ascribe bias motivation to offenders until incidents can be thoroughly investigated,” and even after the incident has been fully investigated it can be difficult to prove bias motivation (International Association of Chiefs of Police, 2016, p. 4). It is easy for an offender to ascribe his actions to something other than prejudice. Offenders have cause to lie about their motivation in a hate crime due to laws such as the Hate Crime Sentencing Enhancement Act. Laws such as these “increase the penalties for crimes in which the victim was intentionally selected because of [their] actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation” (International Association of Chiefs of Police, 2016, p. 3). This means that by lying about their motivation they could shave years off of their sentence.

**Conclusion**

It would be difficult for anyone to label the current data we have on hate crimes as 100 percent accurate. To do so would be dishonest. However, the data we have can give us a useful overview on the trends associated with hate crimes in the United States. Although we face challenges such as underreporting by law enforcement agencies, underreporting by victims, and difficultly in discerning bias-motivated crimes from other crimes, it is still possible to benefit from the data at hand. Currently this data is being gathered with the intention of assisting law enforcement, bringing awareness to the public, and providing legislators with the ammunition needed to pass certain legislation that could aid in preventing and punishing those who perpetrate this type of crime. Regardless of the issues we have with the accuracy of bias-motivated crimes data it is still useful and an important part of the criminal justice system.

References

International Association of Chiefs of Police. (2016, September). Investigation of Hate Crimes Concepts and Issues Paper. Retrieved June 4, 2020, from <https://www.theiacp.org/sites/default/files/2018-08/HateCrimesPaper2016v2.pdf>

US Department of Justice. (2018, September 10). UCR Publications. Retrieved June 4, 2020, from https://www.fbi.gov/services/cjis/ucr/publications#Hate-Crime Statistics