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I express gratitude to Houston Coalition Against Hate (HCAH) for giving me the opportunity to conduct this research study.

A few police departments and community-based organizations provided or helped me locate the information that I needed for the research study. For their assistance with information sharing, I am grateful to Austin Police Department, Houston Police Department, Seattle Police Department, Metropolitan Police Department (Washington, D.C.), Anti-Defamation League – Southwest Region, Houston Immigration Legal Services Collaborative, and Montrose Center (Houston).

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Kate Vickery proofread much of the draft report. Thank you, Kate, for the proofreading and for your suggestions.

Finally, my thanks go to Liz Peterson for proofreading and copyediting the final report for publication.
Houston Coalition Against Hate (HCAH) is a network of community-based organizations, institutions, and leaders committed to addressing all incidents of hate, bias, discrimination, and violence on the basis of a person or group’s religion, race/ethnicity, gender, gender identity/expression, abilities, age, sexual orientation, national origin, creed, immigration status, or genetic information.

We do this through education, research, relationship building, and prevention initiatives, as well as partnering with organizations to host events that celebrate the diversity that makes Houston strong.

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**ONE KIND HUMANKIND**

STRONG PEOPLE STAND UP FOR THEMSELVES, COURAGEOUS PEOPLE STAND UP FOR AND WITH OTHERS
COALITION MEMBERS

Anti-Defamation League (ADL)  | Houston Grand Opera (HGOco)
BakerRipley                      | Houston In Action (HIA)
Betterment Project               | Houston Immigration Legal Services Collaborative (HILSC)
Catholic Charities               | Interfaith Ministries of Greater Houston (IMGH)
Center for Advancing Innovative Policy (CAIP) | Irene Greaves (Lovescaping)
Center for African American Military History | Mayor Turner’s LGBTQ Advisory Board
Center for the Healing of Racism | Mi Familia Vota
Chinese Community Center (CCC)   | Minaret Foundation
Coalition Of Community Organizations (COCO) | MindShift LLC
Contemporary Arts Museum Houston (CAMH) | MultiCultural Center
Council for American Islamic Relations (CAIR) | My Brother’s Keeper (MBK) - City of Houston
Dawn Mountain                    | OCA - Greater Houston
Daya                              | Office of New Americans - City of Houston
Earl Carl Institute (ECI of Texas Southern University) | Partnership for the Advancement &
Educational Excellence Resource Group (EERG) | Immersion of Refugees (PAIR) Houston
Emgage USA                        | Resurrection Metropolitan Community Church (RMCC)
Fifth Ward Community              | Rice University’s Boniuk Institute for Religious Tolerance
Redevelopment Corporation        | Rothko Chapel
GLBT Political Caucus            | SAYHU: South Asian Youth in Houston Unite
Harmony House                     | Sisterhood of Salaam Shalom (SoSS)
Harris County Public Health      | Tahirih Justice Center (TJC)
HCDVCC                            | The Alliance
Hindu American Foundation (HAF)  | The Jung Center
Hindus of Greater Houston (HGH)  | The Montrose Center
Holocaust Museum Houston (HMH)    | TXPOST
Houston Area Women’s Center (HAWC) | United Against Human Trafficking
Houston Arts Alliance (HAA)       | University of Houston Graduate College of Social Work
Harmony House                     | WB Press
Harris County Public Health      | YMCA of Greater Houston
HCDVCC                            |
This is not left or right. This is not an issue of politics. It is an issue of humanity.

The arrows are up and down. What issues, segments/intersections of the population do we want to uplift/bring light to? What do we want to dive deep down into?

This is black, white and human. There is no gray when speaking about the dignity and rights of all people.

Perspective is key. Sometimes you see the H clearly, sometimes you don’t.

The H is for Humanity, Houston, Hate. It is what brings the polarizing arrows together demonstrating the significance and power of existence in negative space.

We are the Houston Coalition Against Hate and this is our icon.
ABBREVIATIONS

ADL: Anti-Defamation League
ADL–SWR: Anti-Defamation League – Southwest Region
APD: Austin Police Department

CBO(s): Community-based organization(s)
CID: Criminal Investigation Division

D.C.: District of Columbia

FBI: Federal Bureau of Investigation

HCAH: Houston Coalition Against Hate
HCHI: Hate crime and hate incident
HCsHIs: Hate crimes and hate incidents
HPD: Houston Police Department

LEA: Law enforcement agency
LEAs: Law enforcement agencies
LGBTQ: Lesbian, Gay, Bisexual, Transgender, Queer

MPD: Metropolitan Police Department

NCSV: National Crime Victimization Survey
NCAVP: National Coalition of Anti-Violence Programs
n.d.: No date
N-P: Non-participation

PD(s): Police department(s)

RFP: Request for proposal

SPD: Seattle Police Department
SO: Sheriff’s Office

TDPS: Texas Department of Public Safety

UCR: Uniform Crime Reporting

WCPD: Woodbury City Police Department
In January 2019, Houston Coalition Against Hate (HCAH) announced a request for proposal (RFP) to conduct an exploratory quantitative study of the state of hate crimes and hate incidents in the City of Houston. In the RFP, HCAH stated: “…we need additional information and research in order to determine an effective strategy to address, reduce and eventually eliminate the incidents of hate and bias in the city of Houston.”

The RFP was timely because of a series of hate-motivated acts of violence that have occurred in parts of the country in recent years. For example, in June 2015, 10 Black worshippers were killed in a mass shooting at an African American church in Charleston (North Carolina). In October 2018, a mass shooting at the Tree of Life synagogue in Pittsburgh left 11 Jewish worshippers dead. The enduring problem of hate violence is further illustrated in the deadly shooting of a Black man, Ahmuad Arbery, in Georgia in February 2020. Ahmaud was jogging through a neighborhood in Glynn County when he was shot by two White men (a father and son). In parts of the country, members of the Asian community have been the target of xenophobic attacks associated with the Covid-19 pandemic.

[1] Hate crimes are criminal offenses that are motivated by hate. Hate incidents are non-criminal victimizations that are motivated by hate.
These examples are some of the recent reminders of hate in practice since the 9/11 terrorist attacks on the World Trade Center and the Pentagon. However, hate violence is not a recent phenomenon in the country. On the contrary, the perpetration of hate-motivated violence in the U.S dates back to the nation’s earliest days, as illustrated in the subjection of African Americans and other minority racial/ethnic groups (for example, Native Americans and Mexicans) to lynching by hate groups, such as the Ku Klux Klan.  

Despite this country’s long history of hate violence, it was not until 1992 that the national reporting of hate crime statistics began. This practice was formed as part of the Hate Crime Statistics Act of 1990. Subsequently, the Federal Bureau of Investigation (FBI) was charged with the task of developing a national hate crime data collection program. State and local law enforcement agencies submit their hate crime data to the FBI program annually.

Since 1996, at least, the Houston Police Department (HPD) has participated in the submission of hate crime data to the FBI hate crime data program. Against the historical and contemporary occurrences of hate violence nationally, one would think that the City of Houston, the fourth most populous city in the country, would report high numbers of hate crimes consistently. But the latest FBI hate crime data at the time  HCAH issued its RFP showed that the city reported only eight hate crimes in 2017. With a population size of 2,338,235 in that year, the city’s hate crime figure translates into a hate crime rate of 0.34 per 100,000 population in 2017. In 2016, the number of hate crimes for the City of Houston was also eight.

These findings provided impetus for the HCAH research study. The study examines 11 years of secondary hate crime and hate incident (HCHI) data for Houston and its surrounding areas. Through this analysis, the study provides a baseline understanding of HCHI in Houston and identifies gaps in mechanisms for collecting and reporting hate crime data for Houston. Finally, the study assesses best practices for hate crime data collection by analyzing the practices of other police departments, namely: Austin (Travis County, Texas), Seattle (Washington State), Metropolitan Police (Washington, D.C.) and Woodbury (New Jersey).

---

[5] The original RFP requested 10 years of data, which was to be limited to data published for the period 2008–2017. However, the FBI published the 2018 hate crime data in 2019 while this research project was still ongoing. As a result, the coverage period for data was extended to 2018, making the period of data study 11 years, i.e., 2008–2018.
Eleven years of secondary hate crime data (2008–2018) were retrieved primarily from the FBI hate crime dataset. As shown in Section 3 of this report, other sources were also consulted for secondary HCHI data. Based on the researcher’s analysis of secondary FBI hate crime data and hate crime and/or hate incident data from other secondary sources, key findings from the study are summarized below:

- **State and local law enforcement agencies are not required to submit hate crime data to the FBI hate crime data collection program.** Submission of hate crime data by state and local law enforcement agencies to the FBI is voluntary. Some cities in the Greater Houston Metropolitan area submitted hate crime data to the FBI sporadically over the 2008–2018 period. However, the HPD maintained a consistent hate crime data submission to the FBI during the 11–year period.

- **In 2018, reported hate crimes in Houston decreased by 11% from 2008.** In contrast, over the 11–year period, hate crimes in Texas increased by 85% from 2008 to 2018. Nationally, hate crimes decreased by 9% from 2008 to 2018.

- **There is low reporting of hate crimes in Houston and its surrounding areas.** From 2008–2018, the numbers of hate crimes reported each year are surprisingly low for a city with a population of over two million. Several cities, such as Tomball (Harris County), with a smaller population size than Houston have shown evidence of a higher hate crime rate than Houston.

- **From 2008–2018, the most common bias motivating factor for a hate crime in Houston was race/ethnicity/ancestry.** This finding is the same at the national level and in Texas where race/ethnicity/ancestry was the primary motivation for a hate crime during the 11–year period. The second and third most common motivating factor was either religion or sexual orientation.

- **The HPD does not collect data on hate incidents, i.e., hate-
motivated victimizations that do not rise to the level of a crime. Only criminal offenses that are determined to be motivated by hate are recorded as hate crimes by the HPD. Alleged hate-related offenses that are later determined to be non-criminal are processed as traditional offenses. There were no indications that other law enforcement agencies in the Greater Houston Metropolitan area that were included in this research study collected data on hate incidents.

- Hate crime data reported by the HPD are limited to the number of victimizations and bias motivations. Other than the total numbers of hate crimes and their breakdown according to bias motivation, the HPD did not report on other elements of hate crimes, such as type of offense, where the offense occurred, and offender/suspect and victim information.

- Data discrepancies exist in hate crime numbers reported by the HPD, the Texas Department of Public Safety (TDPS) and the FBI. Typically, the HPD and other participating law enforcement agencies in Texas submit their hate crime data to the TDPS, which the TDPS subsequently submits to the FBI. Over the 11-year period, there were some discrepancies in the hate crime numbers for Houston reported by the HPD, the TDPS and the FBI.

For the period 2008–2018, there were instances of data discrepancies in the respective FBI hate crime data for Seattle, Washington, D.C. and Austin (Travis County) and the data reported by the Seattle Police Department (SPD), Metropolitan Police Department – D.C. (MPD) and Austin Police Department (APD) for the respective cities.

- There are variations in how hate crime is defined at federal, state and municipal levels. Although the federal definition of hate crime sets the tone for how hate crime should be defined across jurisdictions, some states and municipalities have their own definitions. Texas, Washington and Washington, D.C. have state-specific definitions of hate crime. The City of Austin (Travis County) also defines hate crime somewhat differently. In these instances, although the respective definitions share the basic

[6] On the HPD website or to the researcher.
tenets of the federal definition in terms of prohibiting a criminal offense that is motivated by hate against certain social groups, they show differences in phraseology or definitional scope. Such variations may shape how hate crime data are collected by individual law enforcement agencies for submission to the FBI hate crime data collection program.

- **Hate crime is also termed bias crime in the federal definition. However, other law enforcement agencies may define those two terms differently.** The term hate crime is used interchangeably with bias crime in the federal definition of hate crime. The SPD and the MPD use both terms interchangeably. While the term bias crime is used sparingly on the APD (Travis County) website, the term hate crime is used consistently by the HPD. Considering that the words ‘bias’ and ‘hate’ do not express comparable sentiments, the use of hate crimes and bias crimes interchangeably may be misleading and may affect law enforcement perceptions of hate crime data collection.

- **The SPD, MPD and APD, in differing ways and degrees, demonstrate sound practice approaches to collecting hate crime data.** The SPD collects a wide range of data on both hate crimes and hate incidents (HCsHIs), including offender demographic, and the geographic location of victimization by precinct and neighborhood. The MPD collects detailed information on hate crimes, including offense type, and the district and neighborhood location of hate crime victimization. The APD hate crime data collection includes information on offense type. There were no indications that the APD and the MPD collected data on hate incidents.

It is worth mentioning that many community-based organizations (CBOs) in Houston may not be adequately conversant with the federal, state or local definition of hate crime, or the appropriate responses to HCsHIs. Nonetheless, two Houston-based CBOs have shown that CBOs can play a pivotal role in HCHI data collection. This is evidenced in the following findings:

- **The Anti-Defamation League (ADL) collects statistical data on HCHI victimizations motivated by anti-Semitism.** Data from the ADL, from 2009–2018, show that the FBI hate crime data on anti-Jewish bias in Houston may undercount the
actual numbers of hate crimes against Jews.

- **The Montrose Center collects statistical data on victimizations against the LGBTQ community.** Data from the Montrose Center show that, for some of the years covered in the HCAH study, the FBI hate crime data on the LGBTQ\(^7\) community in Houston may have underestimated the actual numbers of hate crimes against this group.

The report concludes with a range of recommendations about developing new, or improving on existing, practices for tackling hate-motivated victimizations in Houston and beyond. The recommendations focus on two interrelated issues:

- Encouraging and supporting victim/public reporting of hate-motivated victimizations.

- Developing or enhancing strategies for collecting data on hate crime.

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\(^7\) Lesbian, Gay, Bisexual, Transgender, Queer. Although the Montrose Center targets the LGBTQ communities, it is open to victims of any hate/bias incident or crime.
In 1930, Congress mandated the Federal Bureau of Investigation (FBI) to compile and publish crime statistics collected by law enforcement agencies (LEAs) across the country. This FBI task operates under the auspices of the Uniform Crime Reporting (UCR) program.\(^8\) Local LEAs voluntarily submit their crime statistics to the UCR, either directly to the FBI UCR program or via a state-level UCR program. Ultimately, the crime statistics are published annually by the FBI. With the passing of the 1990 Hate Crime Statistics Act, the scope of the UCR data collection program was extended in 1992 to include the collection of data on hate crimes.\(^9\)

The Texas UCR program was established in 1976 and has enabled law enforcement agencies in Texas to voluntarily submit crime data to the Texas UCR program – coordinated by the Texas Department of Public Safety (TDPS). Subsequently, crime data compiled by the TDPS are submitted to the FBI UCR. In accordance with the federal legislation on hate crimes, the State of Texas mandated the collection of hate crime data by the TDPS and required local LEAs to report such data.\(^10\) Through its UCR program, Texas started collecting hate crime data in 1992.

Existing records for the period 2008–2018\(^11\) show that the Houston Police Department (HPD) has consistently reported its hate crime statistics to the Texas UCR program annually, and the data are published by the TDPS and by the FBI under the title Hate Crime Statistics. As the largest city in Texas and the fourth largest city in the country, the recorded numbers of hate crimes over the years have been numerically insignificant relative to the City of Houston’s (hereon, Houston) population of over 2 million.

\(^8\) For additional information about the UCR, see [https://www.fbi.gov/services/cjis/ucr](https://www.fbi.gov/services/cjis/ucr)

\(^9\) Also referred to as bias crimes (FBI, 1999).

\(^10\) “Shortly after passage of the national law, the Texas Legislature amended the Texas Government Code to require the Department of Public Safety to, “Establish and maintain a central repository for the collection and analysis of information relating to crimes that are motivated by prejudice, hatred, or advocacy of violence.” The passage of this law impacted every law enforcement agency in Texas through the requirement that, “Local law enforcement agencies shall report offenses described by Subsection (a) in the form and manner and at regular intervals as prescribed by rules adopted by the department.” TDPS (n.d.). Crime in Texas 1999, p. 5, [https://www.dps.texas.gov/crimereports/](https://www.dps.texas.gov/crimereports/)

\(^11\) Information from the FBI UCR website shows that hate crime data reporting for Houston dates back to 1996, at least (see [https://ucr.fbi.gov/hate-crime/](https://ucr.fbi.gov/hate-crime/)).
In 2019, when the researcher was articulating ideas for this research study, the 2017 hate crime data (the latest at the time), published by the FBI UCR program, recorded eight hate crimes for Houston. In the same year, the population of Houston was 2,338,235. Considering this disjuncture between Houston’s population and its low number of hate crimes, the need to conduct an exploratory study of hate crimes and hate incidents (HCSHIs) in Houston seemed timely.

The study commenced with the overarching goal to utilize 10\textsuperscript{12} years of statistical data from the FBI UCR program, TDPS, local LEAs, and Houston community–based organizations (CBOs) to assess the prevalence, characteristics and official processing of HCSHIs in Houston, and to compare HCHI data for Houston against HCHI data for selected counties and cities within and outside of the Greater Houston Metropolitan region (hereon, Greater Houston).\textsuperscript{13} The main purpose of the comparative approach is to identify gaps, if any, in hate crime data reported by the HPD and possibly by selected Houston community–based organizations, identify the annual numbers and prevalence of hate crimes among selected counties and cities, and conduct law enforcement agency analysis of best practice approaches to hate crime data collection.

It is the overall aim of this report to inform public discourses of, and policy and practice responses to, hate crime within and beyond Houston. Against this background, this report is structured along the following issues:

- Geographical and data collection scope of the study. The study’s primary geographical and data collection scope is Houston. Second, the study covers Washington D.C. and selected counties or cities in three states: Texas, New Jersey and Washington.
- Definitions of hate crime at the national and state (primarily Texas) levels, and how these compare with hate crime definition at the local (primarily Houston) level.
- Hate crime and/or hate incident data for Houston reported by the HPD and by Houston community–based organizations.

\textsuperscript{12} Limited to data published for the period 2008 to 2017. However, the FBI published the 2018 hate crime data in 2019 while this research project was still ongoing. As a result, the coverage period for data was extended to 2018, making the period of data study 11 years, i.e., 2008–2018.

\textsuperscript{13} Also referred to as the Houston-The Woodlands-Sugar Land Metropolitan Statistical Area (MSA).
HATE IN HOUSTON

2. GEOGRAPHICAL SCOPE

The primary geographical focus of the study of HCshIs is Houston – a city with an estimated population of 2,295,982 in 2018, according to American Community Survey (ACS) five-year estimates. Houston is primarily located within Harris County. In 2018, the Houston female population was estimated at 50%. Estimates from 2014–2018 show that 29.5% of the Houston population were foreign-born. Each of the four major racial/ethnic groups in the country shows a significant presence in the Houston population. Asians comprise 6.9% of the Houston population, Black or African American 22.5%, Hispanic or Latino 44.8%, and White 57.6% (see Figure 1 below).

Figure 1. Houston Population vs. National Population by Race: 5-Year Estimates, 2018

2 [14] Hispanic is an ethnic group and may be of any race. Hispanics are not included in the chart (Figure 1).

Source:
U.S. Census Bureau (n.d.), https://www.census.gov/programs-surveys/acs/data/html
The Houston populations of Asians, Blacks or African Americans, and Hispanics or Latinos exceed their respective national populations, which were estimated at 5.4%, 12.7% and 17.8% in 2018. Contrastingly, the Houston White population underrepresents its national population of 72.7%, thereby highlighting how the populations of the other major racial/ethnic groups contribute significantly to the overall Houston population.

American Indian and Alaska Native, and Native Hawaiian and Other Pacific Islander have Houston population estimates of 0.3% and 0.1%, respectively (national populations: 0.8% and 0.2%, respectively). The Houston population for Two or More Races is estimated at 2.1% (national population: 3.2%), and 10.5% are reported as Some Other Race (national population: 4.9%).

There are diverse religions in Houston, ranging from Christianity to Buddhism. The chart below (Figure 2) shows the religious composition of the adult population in the Houston metropolitan statistical area and in the U.S.

Figure 2. Religious Makeup of Adults in the Houston Metro Area & in the U.S.


[17] see Rice/Kinder Institute for Urban Research (n.d.).
[18] That is, the Houston-The Woodlands-Sugar Land Metropolitan Statistical Area (MSA).
as reported by the FBI UCR program. The additional counties listed in Table 1 are four of the nine counties in Greater Houston. Austin and Chambers are the smallest populated counties in Greater Houston, and Harris, Fort Bend and Montgomery counties are the three largest. The two smallest counties were selected to serve as a contrast to the three largest counties in the region.

The four additional counties are included in the study in order to compare their FBI hate crime data with the Houston hate crime data for the 2008–2018 period. The comparisons will show numbers and prevalence of hate crimes in Houston, in other cities in Harris County, and in the four additional counties in Greater Houston.

### Table 1. Counties and Cities in the Study

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<th>Other Cities in Harris County</th>
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<tr>
<td>Baytown</td>
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<td>Nassau Bay</td>
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<td>Spring Valley</td>
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<th>Four Additional Counties (and Incorporated Cities) in Greater Houston</th>
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<td>Austin County</td>
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<td>Bellville</td>
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<td>San Felipe</td>
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<td>Sealy</td>
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<th>Cities Outside of Greater Houston</th>
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<td>Austin (Texas)</td>
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[19] The nine counties are: Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, Waller.
Over the 11-year period (2008–2018), the selected cities outside of Greater Houston (see Table 1) have recorded numbers of hate crimes that are higher numerically or by rate than the numbers or rates for Houston (see Appendix 1 for the population size of the respective cities). The cities were selected in order to assess them for best practice approaches to the collection of HCHI data. In addition, the assessment will identify gaps, if any, in hate crime data for Houston.

3. SOURCES OF DATA COLLECTION

The study tracked, examined and compared 11 years’ worth of hate crime statistics (2008–2018) for Houston and for the other counties and cities in the study. Relevant policy and procedural documents were also studied. Hate crime and/or hate incident data discussed in this report were derived from the sources listed in Table 2 below.

Hate crime statistics that are recorded by LEAs in the country are ultimately submitted through a state UCR program or directly to the FBI UCR program for compilation and publication. In this study, the FBI UCR hate crime data for Houston and the counties and cities listed in Section 2.1 (see Table 1) were collected for the period 2008–2018.

<table>
<thead>
<tr>
<th>National Level</th>
<th>State Level</th>
<th>Local LEA Level</th>
<th>Houston Community-based Organization Level</th>
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<tr>
<td>FBI UCR hate crime data</td>
<td>Texas UCR hate crime data</td>
<td>Houston Police Dept.</td>
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<td>Austin (Travis County) Police</td>
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<td>Seattle Police Dept.</td>
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<td>Metropolitan Police Dept. – D.C.</td>
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<td>Woodbury Police Dept.</td>
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</table>

[20] There were no publicly available hate crime data from the Woodbury PD other than the data published by the FBI UCR program.
At the State of Texas level, the TDPS collects and compiles hate crime statistics that LEAs in Texas voluntarily report to the Texas UCR program. The TDPS submits the compiled data to the FBI UCR program. Both the TDPS and the FBI publish hate crime data reported by Texas LEAs. In this study, the TDPS 2008–2018 hate crime data for Houston and the Texas counties and cities listed in Section 2.1 (see Table 1) were examined for the purpose of comparing them against the FBI hate crime data, even though the TDPS data inform the FBI data.

Hate crime data at the city police level are useful for comparison with state and national hate crime data. The researcher requested hate incident data and additional hate crime data from seven city police departments (PDs) and sheriffs’ offices in Greater Houston, including the HPD. The request was made on the assumption that these LEAs would collect hate incident data or hate crime data that might not have been reported to the FBI UCR program.²¹

Given the range of services that Houston-based CBOs provide in the city, the researcher considered some of them a possible resource for information on hate-motivated victimizations that may not be known to law enforcement. Twenty-six CBOs in Houston, most of whom were members of HCAH, were contacted for possible data on HCsHIs²² (see Appendix 2 for a list of members of HCAH at the time of data collection).

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²¹ The HPD responded with additional hate crime information. Two of the remaining six city PDs and sheriffs’ offices referred to their UCR submission as final; the other four did not respond to the researcher’s request for HCHI data.
²² Out of the 26 CBOs, 11 indicated that they did not collect data on HCsHIs, 11 did not respond at all or responded with no definitive information, 1 did not want to participate in the study, and 1 submitted information that did not meet the federal definition of hate crime.
The 1990 Hate Crime Statistics Act mandates the collection of data related to “crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.” The collected data are published annually as the FBI UCR Hate Crime Statistics. Offenses under which hate motivations may be assessed fall under three categories: crimes against persons, crimes against property, and crimes against society (see Box 1, right).

Amendments to the 1990 Hate Crime Statistics Act in 1994 expanded the demographic coverage of FBI UCR hate crime data collection to encompass “bias against persons with disabilities.”

Any one or more of these biases must accompany a criminal offense for the offense to qualify as a hate crime. This is mirrored in the definition of hate crime issued by the FBI in 1999 with

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[23] FBI (2015a), p.1. The hate crime statistics program has involved the collection of hate-motivated crimes by the FBI UCR, as reported by college, university, city, county, tribal, state and federal LEAs (FBI, 2015a).


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Bias Crime—A committed criminal offense that is motivated, in whole or in part, by the offender’s bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

As shown in the above definition, the term hate crime is used interchangeably with bias crime. Whether these interchangeable terms are recognized or used by all LEAs in the country is open to investigation, particularly in relation to how the differing terms might be perceived and acted upon by individual LEAs.

Following the 1999 federal definition of hate/bias crime, the demographic coverage was expanded in 2009 to include “hate crimes committed by/directed against juveniles,” and bias against one’s gender and gender identity.

Today, hate crime data are collected based on the following bias motivations:

The additional biases are reflected in subsequent Hate Crime Statistics published by the FBI UCR program. The new FBI definition is meant to guide federal, state and local LEAs toward a uniform hate crime data collection and reporting process.

Based on the FBI definition of hate/bias crime, a criminal offense must be motivated by bias or hate for the offense to qualify as a hate/bias crime. In other words, a criminal offense must have occurred before a bias or hate motivation can be determined as the trigger for the offense (see Box 2 below).

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4.1 Overview of National Hate Crime Data: 2008–2018

Hate crime data reported by the FBI UCR program show numbers and characteristics of hate crimes nationally and across jurisdictions. This overview of national hate crime statistics sets the tone for relating to numbers of hate crimes at state and local levels. Table 3 below shows the annual numbers of hate crimes in the U.S from 2008–2018, as reported in the FBI UCR Hate Crime Statistics. The table also gives a breakdown of the annual numbers of hate crimes according to bias motivation.

Table 3: National Number of FBI UCR Hate Crimes by Population Coverage, Bias Crimes & Bias Motivation, 2008–2018

<table>
<thead>
<tr>
<th>Year</th>
<th>Bias Crimes</th>
<th>Population Coverage</th>
<th>Race/Ethnicity/Ancestry</th>
<th>Religion</th>
<th>Disability</th>
<th>Gender</th>
<th>Gender Identity</th>
<th>Sexual Orientation</th>
<th>Multiple Bias Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>7,783</td>
<td>269,382,053</td>
<td>4,886</td>
<td>1,519</td>
<td>78</td>
<td>N/A</td>
<td>N/A</td>
<td>1,297</td>
<td>3</td>
</tr>
<tr>
<td>2009</td>
<td>6,604</td>
<td>278,948,317</td>
<td>3,976</td>
<td>1,303</td>
<td>96</td>
<td>N/A</td>
<td>N/A</td>
<td>1,223</td>
<td>6</td>
</tr>
<tr>
<td>2010</td>
<td>6,628</td>
<td>285,001,266</td>
<td>3,982</td>
<td>1,322</td>
<td>43</td>
<td>N/A</td>
<td>N/A</td>
<td>1,277</td>
<td>4</td>
</tr>
<tr>
<td>2011</td>
<td>6,222</td>
<td>286,010,550</td>
<td>3,637</td>
<td>1,233</td>
<td>53</td>
<td>N/A</td>
<td>N/A</td>
<td>1,293</td>
<td>6</td>
</tr>
<tr>
<td>2012</td>
<td>5,796</td>
<td>248,809,710</td>
<td>3,464</td>
<td>1,099</td>
<td>92</td>
<td>N/A</td>
<td>N/A</td>
<td>1,135</td>
<td>6</td>
</tr>
<tr>
<td>2013</td>
<td>5,928</td>
<td>295,016,072</td>
<td>3,526</td>
<td>1,031</td>
<td>83</td>
<td>18</td>
<td>31</td>
<td>1,233</td>
<td>6</td>
</tr>
<tr>
<td>2014</td>
<td>5,479</td>
<td>297,926,030</td>
<td>3,216</td>
<td>1,014</td>
<td>84</td>
<td>33</td>
<td>98</td>
<td>1,017</td>
<td>17</td>
</tr>
<tr>
<td>2015</td>
<td>5,850</td>
<td>283,884,034</td>
<td>3,310</td>
<td>1,244</td>
<td>74</td>
<td>23</td>
<td>114</td>
<td>1,053</td>
<td>32</td>
</tr>
<tr>
<td>2016</td>
<td>6,121</td>
<td>289,814,003</td>
<td>3,489</td>
<td>1,273</td>
<td>70</td>
<td>31</td>
<td>124</td>
<td>1,076</td>
<td>58</td>
</tr>
<tr>
<td>2017</td>
<td>7,175</td>
<td>306,435,676</td>
<td>4,131</td>
<td>1,564</td>
<td>116</td>
<td>46</td>
<td>119</td>
<td>1,130</td>
<td>69</td>
</tr>
<tr>
<td>2018</td>
<td>7,120</td>
<td>306,874,326</td>
<td>4,047</td>
<td>1,419</td>
<td>159</td>
<td>47</td>
<td>168</td>
<td>1,196</td>
<td>84</td>
</tr>
</tbody>
</table>


Note: Before 2015, the current race/ethnicity/ancestry category in the FBI UCR Hate Crime Statistics publication was in two separate categories titled Race, and Ethnicity/national origin. In 2013, the label national origin was removed, having previously occupied space with ethnicity. In 2015, the three-label category—race/ethnicity/ancestry—was introduced and is still in use to date. For the purpose of this report, figures for the race/ethnicity/ancestry category for the years 2008, 2009, 2010, 2011, 2012, 2013 and 2014, respectively, are the race figure and the ethnicity figure combined. Further, there were no categories for gender and gender identity in FBI UCR Hate Crime Statistics from 2008–2012.

[27] Covers data for all reporting LEAs - city, metropolitan and non-metropolitan counties, universities and colleges, etc.
[28] Combines single bias and multiple-bias incidents. “A single-bias incident is an incident in which one or more offense types are motivated by the same bias. A multiple-bias incident is an incident in which one or more offense types are motivated by two or more biases.” https://www.fbi.gov/services/cjis/ucr/hate-crime
As the table shows, the national figure for hate crimes was at its lowest in 2014 (a total of 5,479) and at its highest in 2008 (a total of 7,783). These figures represent a national hate crime rate of 1.84 per 100,000 population in 2014 and 2.89 per 100,000 population in 2008. Over the 11–year period, the national number of hate crimes decreased by 9% in 2018.

Across the 11 years, the most common single-bias motivating factor for a hate crime is race/ethnicity/ancestry. In second place is either religion or sexual orientation, depending on the year. However, overall, religious bias is more likely than sexual orientation bias to motivate a hate crime.

The total annual figures for hate crimes are quite low relative to the annual population coverage. This may suggest that the reported hate crimes for the years under study underestimate the actual numbers of hate crimes for those years. Possible explanations for the low numbers of reported hate crimes may include the following:

Victim underreporting of crime is among the limitations of the UCR as a source of crime data.\[^{29}\] The UCR is limited as an official source of information for measuring the extent of hate crimes given that not all hate-motivated victimizations are reported to the police.\[^{30}\] Hate crime victimization data from the National Crime Victimization Survey (NCVS\[^{31}\]) reveal severe underreporting of hate-motivated victimizations to law enforcement (see Box 3 below). The NCVS

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**Box 3**

“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: (1) the offender used hate language, (2) the offender left behind hate symbols, or (3) police investigators confirmed that the incident was hate crime.”

Findings from the NCVS show that: “On average, U.S. residents experienced approximately 250,000 hate crime victimizations each year between 2004 and 2015, of which 230,000 were violent hate victimization.”


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\[^{29}\] see Mosher, Miethe, & Hart (2011).
\[^{30}\] see Pezzella, Fetzer, & Keller (2019); Gerstenfeld (2011); Perry (2001); Perry (2003).
\[^{31}\] The NCVS is one of the two major sources of nationally compiled crime data; the other is the FBI UCR. While the UCR system collects information on offenses and offenders based on the voluntary reporting of crime data from state and local LEAs to the FBI, the NCVS is a self-report victimization survey of a sample of households and people about their experiences of crime victimization. The NCVS is administered by the U.S. Bureau of Census on behalf of the Bureau of Justice Statistics (BJS). The BJS is housed in the Department of Justice (for more information about the NCVS, visit www.bjs.gov). Hate crime was recognized in the NCVS in 2000 when questions were included in the survey to detect hate crime victims (Harlow, 2005). Unlike the UCR, the NCVS hate crime data are currently published at the national level only; hate crime data at the lower level geography, such as the state and city levels, are not published or may not be available.
supplements the FBI UCR as a source of HCHI information in that it captures victimizations that may not be reported to the police or may not qualify as a hate crime by FBI standards.

A range of situational and social context factors, individually or interrelatedly, affect the likelihood of the public not to report crimes to the police, for example:

- Crimes that are perceived to be trivial may not be reported to the police.
- The type of crime can influence non-reporting, for example, domestic violence.
- Lack of confidence and trust in the police.
- Perceptions of the police as ineffective.
- Persons in socioeconomically disadvantaged and high crime neighborhoods may be less likely to report their crime victimization to the police.

Some of the reasons for non-reporting of hate-motivated victimizations to the police resemble reasons for non-reporting of crimes in general.

Findings from the NCVS show that common reasons for not reporting a hate-motivated victimization to the police are perceived police ineffectiveness and inefficiency or apathy, a decision to deal with the matter privately, and a concern that reporting the incident could cause problems for the victim.

Not all hate-motivated victimizations reported to the police are recorded as a hate crime. An incident reported to a local LEA must rise to the level of a criminal offense, and the LEA must also establish hate or bias as the motivation for the crime. In other words, there is the additional burden of proof of hate or bias that is required of LEAs to decide that a criminal activity was hate/bias-motivated or that a hate/bias-motivated act was not a crime but purely a hate incident.

However, identifying a hate crime is not a straightforward task principally because of the challenges in making determinations about hate or bias motivations. This problem is acknowledged by the FBI in the statement in Box 4 below.

of an existing criminal offense. This automatically excludes all hate-motivated incidents that do not involve the commission of a traditional offense (see Box 1 above).

Bias motivations for a hate crime are limited to the six types of biases included in the FBI definition. There are other types of bias motivations, such as political, that are not included in the FBI UCR program.

4.2 How Does the State of Texas Define Hate Crime?

Despite the federal definition, definitions of hate crime may vary among LEAs. Individual state and local LEAs may adopt a definition that is not entirely in sync with the federal definition. A departure from the federal definition may influence hate crime data gathering by a LEA. Ultimately, how hate crimes are determined and reported to a state UCR program or to the FBI UCR program is likely to be influenced by how hate crime is defined and operationalized by individual LEAs. However, local LEAs submit hate crime data to the FBI UCR based on the six federally defined bias motivations.

Thus, the low numbers of hate crimes reported by the FBI UCR program for the period 2008–2018 may also be attributed to local police under-recording due to the complexities in identifying hate or bias as the motivation for a criminal activity.

There is no federal law that mandates state and local LEAs to submit hate crime data to FBI UCR program. State and local LEA participation in this program is voluntary.

Hate crimes are limited to incidents that rise to the level

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The Texas Department of Public Safety (TDPS) started collecting hate crime data in 1992 through its UCR program. The State of Texas has its own broad definition of hate crime (see Box 5 below).

**Box 5**

“The Texas Hate Crimes Act, Chapter 411.046 of the Texas Government Code, defines hate crimes as crimes that are motivated by prejudice, hatred, or advocacy of violence including, but not limited to, incidents for which statistics are or were kept under Public Law 101-275 (the Federal Hate Crimes Statistics Act). The federal law further defines Hate Crime as crimes that manifest evidence of prejudice based on race, ethnicity, sexual orientation, religion, disability, gender and gender identity.”

The Texas definition acknowledges the federal definition, including the specific biases mandated under the federal law. It is unknown to the researcher if this definitional variation had an influence on how the TDPS collected and validated Texas hate crime statistics for the

period 2008–2018 (see Table 4 below; also see section 5.1 below).

The annual numbers of hate crimes for Texas reported in the FBI UCR Hate Crime Statistics for 2008–2018 are small in comparison to the state’s annual population coverage (see Table 4). In 2018, the hate crime figure for Texas reached its highest at 455 (rate of 1.63 per 100,000 population) from its lowest at 132 (rate of 0.5 per 100,000 population) in 2013.

**Over the 11–year period, the total number of hate crimes for Texas increased by 85% from 2008 to 2018.**

**Nationally, hate crimes decreased by 9% from 2008 to 2018.**

From 2008–2018, race/ethnicity/ancestry is the number one single-bias motivating factor. Sexual orientation is in second place except for 2018 when the figure for religious bias exceeded the figure for sexual orientation bias. Overall, religious bias is in third place. In contrast, the national hate crime data show that overall, a hate crime is likely to be motivated by religious bias than sexual orientation bias (see Table 3).

In section 4.1 (above), some of the possible reasons for the low national numbers of hate crimes are outlined. Those reasons may apply to hate crime reporting and recording in Texas. It is expected that the Texas definition of hate crime will inform the definition of hate crime by local LEAs.

[37] Covers data for all reporting LEAs - city, metropolitan and non-metropolitan counties, universities and colleges, etc.
[38] Combines single bias and multiple-bias incidents. “A single-bias incident is an incident in which one or more offense types are motivated by the same bias. A multiple-bias incident is an incident in which one or more offense types are motivated by two or more biases.” https://www.fbi.gov/services/cjis/ucr/hate-crime

### Table 4. Number of FBI UCR Hate Crimes for Texas by Population Coverage, Bias Crime & Bias Motivation, 2008–2018

<table>
<thead>
<tr>
<th>Year</th>
<th>Bias Crimes</th>
<th>Population Coverage</th>
<th>Race/Ethnicity/Ancestry</th>
<th>Religion</th>
<th>Disability</th>
<th>Gender</th>
<th>Gender Identity</th>
<th>Sexual Orientation</th>
<th>Multiple Bias Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>246</td>
<td>24,305,393</td>
<td>166</td>
<td>25</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>55</td>
<td>3</td>
</tr>
<tr>
<td>2009</td>
<td>165</td>
<td>24,770,372</td>
<td>111</td>
<td>18</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>36</td>
<td>6</td>
</tr>
<tr>
<td>2010</td>
<td>174</td>
<td>25,083,730</td>
<td>115</td>
<td>19</td>
<td>1</td>
<td>N/A</td>
<td>N/A</td>
<td>39</td>
<td>4</td>
</tr>
<tr>
<td>2011</td>
<td>152</td>
<td>25,629,269</td>
<td>83</td>
<td>19</td>
<td>1</td>
<td>N/A</td>
<td>N/A</td>
<td>49</td>
<td>6</td>
</tr>
<tr>
<td>2012</td>
<td>181</td>
<td>20,216,209</td>
<td>101</td>
<td>23</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>57</td>
<td>6</td>
</tr>
<tr>
<td>2013</td>
<td>132</td>
<td>26,304,575</td>
<td>79</td>
<td>7</td>
<td>2</td>
<td></td>
<td></td>
<td>44</td>
<td>6</td>
</tr>
<tr>
<td>2014</td>
<td>145</td>
<td>26,922,758</td>
<td>83</td>
<td>19</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>40</td>
<td>17</td>
</tr>
<tr>
<td>2015</td>
<td>191</td>
<td>27,390,337</td>
<td>107</td>
<td>36</td>
<td>1</td>
<td>1</td>
<td>5</td>
<td>41</td>
<td>32</td>
</tr>
<tr>
<td>2016</td>
<td>178</td>
<td>27,862,596</td>
<td>104</td>
<td>23</td>
<td>5</td>
<td>1</td>
<td>8</td>
<td>37</td>
<td>58</td>
</tr>
<tr>
<td>2017</td>
<td>190</td>
<td>28,096,894</td>
<td>117</td>
<td>22</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>43</td>
<td>69</td>
</tr>
<tr>
<td>2018</td>
<td>455</td>
<td>27,845,758</td>
<td>314</td>
<td>59</td>
<td>16</td>
<td>3</td>
<td>15</td>
<td>50</td>
<td>84</td>
</tr>
</tbody>
</table>

Note: Before 2015, the current race/ethnicity/ancestry category in the FBI UCR Hate Crime Statistics publication was in two separate categories titled Race, and Ethnicity. In 2015, the three-label category – race/ethnicity/ancestry – was introduced and is still in use to date. For the purpose of this report, the respective 2008, 2009, 2010, 2011, 2012, 2013 and 2014 figures for the race/ethnicity/ancestry category are the race figure and the ethnicity figure combined. Further, there were no categories for gender and gender identity in FBI UCR Hate Crime Statistics from 2008–2012.
The City of Houston falls primarily under the jurisdiction of the HPD. In collecting data on hate crimes, the HPD adheres to the federal definition of hate crime, which requires a hate incident to qualify as a hate crime when a criminal offense “committed against a person or property” is wholly or partly motivated by the “offender’s bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.”

The HPD has a policy on hate crime (see Box 6, right). The policy includes the role of the Criminal Investigation Division (CID), formed and tasked with the responsibility of making determinations on whether a crime is eligible for reporting to the TDPS or the FBI as a hate crime.

Individual police officers refer crimes to the HPD CID that they believe meet the federal definition of a hate crime. The CID reviews and determines if

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Box 6
HPD Hate Crime Policy

‘The Houston Police Department views all Hate Crimes as major, and possibly organized, acts which are given the highest investigative priority possible to ensure rapid apprehension of all persons involved.

The Criminal Intelligence Division was designated as the department’s federally mandated “Second Level Judgement Unit” in 1991. The Criminal Intelligence Division has the ultimate responsibility for determining whether a crime is reported to federal or state record-keeping agencies as a Hate Crime.

Additional areas of responsibility include:
- Education of both the public and police officers on the requirements of a Hate Crime
- Prevention techniques
- Reporting procedures
- Organized Hate Crime groups, and
- Development of strategic initiatives in dealing with Hate Crime related issues.’

Source: http://www.houstontx.gov/police/hatecrime/

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[39] Personal communication with an HPD representative. The national definition is also used on the HPD website: http://www.houstontx.gov/police/hatecrime/
the offense is a hate crime. This HPD process speaks to the FBI statement on a “two-tier decision-making process” in hate crime identification and documentation (see Box 7 below).

Other offenses that do not meet the hate crime definition are processed and reported to the state or FBI UCR as ordinary offenses. This means that the HPD does not keep records of alleged incidents of hate that the CID does not determine to meet the standard of a hate crime.

The HPD publishes an update of Houston hate crimes on its website, with the earliest update starting in 2010. From 2008–2018, the HPD was consistent in reporting the numbers of Houston hate crimes to the TDPS/FBI UCR (see Figure 3 below). The reported hate crime figures for Houston were at their lowest in 2016 and 2017 (8 hate crimes in both years, respectively) and at their highest in 2008 (28 hate crimes). The 2008 figure was followed by a notable decline in 2009 through 2013. There was a sharp increase to 27 hate crimes in 2015 prior to the declines in 2016 and 2017. The declines were succeeded by a sharp increase to 25 hate crimes in 2018.

Over the 11–year period, Houston maintained a population of over 2 million, ranging from 2,143,628 in 2011 to 2,338,235 in 2017 (see Appendix 4 or 5 for the annual population of Houston, 2008–2018).

Box 7

“The first level is the law enforcement officer who initially responds to the alleged hate crime incident, i.e., the “responding officer” (or “first-level judgment officer”). It is the responsibility of the responding officer to determine whether there is any indication that the offender was motivated by bias. If a bias indicator is identified, the officer designates the incident as a “suspected bias-motivated crime” and forwards the case file to a “second-level judgment officer/unit.” (In smaller agencies this is usually a person specially trained in hate crime matters, while in larger agencies it may be a special unit.) It is the task of the second-level judgment officer/unit to review the facts of the incident and make the final determination of whether a hate crime has actually occurred. If so, the incident is to be reported to the FBI UCR Program as a bias-motivated crime.

Source: FBI (2015a), pp.2-3

[40] Personal communication with an HPD representative.
[41] The data are limited to total numbers of hate crimes and how the numbers are distributed based on type of bias.
In 2016 and 2017, the city had its largest population: 2,334,348 in 2016, and 2,338,235 in 2017. However, the lowest numbers of hate crimes were recorded in both years at a hate crime rate of 0.34 per 100,000 population, respectively. The highest number of hate crimes in Houston was recorded in 2008 and that number translates into a hate crime rate of 1.25 per 100,000 population in that year.

Notwithstanding the small numbers of reported hate crimes for Houston, the data show how the figures are distributed according to bias motivation.

Figure 3. Number of FBI UCR Single-Bias Hate Crimes for Houston by Year & Bias Motivation, 2008–2018

Note: From 2008–2014, the category race/ethnicity/ancestry did not exist. Instead, there were two separate categories: Race, Ethnicity. The combined race/ethnicity/ancestry category was introduced in 2015. For the purpose of this report, the 2008–2014 figures for race/ethnicity/ancestry category are the race figure and the ethnicity figure combined. Gender and gender identity categories did not exist in FBI UCR Hate Crime Statistics from 2008–2012. They were introduced in 2013.
Over the 11 years, race/ethnicity/ancestry is the main bias motivating factor for a hate crime. Except for 2017, sexual orientation is in second place as a trigger for a hate crime, followed by religion in third place. This pattern of bias motivation in Houston is also demonstrated in Texas (see Table 4 above). Similarly, gender identity bias is more likely than disability bias and gender bias to motivate a hate crime in Houston, in Texas and in the U.S (see Tables 4 and 3 above).

In 2018, reported hate crimes in Houston decreased by 11% from 2008. The reasons for the low numbers of hate crimes may include those outlined in section 4.1 above. Victim underreporting and the challenges in establishing a hate motivation for a criminal offense are some of the problems that may influence the total numbers of hate crimes reported by the HPD.

[42] There were no cases of disability bias reported for Houston from 2008-2018.

Figure 4. Number of Hate Crimes Reported by the HPD, TDPS & the FBI UCR, 2008–2018
5.1 Discrepancies in Houston Hate Crime Data

Hate crime data reported to the FBI UCR may not reflect the actual data collected by individual LEAs. A notable reason for this is that the FBI has a deadline for the annual publication of Hate Crime Statistics, and LEAs are required to submit their data to the FBI UCR by the deadline. This means that any new hate crimes recorded by an LEA or any changes made to its existing hate crime data after the annual FBI deadline will not be reflected in the FBI Hate Crime Statistics for that year. This process may explain the discrepancies in some of the hate crime data for Houston reported by the HPD, the TDPS and the FBI UCR program, respectively (see Figure 4 above).

In the 11-year period, the TDPS and the FBI reported the same numbers of hate crimes for Houston except for 2017 and 2018. In 2017, the FBI reported 8 hate crimes while the TDPS reported 11. In 2018, the figures were 25 by the FBI and 30 by the TDPS. These discrepancies may be the result of new hate crime victimizations that were reported to the TDPS after

the 2017 and 2018 FBI UCR publication deadlines. As such, the new cases would not be included in the respective 2017 and 2018 Hate Crime Statistics published by the FBI.

Data discrepancies are also evident in the case of HPD hate crime data relative to the data reported by the TDPS. Except for 2016 and 2017 when the HPD and the TDPS reported the same numbers of hate crimes, the figures reported by the HPD and the TDPS for the other years (2010–2015, and 2018), respectively, varied. In 2010 and 2015, the HPD figures are lower than the figures reported by the TDPS. In contrast, the HPD figures are higher than the figures reported by the TDPS for the period 2012, 2013, 2014 and 2018.

The data discrepancies between the HPD and the TDPS suggest the possibility of deficiency in the reporting process between the HPD and the TDPS.

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[43] On the HPD website. Hate crimes for 2008 and 2009 were not published by the HPD during the period of the research study.
[44] The discrepancies extend to the FBI hate crime data.
All the hate crimes reported by the HPD were confirmed by the agency to have met the statutory criteria for classification as a hate crime. Other than the numbers of hate crimes according to year and type of bias available on the HPD website, no published or available data could be located by the researcher about other aspects of the reported hate crimes, such as offense type and offender/victim characteristics. None of the official data sources include information about hate incidents.

5.2 Hate Crime Data: Houston vs. Other Cities in Harris County

Hate crime data reported by the FBI UCR show that other cities in Harris County, besides Houston, report comparatively low numbers of hate crimes vis-à-vis the population size of the cities (see Table 5 below and Appendix 5 for the population of Houston and the other cities in Harris County). As Table 5 shows, a significant number of the other cities in Harris County reported zero hate crimes over the 2008–2018 period.

Some cities reported zero hate crimes over several years during the 11–year period. In those cities, the police departments (PDs) reported up to one or more hate crimes for some of the years, ranging from one year to five years of reporting. Tomball PD and La Porte PD reported one to three hate crimes across five years; Baytown PD and Pasadena PD reported one or two hate crimes across two years; and the PDs for Bellaire, Deer Park, Galena Park, Hedwig Village, Katy, and Seabrook reported one or two hate crimes across one year.

All the Harris County cities with a hate crime record of one or more still have hate crime figures that are significantly low in comparison to the population of the cities. However, there are instances of cities with a higher hate crime rate than Houston. Tomball is one example. With a hate crime total of two and a population of 10,272 in 2010, Tomball had a hate crime rate of 19.47 per 100,000 population against 0.57 per 100,000 population for Houston in 2010 (13 hate crimes and a population of 2,280,859). Although the 2010 numerical difference in hate crimes between the two cities may seem insignificant, the hate crime rates are worthy of note in that they point to differences in the frequency of occurrence of hate crimes in both cities, based on reported cases.
Not all city PDs in Harris County participated in the reporting of hate crimes to the FBI UCR program. Because hate crime data reporting to the FBI UCR program is not mandatory for state and local LEAs, city PDs are not obligated to report hate crimes to the FBI UCR program. This may explain the numbers of non-participation (N-P) shown in Table 5 (above).

Participation in hate crime reporting to the FBI UCR varied according to city and year. Most of the city PDs in Harris County participated each year from 2008 to 2018 given that they reported the occurrence or non-occurrence of hate crimes in their jurisdictions.

The remaining city PDs and the Harris County Sheriff’s Office (SO) were not consistent in their participation. For example, from 2008 to 2013 and in 2017,

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Table 5. Number of FBI UCR Hate Crimes for Cities in Harris County, 2008-2018

<table>
<thead>
<tr>
<th>City</th>
<th>Year &amp; Number of Reported Hate Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Houston</td>
<td>28</td>
</tr>
<tr>
<td>Baytown</td>
<td>0</td>
</tr>
<tr>
<td>Bellaire</td>
<td>0</td>
</tr>
<tr>
<td>Deer Park</td>
<td>1</td>
</tr>
<tr>
<td>Galena Park</td>
<td>0</td>
</tr>
<tr>
<td>Harris County SO</td>
<td>21</td>
</tr>
<tr>
<td>Hedwig Village</td>
<td>0</td>
</tr>
<tr>
<td>Humble</td>
<td>0</td>
</tr>
<tr>
<td>Jacinto City</td>
<td>0</td>
</tr>
<tr>
<td>Jersey Village</td>
<td>0</td>
</tr>
<tr>
<td>Katy</td>
<td>0</td>
</tr>
<tr>
<td>La Porte</td>
<td>3</td>
</tr>
<tr>
<td>Lakeview</td>
<td>0</td>
</tr>
<tr>
<td>Memorial Villages</td>
<td>0</td>
</tr>
<tr>
<td>Nassau Bay</td>
<td>0</td>
</tr>
<tr>
<td>Pasadena</td>
<td>0</td>
</tr>
<tr>
<td>Seabrook</td>
<td>0</td>
</tr>
<tr>
<td>Shoreacres</td>
<td>N-P</td>
</tr>
<tr>
<td>South Houston</td>
<td>0</td>
</tr>
<tr>
<td>Southside Place</td>
<td>0</td>
</tr>
<tr>
<td>Spring Valley</td>
<td>0</td>
</tr>
<tr>
<td>Tomball</td>
<td>2</td>
</tr>
<tr>
<td>Webster</td>
<td>0</td>
</tr>
<tr>
<td>West Univ. Place</td>
<td>0</td>
</tr>
</tbody>
</table>


[43] Harris County Sheriff’s Office. It is not a city police department.
[46] Non-participation.
Shoreacres PD did not participate in hate crime reporting. For the other years (2014–2016 and 2018), Shoreacres PD participated in hate crime reporting, but it reported zero hate crimes. Similarly, for a period of four consecutive years (2014–2017), Lakeview PD was non-participatory despite participation in earlier years (2008–2013) and the reporting of zero hate crimes for those years.

5.3 Hate Crime Data: Houston vs. Austin, Chambers, Fort Bend and Montgomery Counties

Austin and Chambers counties have the smallest populations in Greater Houston while the three most populated counties in the region are Harris, Fort Bend and Montgomery. Austin, Chambers, Fort Bend and Montgomery were selected for this study in order to compare their hate crime numbers with the numbers for Houston for the period 2008–2018.

Each of these counties has a population size that is smaller than the population of Houston (see Appendix 4 for the population of Houston and the four counties). However, the numbers of hate crimes for these counties, where the numbers exceed zero, are also miniscule (see Figure 5 below). Fort Bend County reported one or more hate crimes for all the years except for 2011 when the County reported zero hate crimes. As shown in Figure 5, Austin, Chambers and Montgomery counties reported zero hate crimes across several years, respectively. For example, Austin, Chambers and Montgomery counties reported zero hate crimes from 2008–2013 and in 2015.

The low numbers of reported hate crimes, particularly the reporting of zero hate crimes, in the five counties and their incorporated cities are a cause for concern. It is unclear if the numbers are an accurate representation or a product of underreporting of hate crimes in the counties and cities.
In some counties, such as Fort Bend County, the number of reported hate crimes came primarily from a handful of cities, with others reporting zero hate crimes. For example, Missouri City accounted for 39% of the hate crimes reported over the 11-year period in Fort Bend County (see Figure 6 below).

Figure 6. Total Numbers of FBI UCR Hate Crimes by Cities in Austin, Chambers, Fort Bend and Montgomery Counties, 2008-2018

Rosenberg followed at 13%, Sugar Land and Stafford at 9% each, and Richmond at 4%. Other participating city PDs in Fort Bend County reported zero hate crimes. The Fort Bend County Sheriff’s Office accounted for 26% of the hate crimes reported by the county from 2008 to 2018.

Montgomery County recorded seven hate crimes in the 11-year period. Five of those occurred in 2018. Four (57%) of the seven hate crimes occurred in Oak Ridge North, two (29%) occurred in Conroe, and one (14%) occurred in Willis. Zero hate crimes were reported by other city PDs in Montgomery County that submitted data during the 11-year period.

There were only two reported hate crimes in Austin County for the 11-year period – one from Sealy in 2016 and the other from the Sheriff’s Office in 2017. Other participating city PDs submitted zero hate crimes. Eighty percent of the five hate crimes that Chambers County reported from 2008 to 2018 came from Mont Belvieu. Twenty percent came from the Sheriff’s Office. All five hate crimes were reported in 2018.

Across the four counties, there are cities that have shown a higher hate crime rate than Houston. For example, in 2018, Oak Ridge North in Montgomery County had a population of 3,143 and a record of four hate crimes, which translate into a hate crime rate of 127.3 per 100,000 population. In the same year, Houston’s population of 2,296,862 and a figure of twenty-five hate crimes translate into a rate of 1.1 per 100,000 population.

5.4 Hate Crimes and Hate Incidents (HCsHIs) in Houston: Data from Two Community-based Organizations in Houston

There are a variety of community-based organizations (CBOs) in Houston that provide various services to Houston communities. In planning this research project, CBOs were considered a useful resource for data collection on hate incidents that may or may not qualify as hate crimes. This consideration was based on the fact that CBOs are often trusted resources for marginalized communities and, therefore, the assumption was made that some of the organizations were likely to have encountered cases of HCsHIs that

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[47] The other city PDs are Arcola, Fulshear, Meadows Place, and Needville.
[48] They are: Magnolia, Montgomery, Patton Village, Roman Forest, Shenandoah, Splendora, Stagecoach, and Woodbranch.
[49] The other PDs are Bellville, San Felipe, and Wallis.
may not have been reported to a law enforcement agency.

Out of the 26 CBOs that were contacted for data on HCShIs, going back ten years (2008–2017), only two responded with some data that addressed a federally mandated bias motivation. The CBOs are: Anti-Defamation League–Southwest Region (ADL-SWR), and Montrose Center. The ADL collected statistical data on anti-Semitism and the Montrose Center on sexual orientation/gender identity. The data that each of these organizations collected were based on their respective definition of HCHI.

5.4.1 Anti-Defamation League–Southwest Region

The ADL–SWR operates under the overall mission of the ADL “to stop the defamation of the Jewish people, and to secure justice and fair treatment to all...” In line with the ADL mission, the ADL-SWR strives to handle “complaints of discrimination, racism and anti-Semitism, monitor extremists and domestic terrorists, and work with many in the community, including law

Source: https://www.adl.org/

[52] “The Southwest Regional office of the Anti-Defamation League (ADL) in Houston extends from El Paso on the west end of Texas to Beaumont on the east end, and all points south. Major cities in the region include Houston, San Antonio, Corpus Christi, El Paso, and Beaumont.” https://southwest.adl.org/about/

[53] see https://www.adl.org
enforcement, to fight hatred in all its forms...”

The ADL is a valuable resource for a variety of information on hate-motivated victimization. However, when it comes to numerical data, the ADL is focused on anti-Semitism, i.e., hate-motivated victimizations against Jews.

Figure 7 below shows the national data on anti-Semitic HCsHIs reported by the ADL and anti-Jewish hate crimes reported by the FBI UCR for the period 2009–2018. The graph indicates that the FBI UCR numbers of anti-Jewish hate crimes may undercount the actual numbers of hate crimes experienced by the Jewish community nationally. However, it is worth noting that data collected by the ADL derive from its own interpretation of victimizations that constitute anti-Semitism. The ADL tracks all hate-motivated victimizations reported to the organization, including those that may not be categorized as a hate crime by law enforcement. These discrepancies in data collection methods by the ADL and the FBI are likely to contribute to differences in numbers of hate-motivated victimization reported by each entity.

Despite the numerical differences in the FBI and ADL data, both sources indicate high numbers of hate-motivated victimization against Jews, specifically when compared with the FBI hate crime data for other religious groups, such as Hindus and Mormons. Also, the percentage difference between the ADL numbers and the FBI numbers varies through all the years. For example, in 2013 the ADL recorded 751 anti-Semitic HCsHIs and the FBI recorded 625 anti-Jewish hate crimes, a difference of 18%. In 2016, the percentage difference between the ADL number and the FBI number was 72%.

Because the FBI reports sub bias motivations at the national level only, it is not possible to gauge the extent of anti-Jewish sub-bias and other religious motivated sub-biases in Texas and in Houston. The FBI hate crime data for 2008–2018 show that anti-Jewish bias has consistently ranked highest in the national numbers of hate crimes motivated by religious bias. The highest was in 2009 during which hate/bias

[54] see https://southwest.adl.org/about/
[56] Sub-categories of the main bias categories. For example, religious bias is a main category. It includes anti-Hindu, anti-Mormon, etc., as sub-categories.
crimes against Jews made up 70.1% of all religious motivated bias/hate crimes recorded that year. At 51.3% in 2015, the figure for anti-Jewish hate crimes was at its lowest in comparison to hate crimes recorded for other forms of religious motivated bias. How these FBI national figures may be mirrored in Texas and in Houston is unknown to the researcher.

Data from the ADL shed some light on anti-Semitic HCsHIs in Texas and in Houston. However, while the national data go back to 2009 (see Figure 7), the ADL data for Texas and Houston are only available from 2016 on, as shown in Figure 8 below.

Figure 8. Number of Anti-Semitic Incidents in Texas and Houston Reported by the ADL, 2016–2019

Source: figures were derived from the ADL, https://www.adl.org

In numerical terms, the highest number of anti-Semitic HCsHIs in Houston and in Texas occurred in 2017. Thirty-four percent of the anti-Semitic HCsHIs in Texas in 2017 occurred in Houston. In 2016, 39% of all anti-Semitic cases of HCHI took place in Houston. In 2018 and 2019, Houston contributed 23% and 36%, respectively, to the total numbers of anti-Semitic HCsHIs in Texas.

It is unclear how the ADL numbers of anti-Semitic HCsHIs in Houston would compare to the numbers of FBI UCR religious motivated hate crimes in Houston (see Figure 3). This is because the FBI UCR program does not publish sub-bias motivations at the state and local levels. In 2016, when the FBI recorded one religious motivated hate crime for Houston, the ADL recorded nine anti-Semitic incidents for the city. It is unknown which sub-religious bias is represented in the one religious hate crime reported by the FBI. In 2017 and 2018, the FBI figures for religious bias in Houston were three and four, respectively. For the sub-religious bias of anti-Semitism in Houston, the ADL recorded 20 in 2017 and nine in 2018.

5.4.2 The Montrose Center

The Montrose Center primarily serves the LGBTQ communities. The organization’s mission statement reads:

“The Montrose Center empowers our community, primarily lesbian, gay, bisexual, transgender, and queer individuals and their families, to enjoy healthier and more fulfilling lives.”

And its vision statement reads:

“We envision a healthier society marked by permanent, positive changes in attitudes and behaviors toward the LGBTQ communities, and the ability of all LGBTQ individuals to realize their fullest potential.”

The Montrose Center collects statistical data on violence against the LGBTQ communities. The organization is a member of the National Coalition of Anti-Violence Programs (NCAVP). The NCAVP collates and publishes annual reports with national information on hate violence against LGBTQ communities based on data collected by local member organizations in different parts of the U.S.

[60] Lesbian, Gay, Bisexual, Transgender, Queer. Although the Montrose Center targets the LGBTQ communities, it is open to victims of any hate/bias incident or crime.
[61] see http://www.montrosecenter.org/about/mission/
For the purpose of maintaining consistency in data collection, the NCAVP provides its member organizations with guidelines for collecting data on anti-LGBTQ hate violence. Also, the NCAVP definition of hate violence may inform data collection by member organizations. In its 2009 report on hate violence against LGBTQ communities, the NCAVP gives its definition of anti-LGBTQ hate violence (see Box 10, right).

Box 10

...any act that an offender commits against a person or a person’s property because of the offender’s bias towards or hatred for that person’s actual or perceived sexual orientation and/or gender identity and expression... This report discusses hate-motivated acts of violence, defined here as both verbal and physical attacks on people or property. These include but are not limited to “hate crimes,” a legal definition which refers to acts determined by law to be a crime.... However, many acts of hate violence, such as hate speech, are not illegal, but may still have serious and traumatic impacts on the individuals who survive them, as well as their friends, families, and communities....


An incident of violence does not have to be a crime for it to be categorized as a hate violence by the NCAVP. The NCAVP definition of hate violence is used by the Montrose Center. 62 Data that are collected by the Montrose Center primarily reflect hate based on gender identity and sexual orientation. The chart

[62] Personal communication with a Montrose Center representative. At the Montrose Center, what matters is a client's experience of violent victimization for being a member of the LGBTQ community. The incident does not have to be a crime.

Box 9

Mission of the NCAVP

“The National Coalition of Anti-Violence Programs (NCAVP) works to prevent, respond to, and end all forms of violence against and within lesbian, gay, bisexual, transgender, queer, (LGBTQ), and HIV-affected communities. NCAVP is a national coalition of local member programs and affiliate organizations who create systemic and social change. We strive to increase power, safety, and resources through data analysis, policy advocacy, education, and technical assistance.”

Source: NCAVP (2017, p.5)
below (Figure 9) shows aggregate numbers of hate violence based on sexual orientation bias and/or gender identity bias reported by the Montrose Center.

The Montrose Center or the NCAVP did not report data on anti-LGBTQ hate violence in Houston for the years 2010, 2016 and 2017. Based on the NCAVP report on hate violence for 2010 and 2016, it seems the Montrose Center did not submit data for those periods. The NCAVP report for 2017 did not include disaggregated data by local membership. Therefore, it was not feasible to determine if the Montrose Center submitted data for that year.

However, the statistical data in Figure 9 show trends in anti-LGBTQ hate violence in Houston for the years captured. Following the consistent reporting of three to four anti-LGBTQ victimizations in 2008, 2009, 2011 and 2012, there is a dramatic spike in reported victimizations in 2013 and 2014. The increase is attributed to the center’s school outreach initiative and the subsequent intake of high schoolers who were dealing with issues of gender identity and sexual orientation bias in school. During these periods (2013 and 2014), the majority of the center’s clients were high school students. The number of reported anti-LGBTQ hate violence

Figure 9. Number of Anti-LGBTQ Hate Violence Victimizations in Houston Reported by the NCAVP/Montrose Center, 2008–2018


Victimizations for 2015 is also significant at 22 incidents. This number dipped to nine in 2018.

Below, the NCAVP/Montrose Center anti-LGBTQ hate violence data for Houston are compared to the FBI data on sexual orientation bias and gender identity bias for this city. The collection of data by the NCAVP/Montrose Center is premised on its interpretation of anti-LGBTQ hate violence, which extends to non-criminal incidents of hate violence. In contrast, the FBI data are based solely on hate crimes caused by sexual orientation and/or gender identity bias. Against these variations in the definitions of anti-LGBTQ victimizations, a significant difference in the numbers of victimizations reported by the FBI and by the NCAVP/Montrose Center would be expected. However, this is not the case across the years covered in Figure 10 below.

Apart from the years 2013, 2014, 2015 and 2008, the respective numbers of hate-motivated victimizations reported by the FBI and the NCAVP/Montrose show close similarities for the

Figure 10. Number of Anti-LGBTQ Victimizations in Houston: FBI UCR Data vs. NCAVP/Montrose Center Data, 2008–2018


[64] The gender identity category was added to the FBI UCR in 2013. For Houston, the first recorded data on gender identity bias occurred in 2015 during which one hate crime was recorded. The figure for gender identity bias crimes for 2016 is two, two for 2017 and two for 2018. These figures are combined with the respective figures for sexual orientation bias in 2015, 2016, 2017 and 2018 to arrive at the figures in the chart for these periods.
other years. In 2012, the FBI and the NCAVP/Montrose Center reported four hate-motivated victimizations, respectively. In 2009 and 2018, the numbers reported by the FBI and the NCAVP/Montrose Center differed by one victimization for each year. The closeness in the numbers reported by these entities may suggest that the FBI figure for Houston is a reasonable estimate of the number of anti-LGBTQ hate crimes that occurred in this city in 2009, 2012 and 2018, at least. Perhaps, victims of anti-LGBTQ bias are likely to report their victimization to law enforcement, and their victimizations are likely to qualify as a hate crime.

6. ANALYSIS OF BEST PRACTICES FOR HATE CRIME DATA COLLECTION

At the start of the research project, four city PDs outside of Greater Houston were selected for best practice analysis. These PDs were among the many city PDs in the country to record high numbers of hate crime, relative to the HPD, in the 2017 FBI hate crime data. The Austin Police Department (APD, Texas) and the Seattle Police Department (SPD, Washington) were identified by HCAH as examples of PDs to study for best practice analysis vis-à-vis hate crime data collection. Subsequently, the Metropolitan Police Department (MPD, Washington, D.C.) and the Woodbury City Police Department (WCPD, New Jersey) were added to the list of possible ‘best practice’ examples. Both cities, like many other cities in the U.S., had high numbers of hate crimes in 2017, relative to Houston.

In 2017, Woodbury had a small population size of 9,970, and reported 33 hate crimes, according to the FBI UCR hate crime data.

[65] The 2017 hate crime data were the latest at the start of the research project.
This translates into a rate of 331 hate crimes per 100,000 population. The other three cities had large population sizes, relative to Woodbury, but had lower rates of hate crimes in 2017. Seattle recorded the highest number of hate crimes in Washington State, at 234 against a population of 721,365 (a rate of 32.4 hate crimes per 100,000 population). Likewise, Austin/Travis County, with a population of 971,949, recorded 18 hate crimes, the highest in Texas in 2017 (a rate of 1.9 hate crimes per 100,000 population). The population of Washington D.C. (hereon, D.C.) stood at 693,972 in 2017 and the city reported 169 hate crimes that year (a rate of 24.4 hate crimes per 100,000 population).

The 2017 hate crime numbers for these four cities were a far cry from the eight hate crimes recorded for Houston that year when the city’s population was 2,338,235 (a rate of 0.34 hate crimes per 100,000 population). Hate crime data from previous years reported by the Austin, Seattle, D.C. and Woodbury PDs, especially the latter three PDs, show that these cities have reported higher rates of hate crimes than Houston (see Figure 11 below and Appendix 1 for the population of these cities over the 11–year period). The assumption is that these PDs may be

Figure 11. Number of FBI UCR Hate Crimes for Houston, Austin (Travis County), Seattle, D.C. and Woodbury, 2008–2018


responding to the issue of hate crimes in ways that are productive in terms of victim/public reporting and data collection/recording practices. These PDs may provide lessons to be learned for low or non-reporting cities.

Hate crime and hate incident data were sought from the Austin, Seattle, D.C. and Woodbury PDs in order to compare their internal numbers of hate crimes, and perhaps hate incidents, against the numbers of hate crimes reported by the FBI UCR. The researcher collected the internal data directly from the individual PDs and/or from their individual websites. The objective was to analyze the PDs’ hate crime data collection practices.

6.1 Austin Police Department (APD) and Its Hate Crime Data

In addition to the numbers of hate crimes for Austin reported by the FBI UCR program for Austin for the period 2008–2018, the researcher sought information from the APD about hate crimes that the APD might not have reported to the FBI and about hate incidents that did not meet the legal standard of a hate crime.

In the “General Orders” issued by the APD in February 2020, hate crime is recognized. The definition of hate crime and the process of investigating this type of crime are among the issues described in the “General Orders.” The APD adopts a definition of hate crime that incorporates more bias motivations than those prescribed in the federal definition. The APD’s interpretation of a hate crime reads:

“An intentional criminal act committed in whole or in part because of a bias or prejudice against a person or group’s (Tex. Code of Crim. Pro. art. 42.014): (a) Disability (b) Gender (c) National origin or ancestry (d) Race, ethnicity or color (e) Religion (f) Sexual orientation (g) Age (h) Peace Officer (i) Judge.”

This definition adds bias against age, a judge and a peace officer even though these biases are not on the list of federally mandated biases. Perhaps, the APD collects hate crime data based on these additional biases.

[67] The WCPD did not respond to the researcher’s request for HCHI data. There were no HCHI statistical data on its website. Therefore, the WCPD is not included in the detailed best practice analysis. However, as indicated on its website, the WCPD has a designated LGBTQ police liaison (see https://woodburypd.com/).


but would only submit to the FBI UCR program hate crime data that reflect the biases published by the FBI. Further, the hate crime information that the researcher received directly from the APD did not contain data on bias motivations based on age and status (i.e., peace office and judge). Only the biases mandated by federal law were included. In addition, there were no indications that the APD collected data on hate incidents. The chart below (Figure 12) shows the numbers of hate crimes for Austin reported by the FBI for the period 2008–2018 and by the APD for the period 2014–2018. Apart from 2014 and 2018, there are variations in the numbers of hate crimes reported by the FBI and by the APD. The 2015 discrepancy may be attributed to the recording of a new hate crime by the APD after the FBI data submission deadline for that year. The discrepancies in the 2016 and 2017 figures may be the outcome of oversight in updating internal records.

The specific figures for the bias motivations in the chart were

Figure 12. FBI UCR Hate Crimes for Austin, 2008-2018; APD Hate Crimes for Austin, 2014–2018


Note: From 2008-2014, the category race/ethnicity/ancestry did not exist. Instead, there were two separate categories: Race, Ethnicity. The combined race/ethnicity/ancestry category was introduced in 2015. For the purpose of this report, the 2008–2014 figures for race/ethnicity/ancestry category are the race figure and the ethnicity figure combined. Gender and gender identity categories did not exist in FBI UCR Hate Crime Statistics from 2008–2012. They were introduced in 2013.

[71] The hate crime data received from the APD were from 2014–2018.
derived purely from the FBI UCR hate crime data. The data show that race/ethnicity/ancestry is the major bias motivating factor for a hate crime for most of the 11 years. In second place for most of the years is sexual orientation, in third place is religion, and in fourth place is gender identity. This order of bias motivations for a hate crime resembles the pattern in Houston and in Texas (see Figure 3 above and Table 4 above). From 2008–2018, no gender bias-motivated hate crime was reported by the APD and only one disability bias-motivated hate crime bias was reported.

Based on the FBI data in Figure 12, the APD does not have a history of reporting significant numbers of hate crimes, more so when consideration is given to the city’s population size across the years (see Appendix 1). After reporting 19 hate crimes to the FBI UCR in 2008, the numbers of reported hate crimes in subsequent years plummeted until 2016, 2017 and 2018 when Austin reported 19, 18 and 19 hate crimes, respectively.

Although Austin had the highest number of hate crimes in Texas in 2017, it was not in first place in terms of the prevalence of hate crimes in Texas. At a rate of 1.85 hate crimes per 100,000 population in 2017, Austin had a hate crime rate that was lower than the rate for some cities in Texas, such as Longview (7.29 per 100,000 population) and Seven Points (136.8 per 100,000 population).

In 2018, despite the slight increase from 2017 in the number of FBI UCR hate crimes for Austin, the city had a lower number and/or rate of hate crimes than several cities in Texas, including Dallas, Plainview, Fort Worth, and Freeport.

While these observations of relatively low hate crime rates for Austin may raise questions about victim/public reporting and APD recording of hate victimizations, the APD has some examples of best practices in hate crime data collection. Lessons can be learned from the quality of hate crime data collected by the APD. In addition to numbers of hate crimes and types of bias motivations, the APD collects data on sub-bias motivations, type of offense, date of hate crime, number of victims and offenders and their age status, and the race/ethnicity of the offender.

[72] In 2017, Longview had six hate crimes and a population of 82,303; Seven Points had two hate crimes and a population of 1,462.
[74] e.g., anti-Gay and anti-Hispanic.
6.2 Seattle Police Department (SPD) and Its HCHI Data

The SPD has data collection policies and practices that provide useful lessons to be learned. The agency has a Bias Crime Unit designated to bias crimes. Additionally, its website stores a range of valuable information on bias crimes, including the definition of hate crime, annual or monthly statistical data and reports on bias crimes, and procedures for reporting and responding to bias crimes. Much of the hate crime information that the researcher requested from the SPD was available on its website.  

The SPD hate crime data collection procedures are guided by the federal definition of hate crime as well as the state (Washington) and city (Seattle) definitions of hate crime. In addition to the biases protected under the federal definition of hate crime, there are other biases that are prohibited by the City of Seattle. They are:

- Homelessness
- Marital Status
- Age
- Parental Status
- Political Ideology

Box 11

A person is guilty of a “hate crime offense” (per RCW 9A.36.080) or “malicious harassment” (per SMC 12A.06.115) if, because of his or her perception of another person’s:

- race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disabilities (felony)
- homelessness, marital status, political ideology, age, or parental status (misdemeanor),

he or she maliciously and intentionally commits at least one of the following acts:

- causes physical injury to another person.
- causes physical damage to or destruction of the property of another person.
- by threat, places another person in reasonable fear of harm to his or her person or property or to the person or property of a third person.

Source: Seattle Police Department (2020).

[75] Other additional data were provided to the researcher through personal communication.
[76] Only the biases that meet the federal definition of hate crime are submitted to the FBI UCR. Data on other biases are for state and city use.
As reflected in these additional bias motivations, the SPD recognizes the possibility of variations in how jurisdictions or states define hate crime. For example, alongside the term hate crime, the SPD uses the terms bias crime and malicious harassment. These three terms are used interchangeably. However, malicious harassment is used as the statutory term for crimes that come under bias or hate crime. In the Seattle Police Department Manual, hate crime or malicious harassment is defined (see Box 11 above).

In addition to malicious harassment, the SPD collects data on two other categories of bias-motivated victimization: crime with bias elements, and bias incident. Both are defined in Box 12 below. By collecting data across these three categories, the SPD invariably collects data on both hate crimes and hate incidents.

Although the SPD collects data across these three categories – malicious harassment, crime with bias elements, and bias incident – the hate crime data that the department submits for the purpose of the FBI UCR reporting are separate from the data that inform the three categories of HCsHIs. This is because the SPD has two separate datasets for hate/bias-motivated victimizations, and each dataset is guided by a different set of data collection and recording standards. One dataset is used externally for FBI UCR hate crime data reporting. Data for this dataset are recorded and reported according to FBI standards. The other dataset, composed of the above-mentioned three categories of HCsHIs, is for internal SPD use. The dataset also includes two additional biases: political ideology and homelessness. These

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**Box 12**

**Crime with bias elements:**
An event in which a crime is committed that is not bias-based and during the incident the suspect uses derogatory language directed at the victim’s protected status or group.

**Bias incident:**
Offensive derogatory comments directed at a person’s sexual orientation, race, or other protected status which cause fear and/or concern in the targeted community during a non-criminal incident.

Source: Seattle Police Department (2020).

[77] see https://www.seattle.gov/police/
[78] see https://www.seattle.gov/police/
[79] At the time of research, the latest revision was dated 04/01/2020.
Biases are not included in the FBI UCR hate crime program. Because of the differing SPD datasets and standards for data collection, the FBI hate crime numbers for Seattle differ from the numbers of HCsHIs reported by the SPD.

As Figure 13 above shows, the FBI hate crime data are compared with the SPD HCHI data. The SPD data are available from 2012. The FBI hate crime data for Seattle from 2008–2018 show that this city, with a few exceptions, has reported a steady annual increase in hate crimes.

The SPD annual totals shown in Figure 13 are a combination of malicious harassment, crimes with bias elements and non-criminal bias incidents based on race, ethnicity, religion, gender, disability, sexual orientation, gender identity, multiple categories, political ideology and homelessness (see Figure 14 below). In contrast, the FBI annual totals are drawn from hate crimes reported to the FBI UCR program by the SPD based on the FBI criteria for collecting and reporting hate crime data.

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[80] Include two or more biases.

[81] The hate crime data submitted for FBI purposes and the SPD data for malicious harassment overlap considerably even though the totals will never be equal due to the differences in data collection for FBI UCR and for SPD internal use.
Although the SPD collects data on offenses motivated by political ideology bias and homelessness bias, these do not seem to have contributed significantly to the total numbers of HCsHIs recorded by the SPD. However, there was a significant increase in the number of HCsHIs motivated by homelessness bias in 2018.

Table 6 below shows the numerical contributions of political ideology bias and homelessness bias to the annual number of HCsHIs reported by the SPD for the period 2012–2018.

The SPD data on homelessness and political ideology biases are insightful in that they illustrate

Table 6. Number of SPD HCsHIs, & Number of Political Ideology Bias and Homelessness Bias, 2012–2018

<table>
<thead>
<tr>
<th>Bias</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number Reported</td>
<td>106</td>
<td>109</td>
<td>126</td>
<td>205</td>
<td>256</td>
<td>418</td>
<td>523</td>
</tr>
<tr>
<td>Homelessness</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Political Ideology</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td></td>
<td>5</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

Source: The figures were derived from the SPD website: https://www.seattle.gov/police
that HCHIs are not restricted to the biases prohibited by the FBI UCR program. The SPD 2012–2018 data also show that in the aggregate, there were more victimizations motivated by homelessness and political ideology biases than there were victimizations based on gender bias and disability bias. The SPD internal dataset seems to offer a comprehensive picture of hate-motivated victimizations in Seattle. In addition to data on numbers of HCsHIs and types of bias motivations (including sub-bias motivations), the SPD internal dataset captures data on the geographical location of HCHI by precinct and neighborhood. Also, it collects data on type of HCHI, bias category, and the race and gender of the perpetrator of HCHI.

6.3 Metropolitan Police Department (MPD) and Its Hate Crime Data

Best practice lessons can be learned from the MPD in relation to its hate crime data collection and reporting policies and practices, all of which are available on the MPD website. The MPD uses the terms hate crime and bias-related crime interchangeably. In the MPD, the determination and classification of a criminal victimization as a hate crime involves a team effort of a panel made up of several units in the MPD: Special Liaison Branch, Strategic Change Division, Criminal Investigations Division and Intelligence Branch.

The MPD has a webpage that is dedicated to information on

Box 13

“Under the Bias-Related Crime Act of 1989 (D.C. Official Code § 22-3700 et. seq.), A hate crime is a criminal act that demonstrates an accused’s prejudice based on the actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical disability, matriculation, or political affiliation of a victim.”


[82] From 2012–2018, there were aggregate totals of 12 gender bias HCsHIs and 10 disability bias HCsHIs
[83] Such as types of racial groups, religion, disability and sexual orientation.
[84] i.e., malicious harassment, crime with bias elements, and bias incident.
[85] https://mpdc.dc.gov
hate crimes, including the D.C. definition of hate crime, procedures for hate crime reporting, and annual statistical data and reports on hate crimes. The D.C. definition of hate/bias-related crime (see Box 13 above) encompasses biases beyond those allowed under the FBI definition of hate/bias crime. However, political affiliation bias and homelessness bias are the only nontraditional biases that are reported on the MPD website. The inclusion of these biases in the internal MPD hate crime data introduces some discrepancies in the numbers of D.C. hate crimes reported by the MPD (for its internal use) and by the FBI UCR.  

[86] The internal MPD hate crime figures are likely to be higher than the FBI UCR figures received directly from the MPD or from a state agency. See MPD annual report 2010, & 2018.

[87] see MPD annual report 2010 & 2018
From 2008–2018, there were aggregate totals of 0 gender bias hate crimes and 4 disability bias hate crimes. The MPD cautions that “All figures are subject to change if new information is revealed during the course of an investigation or prosecution.” Metropolitan Police Department (n.d.). 2018 Annual Report, p.24.

Homelessness was not on the list of biases in 2008, 2009 and 2010. The website does not contain data on the perpetrators of hate crimes.

The MPD data also show a significant increase in the numbers of hate crimes motivated by political affiliation bias in 2017 and 2018.

There are no indications on the MPD website that this police department collects data on non-criminal hate-motivated victimizations. The MPD hate crime information goes beyond the annual numbers of hate crimes and bias motivations to include data on date and time of offense, type of offense involved, target group of the bias in some cases (e.g. racial/ethnic, gender and religious groups), and the district and block location of the hate crime.

Table 7. Number of MPD Hate/Bias-Related Crimes, & Number of Political Ideology Bias and Homelessness Bias, 2008–2018

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Number Reported</strong></td>
<td>39</td>
<td>41</td>
<td>68</td>
<td>92</td>
<td>80</td>
<td>68</td>
<td>70</td>
<td>66</td>
<td>106</td>
<td>177</td>
<td>205</td>
</tr>
<tr>
<td><strong>Homelessness</strong></td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Political Affiliation</strong></td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

Source: The figures were derived from the MPD website: https://mpdc.dc.gov/hatecrimes

[88] From 2008–2018, there were aggregate totals of 0 gender bias hate crimes and 4 disability bias hate crimes.

[89] The MPD cautions that “All figures are subject to change if new information is revealed during the course of an investigation or prosecution.” Metropolitan Police Department (n.d.). 2018 Annual Report, p.24.

[90] Homelessness was not on the list of biases in 2008, 2009 and 2010.

[91] The website does not contain data on the perpetrators of hate crimes.
Based on hate crime data reported by the FBI UCR and the TDPS for the period 2008–2018, the numbers of hate crimes in the U.S., Texas and Houston fluctuated over the 11–year period. While hate crimes decreased nationally from 2008–2018, they increased in Texas and decreased in Houston during the same period. In 2018, the national rate of hate crimes stood at 2.32 per 100,000 population. In the same year, the rate of hate crimes for Texas was lower at 1.63 per 100,000 population and much lower for Houston at 1.09 hate crimes per 100,000 population.

Findings from the NCVS have shown that the numbers of hate crimes reported by the FBI UCR program underestimate the extent of hate crimes in the country. Data from the ADL and the Montrose Center/NCAVP, although inclusive of non-criminal hate incidents motivated by anti-Semitic bias and anti-LGBTQ bias, respectively, draw attention to the possibility that the FBI UCR hate crime data underestimate the numbers of hate crimes motivated by anti-Jewish bias and by sexual orientation and/or gender identity bias.

A variety of explanations for the relatively low numbers of hate crimes published by the FBI UCR can be gleaned from this report. Overall, the explanations underline one or two overarching issues: (1) victim/public underreporting, and (2) LEA under-recording/no recording of hate crimes. Whether an HCHI is reported or recorded, who reports or records, to whom it is reported, and why and how it is reported and recorded are examples of key variables that can influence the existence or non-existence of data on hate crimes.

During the research study, data on HCSDHIs in Houston and in Greater Houston were sparse or absent. Relatedly, some of the LEAs and CBOs that were contacted for HCHI data were unresponsive to the researcher’s request for data. These were major drawbacks that may suggest that Houston and its surrounding...
areas did not have a HCHI problem, or that victimizations were underreported and/or under-recorded.

However, findings from this study provide various perspectives for interpreting the low numbers of hate crimes for Houston and the overall dearth of HCHI data for Houston and its surrounding areas.

7.1 Summary of Findings

- State and local law enforcement agencies are not required to submit hate crime data to the FBI hate crime data collection program. Submission of hate crime data by state and local law enforcement agencies to the FBI is voluntary. Some cities in the Greater Houston Metropolitan area submitted hate crime data to the FBI sporadically over the 2008–2018 period. However, the HPD maintained a consistent hate crime data submission to the FBI during the 11-year period.

- In 2018, reported hate crimes in Houston decreased by 11% from 2008. In contrast, over the 11-year period, hate crimes in Texas increased by 85% from 2008 to 2018. Nationally, hate crimes decreased by 9% from 2008 to 2018.

- There is low reporting of hate crimes in Houston and its surrounding areas. From 2008–2018, the numbers of hate crimes reported each year are surprisingly low for a city with a population of over two million. Several cities, such as Tomball (Harris County), with a smaller population size than Houston have shown evidence of a higher hate crime rate than Houston.

Many cities in Harris County reported zero hate crimes over the 11-year period (2008–2018). This pattern of reporting does not align with findings from the National Crime Victimization Survey (NCVS), which show that hate crimes are largely undercounted, thus suggesting that non-reporting of hate crimes does not automatically mean that hate crimes do not exist.

- From 2008–2018, the most common bias motivating factor for a hate crime in Houston was race/ethnicity/ancestry. This finding is the same at the national level and in Texas where race/ethnicity/ancestry was the primary motivation for a hate crime during the 11-year period. The second and third
most common motivating factor was either religion or sexual orientation.

- The HPD does not collect data on hate incidents, i.e., hate-motivated victimizations that do not rise to the level of a crime. Only criminal offenses that are determined to be motivated by hate are recorded as hate crimes by the HPD. Alleged hate-related offenses that are later determined to be non-criminal are processed as traditional offenses. There were no indications that other law enforcement agencies in the Greater Houston Metropolitan area that were included in this research study collected data on hate incidents.

- Hate crime data reported by the HPD are limited to the number of victimizations and bias motivations. Other than the total numbers of hate crimes and their breakdown according to bias motivation, the HPD did not report on other elements of hate crimes, such as type of offense, where the offense occurred, and offender/suspect and victim information.

- Data discrepancies exist in hate crime numbers reported by the HPD, the Texas Department of Public Safety (TDPS) and the FBI. Typically, the HPD and other participating law enforcement agencies in Texas submit their hate crime data to the TDPS, which the TDPS subsequently submits to the FBI. Over the 11-year period, there were some discrepancies in the hate crime numbers for Houston reported by the HPD, the TDPS and the FBI.

For the period 2008–2018, there were instances of data discrepancies in the respective FBI hate crime data for Seattle, Washington, D.C. and Austin (Travis County) and the data reported by the Seattle Police Department (SPD), Metropolitan Police Department – D.C. (MPD) and Austin Police Department (APD) for the respective cities.

- There are variations in how hate crime is defined at federal, state and municipal levels. Although the federal definition of hate crime sets the tone for how hate crime should be defined across jurisdictions, some states and

[92] On the HPD website or to the researcher
municipalities have their own definitions. Texas, Washington and Washington, D.C. have state-specific definitions of hate crime. The City of Austin (Travis County) also defines hate crime somewhat differently. In these instances, although the respective definitions share the basic tenets of the federal definition in terms of prohibiting a criminal offense that is motivated by hate against certain social groups, they show differences in phraseology or definitional scope. Such variations may shape how hate crime data are collected by individual law enforcement agencies for submission to the FBI hate crime data collection program.

- **Hate crime is also termed bias crime in the federal definition. However, other law enforcement agencies may define those two terms differently.** The term hate crime is used interchangeably with bias crime in the federal definition of hate crime. The SPD and the MPD use both terms interchangeably. While the term bias crime is used sparingly on the APD (Travis County) website, the term hate crime is used consistently by the HPD. Considering that the words ‘bias’ and ‘hate’ do not express comparable sentiments, the use of hate crimes and bias crimes interchangeably may be misleading and may affect law enforcement perceptions of hate crime data collection.

- **The SPD, MPD and APD, in differing ways and degrees, demonstrate sound practice approaches to collecting hate crime data.** The SPD collects a wide range of data on both hate crimes and hate incidents (HCSHIs), including offender demographic and the geographic location of victimization by precinct and neighborhood. The MPD collects detailed information on hate crimes, including offense type, and the district and neighborhood location of hate crime victimization. The APD hate crime data collection includes information on offense type. There were no indications that the APD and the MPD collected data on hate incidents.

It is worth mentioning that many community-based organizations (CBOs) in Houston may not be adequately conversant with the federal, state or local definition of hate crime, or the appropriate responses to HCSHIs. Nonetheless, two Houston-based CBOs have shown that CBOs can play a pivotal role in HCHI data
collection. This is evidenced in the following findings:

- The Anti-Defamation League (ADL) collects statistical data on HCHI victimizations motivated by anti-Semitism. Data from the ADL, from 2009–2018, show that the FBI hate crime data on anti-Jewish bias in Houston may undercount the actual numbers of hate crimes against Jews.

- The Montrose Center collects statistical data on victimizations against the LGBTQ community. Data from the Montrose Center show that, for some of the years covered in the HCAH study, the FBI hate crime data on the LGBTQ community in Houston may have underestimated the actual numbers of hate crimes against this group.

7.2 Recommendations

It is against the background of the study findings that this report makes recommendations to develop new, or improve on existing, practices for tackling HCsHIs within and outside of Houston. The recommendations are made in the interest of the HPD, other local LEAs, and CBOs in Houston and beyond.

7.2.1 Victim/Public Reporting of HCHI Victimization

Most crimes that are known to the police were reported by members of the public, including crime victims. This fact shows that the public play a fundamental role in crime control through the reporting of crimes to law enforcement. Public reporting of hate crimes and incidents is crucial. However, this report has shown that for the period 2008–2018, there were low or zero numbers of reported hate crimes in cities in Harris, Austin, Chambers, Fort Bend and Montgomery counties. The possibility that the numbers (or lack of) underestimate the presence of hate crimes in those cities is supported by the NCVS findings noted in this report. This is particularly relevant to Houston considering its large population size across the 11-year period. It is recommended that efforts to tackle HCsHIs would benefit from dedicated and consistent police community partnerships for the purpose of encouraging and

[93] Lesbian, Gay, Bisexual, Transgender, Queer. Although the Montrose Center targets the LGBTQ communities, it is open to victims of any hate/bias incident or crime.
supporting community reporting of HCHI victimizations. To facilitate this process, the researcher recommends:

- That the LEA create a well-resourced hate crime unit that includes a designated community outreach representative for HCHI victimizations, who receives regular specialized training on matters of diversity and HCHI.

- That the LEA organize regular community outreach to bring awareness to the issue of HCsHIs, including the definition of HCHI, the protocols for reporting HCsHIs to the police, and how the police and the criminal justice system respond to HCsHIs. It is possible that many people do not know that there is not a separate crime known as hate crime. They may not know that a hate crime occurs only when the commission of a traditional offense is proved to be motivated by one or more of the federally mandated biases.

- That community outreach be carried out proactively by the LEA in partnership with CBOs and that the community awareness outreach include the various social groups protected under the hate crime legislation.

A community outreach initiative is likely to build or enhance community trust and confidence in the police and invariably boost community willingness to report an HCHI victimization to the police.

- The community outreach models utilized by the MPD and the SPD are worth considering for best practices in that their community outreach initiatives may have contributed to the relatively high numbers of hate-motivated victimizations that these PDs have reported over the years.

- The Special Liaison Branch of the MPD adopts a community policing approach and has units whose primary responsibility is to provide outreach to historically underserved communities such as the Deaf and Hard of Hearing, interfaith, LGBTQ+, African, Asian, and Latino communities.
Members of the community sometimes notify the Special Liaison Branch of possible hate/bias-related crimes in their community.

- The SPD has a seemingly dedicated initiative, the Safe Place program, that was created to focus specifically on addressing hate/bias crimes against the LGBTQ community. Having learned from the SPD Safe Place program, the Austin (Travis County) PD has established its own Safe Place program to assist victims of hate crimes.

- That the LEA create a community friendly and easily accessible webpage that is specifically dedicated to HCHI victimization; that the webpage shows a direct link to a variety of information and resources for victims, including links to CBOs that the LEA partners with to combat HCsHIs. On the webpage, procedures for reporting and investigating HCHI victimizations need to be made available in the languages most represented in the city.

  - For best practices, the SPD and the MPD have a dedicated and informative webpage on hate-motivated victimization, respectively.

- That CBOs make their organizations a safe place for victims to report experiences of HCsHIs.

For the purpose of community outreach, in partnership with the LEA, that each CBO have a designated representative who would be required to receive specialized training on matters of HCsHIs and diversity.

Each CBO website will benefit from a designated webpage for useful HCHI information and resources, including a link to relevant CBOs and LEAs.

- That finally, an HCHI victimization survey of Houstonians be conducted in order to assess community knowledge, understanding and awareness of HCsHIs, and to measure the extent of HCsHIs in Houston in comparison to the HPD records of hate crimes. In order to gather in-depth information on HCsHIs in Houston, the victimization survey could use the NCVS model as a guide.
7.2.2 Improvement of Hate Crime Data Collection Strategy

The reporting of hate crime data by LEAs for the purpose of the FBI UCR program is based on FBI standards. However, different states and jurisdictions may have their own definitions of hate crime, which may guide their methods of hate crime data collection for the FBI UCR program. For example, the collection of hate crime data by the SPD and the MPD is guided by their respective state and/or city statutes as well as by the FBI standards. This approach is reflected in the differences in the numbers that these PDs report internally versus the numbers that they submit to the FBI UCR program.

Further, state and local LEAs are not required to participate in the FBI UCR hate crime program. In effect, many LEAs may minimize the seriousness of hate crime, including its definition and the expected role of LEAs in data collection.

Given the voluntary nature of hate crime data submission, there were LEAs in Harris, Austin, Chambers, Fort Bend and Montgomery counties that made irregular hate crime data submission across the 2008–2018 period. For the LEAs that submitted hate crime data across the 11-year period, most reported zero hate crimes. Few reported one or more hate crimes during this period. While the HPD was consistent in submitting hate crime data across the 11 years, the numbers were low relative to the annual populations of Houston.

In order to make reasonable estimates of the prevalence of HCshis in Houston and in Greater Houston, etc., there is a need for improved hate crime data collection policies and practices. The researcher recommends that:

- A national legislative mandate be passed to require state and local LEAs to collect and report hate crime data, including zero hate crimes, to the FBI UCR program annually; and that the mandate be accompanied by appropriate federal resources, including training and funding, to support LEAs.

- There is consistency in annual hate crime data reported by the LEA, the state UCR (or its equivalent) and the FBI UCR alike. Data discrepancies across these
agencies may be caused by technical differences in data recording and reporting among the three agencies. However, there is a heavy reliance on crime data for research and policymaking, etc. Where discrepancies in hate crime data for a city exist or when such discrepancies are expected to occur, that the LEA and the state UCR (or its equivalent) need to include in their annual public report a statement to explain the discrepancies – potential or actual.

- The LEA expand the scope of its ‘hate’ data collection to include non-criminal activities and therefore collect data on all alleged hate-motivated victimizations, regardless of whether they meet the statutory definition of a hate crime. The criminal and non-criminal (i.e., HCHI) victimizations could be separated into different databases.

Currently, the federal definition of hate crime restricts LEAs to specific hateful behaviors and bias motivations. These restrictions limit information on the extent of HCsHIs across jurisdictions.

Keeping a record of both criminal and non-criminal victimizations, at least for the purpose of internal use within the LEA, may relieve police officers of some of the pressure associated with establishing hate motivation in a criminal offense.

The collection of data on all HCHI victimizations will give recognition to community concerns about such behaviors, better inform public experiences and perceptions of HCsHIs, help the LEA and CBOs identify priority areas for community outreach, and increase public trust in the LEA for taking all hate/bias-related matters seriously.

Law enforcement agencies may consider collecting data on additional bias motivations, such as age vis-à-vis the elderly. Currently, six statuses are protected by the federal hate crime legislation. However, state and municipal statutes can prohibit additional bias motivations that would allow LEAs to collect data on HCHI victimizations based on the additional bias motivations.
• For a best practice approach to data collection on criminal and non-criminal bias-motivated victimization, the SPD offers a promising model through its three categories of bias-motivated victimizations, namely: malicious harassment, crime with bias elements, and bias incident (see section 6.2). The SPD and the MPD collect data on two additional bias motivations: homelessness and political affiliation/ideology (see sections 6.2 & 6.3).

• The LEA expand the scope of its HCHI data collection to include information on the characteristics of the perpetration of HCHI. These could include the type of HCHI, the geographical location of the HCHI, and demographic information about the perpetrator and the victim of HCHI, such as race/ethnicity, gender, religion, sexual orientation and age. These are useful for identifying the most common or prevalent HCsHIs as well as identifying communities and locations in need of monitoring and resources.

• In varying degrees, Austin PD, SPD and MPD collect these types of data, which have positive implications for research, policy and practice.

• As previously indicated in section 7.2.1 above, it is important for the LEA website to have a webpage that: serves as a storage space for information about HCHI victimization; contains statistical data on HCHI victimizations, including the types and geographic locations of the HCsHIs and the demographic characteristics of the victims and the perpetrators of HCsHIs; and stays active and current.

• SPD and MPD have a hate/bias crime dashboard that contains extensive information on hate/bias crimes. Both PDs update their data on a regular basis and the data are easily accessible to the public. These activities illustrate best practices in transparency and accountability in hate crime and/or hate incident data collection.
• Patrol officers receive regular specialized training on HCsHIs and diversity, particularly as they relate to the identification and reporting of an alleged HCHI. Patrol officers are most likely to be the first law enforcement agents to identify a potential HCHI. Therefore, their training on the uniqueness and complexity of HCHI, relative to traditional crimes, is imperative.

• As recommended in section 7.2.1 above, CBOs engage in community outreach on HCsHIs and serve as a safe place for HCHI reporting by members of the public, including victims; and that both activities be carried out in partnership with the LEA.

• Because CBOs are likely to collect data on alleged HCsHIs, it is advised that the designated representative receives regular specialized training on how to identify, record and respond to HCsHIs. Data collected will be reported to the LEA for further processing while taking the necessary steps to avoid data duplication. For example, in receiving a report of a hate-motivated victimization, it is important that the CBO ensures that the same victimization had not been reported to the LEA or to another CBO.

The above recommendation calls for a dedicated and consistent LEA–CBO partnership with an overarching purpose of collecting HCHI data based on set statutory standards and guidelines. This CBO task of data collection would require regular consultations or meetings with the LEA.

• On a more general note, consistency be applied to the definition of hate crime across states and jurisdictions. Despite the existence of a federal definition of hate crime, there may be states and municipalities that have adopted a hate crime definition that somewhat deviates, in language and scope, from the federal definition. Approaches to data collection across police agencies are likely to be influenced by how jurisdictions define hate crime. Ultimately, this might impact the types and
numbers of hate crimes that are submitted to the FBI. Definitional consistency seems imperative.

It is also recommended that the term hate crime not be used interchangeably with bias crime principally because the words “hate” and “bias” connote different emotions. A person who is biased toward a group of people may not be hateful toward that group. Although bias precedes hate, bias does not equate to hate. Hate is a strong emotion that is minimized when hate is expressed to mean the same as bias.

- Finally, in order to supplement the findings from this exploratory research study, a qualitative interview be conducted with the HPD, APD, SPD, MPD, and a sample of LEAs in Greater Houston.
Appendix 1. Number of FBI UCR Hate Crimes, 2008-2018; Population of Houston, Austin (Travis County), Seattle, D.C. and Woodbury, 2008-2018

<table>
<thead>
<tr>
<th>Year</th>
<th>City, Number of Hate Crimes, &amp; City Population</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Houston</td>
<td>Austin</td>
</tr>
<tr>
<td>2008</td>
<td>28 (2,238,895)</td>
<td>19 (753,535)</td>
</tr>
<tr>
<td>2009</td>
<td>14 (2,273,771)</td>
<td>11 (768,970)</td>
</tr>
<tr>
<td>2010</td>
<td>13 (2,280,859)</td>
<td>5 (796,310)</td>
</tr>
<tr>
<td>2011</td>
<td>13 (2,343,628)</td>
<td>5 (807,022)</td>
</tr>
<tr>
<td>2012</td>
<td>13 (2,177,273)</td>
<td>6 (832,901)</td>
</tr>
<tr>
<td>2013</td>
<td>13 (2,180,606)</td>
<td>4 (859,180)</td>
</tr>
<tr>
<td>2014</td>
<td>16 (2,219,933)</td>
<td>4 (903,924)</td>
</tr>
<tr>
<td>2015</td>
<td>27 (2,275,221)</td>
<td>13 (938,728)</td>
</tr>
<tr>
<td>2016</td>
<td>8 (2,334,348)</td>
<td>19 (956,911)</td>
</tr>
<tr>
<td>2017</td>
<td>8 (2,338,235)</td>
<td>18 (971,949)</td>
</tr>
<tr>
<td>2018</td>
<td>25 (2,296,862)</td>
<td>19 (919,709)</td>
</tr>
</tbody>
</table>


Appendix 2. Community-Based Organization Members of HCAH

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alliance for Compassion and Tolerance</td>
<td>Daya, Inc.</td>
</tr>
<tr>
<td>American Civil Liberties Union of Texas</td>
<td>Emgage</td>
</tr>
<tr>
<td>Anti-Defamation League – Southwest Region</td>
<td>Houston GLBT Political Caucus</td>
</tr>
<tr>
<td>Asia Society Texas Center</td>
<td>Houston Immigration Legal Services Collaborative</td>
</tr>
<tr>
<td>Catholic Charities of the Archdiocese of Galveston Houston</td>
<td>Justice For Our Neighbors Houston</td>
</tr>
<tr>
<td>Catholic Charities of the Archdiocese of Galveston Houston</td>
<td>Living Hope Wheelchair Association</td>
</tr>
<tr>
<td>Center for the Healing of Racism</td>
<td>Migrant Rights Collective</td>
</tr>
<tr>
<td>Chinese Community Center</td>
<td>Montrose Center</td>
</tr>
<tr>
<td>Council on American Islamic Relations – Texas</td>
<td>My Brother’s Keeper (MBK) Houston</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[94] Refers to HCAH members at the time of data collection
Appendix 3. Categories and Subcategories of Hate Crime Bias Motivations

<table>
<thead>
<tr>
<th>Race/Ethnicity/Ancestry</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Anti-American Indian or Alaska Native</td>
</tr>
<tr>
<td>- Anti-Arab</td>
</tr>
<tr>
<td>- Anti-Asian</td>
</tr>
<tr>
<td>- Anti-Black or African American</td>
</tr>
<tr>
<td>- Anti-Hispanic or Latino</td>
</tr>
<tr>
<td>- Anti-Multiple Races, Group</td>
</tr>
<tr>
<td>- Anti-Native Hawaiian or Other Pacific Islander;</td>
</tr>
<tr>
<td>- Anti-Other Race/Ethnicity/Ancestry;</td>
</tr>
<tr>
<td>- Anti-White</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Religion</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Anti-Buddhist</td>
</tr>
<tr>
<td>- Anti-Catholic</td>
</tr>
<tr>
<td>- Anti-Eastern Orthodox (Russian, Greek, Other</td>
</tr>
<tr>
<td>- Anti-Hindu</td>
</tr>
<tr>
<td>- Anti-Islamic</td>
</tr>
<tr>
<td>- Anti-Jehovah’s Witness</td>
</tr>
<tr>
<td>- Anti-Jewish</td>
</tr>
<tr>
<td>- Anti-Mormon</td>
</tr>
<tr>
<td>- Anti-Multiple Religions, Group</td>
</tr>
<tr>
<td>- Anti-Other Christian</td>
</tr>
<tr>
<td>- Anti-Other Religion</td>
</tr>
<tr>
<td>- Anti-Protestant</td>
</tr>
<tr>
<td>- Anti-Atheism/Agnosticism, etc.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gender</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Anti-Male</td>
</tr>
<tr>
<td>- Anti-Female</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gender Identity</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Anti-Transgender</td>
</tr>
<tr>
<td>- Anti-Gender Non-Conforming</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sexual Orientation</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Anti-Bisexual</td>
</tr>
<tr>
<td>- Anti-Gay (Male)</td>
</tr>
<tr>
<td>- Anti-Heterosexual</td>
</tr>
<tr>
<td>- Anti-Lesbian</td>
</tr>
<tr>
<td>- Anti-Lesbian, Gay, Bisexual, or Transgender (Mixed Group)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disability</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Anti-Mental Disability</td>
</tr>
<tr>
<td>- Anti-Physical Disability</td>
</tr>
</tbody>
</table>

Source: https://www.fbi.gov/services/cjis/ucr/hate-crime

Appendix 4. Population of Houston, and Austin, Chambers, Fort Bend and Montgomery Counties, 2008-2018

<table>
<thead>
<tr>
<th>Year and Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>Houston</td>
</tr>
<tr>
<td>Austin</td>
</tr>
<tr>
<td>Chambers</td>
</tr>
<tr>
<td>Fort Bend</td>
</tr>
<tr>
<td>Montgomery</td>
</tr>
</tbody>
</table>

Appendix 5. Population of Houston and Other Cities in Harris County, 2008-2018

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Houston</td>
<td>2,238, 895 to 2,296, 862</td>
<td></td>
</tr>
<tr>
<td>Baytown</td>
<td>70596 to 70764</td>
<td></td>
</tr>
<tr>
<td>Bellaire</td>
<td>18,316 to 18,492</td>
<td></td>
</tr>
<tr>
<td>Deer Park</td>
<td>30,900 to 31,164</td>
<td></td>
</tr>
<tr>
<td>Galena Park</td>
<td>10,243 to 10,166</td>
<td></td>
</tr>
<tr>
<td>Hedwig Village</td>
<td>2,354 to 2,345</td>
<td></td>
</tr>
<tr>
<td>Humble</td>
<td>15,026 to 14,934</td>
<td></td>
</tr>
<tr>
<td>Jacinto City</td>
<td>9,949 to 9,883</td>
<td></td>
</tr>
<tr>
<td>Jersey Village</td>
<td>7,299 to 7,324</td>
<td></td>
</tr>
<tr>
<td>Katy</td>
<td>14,106 to 14,166</td>
<td></td>
</tr>
<tr>
<td>La Porte</td>
<td>34,532 to 34,535</td>
<td></td>
</tr>
<tr>
<td>Lakeview</td>
<td>6,518 to 6,477</td>
<td></td>
</tr>
<tr>
<td>Memorial Villages</td>
<td>11,907 to 12,024</td>
<td></td>
</tr>
<tr>
<td>Nassau Bay</td>
<td>4,059 to 3,988</td>
<td></td>
</tr>
<tr>
<td>Pasadena</td>
<td>147, 114 to 146, 963</td>
<td></td>
</tr>
<tr>
<td>Seabrook</td>
<td>11,760 to 11,777</td>
<td></td>
</tr>
<tr>
<td>Shoreacres</td>
<td>1,592 to 1,613</td>
<td></td>
</tr>
<tr>
<td>South Houston</td>
<td>16,496 to 16,410</td>
<td></td>
</tr>
<tr>
<td>Southside Place</td>
<td>1,669 to 1,680</td>
<td></td>
</tr>
<tr>
<td>Spring Valley</td>
<td>3,803 to 3,910</td>
<td></td>
</tr>
<tr>
<td>Tomball</td>
<td>10,412 to 10,345</td>
<td></td>
</tr>
<tr>
<td>Webster</td>
<td>10,196 to 10,868</td>
<td></td>
</tr>
<tr>
<td>West Univ. Place</td>
<td>15,578 to 15,736</td>
<td></td>
</tr>
</tbody>
</table>

[95] No population information is recorded for cities that did not participate in hate crime reporting in a given year.
REFERENCES


Anita Kalunta-Crumpton holds a PhD in criminal justice from Brunel University London, United Kingdom. She has taught at a few universities in England, United Kingdom. At present, she is Professor of Administration of Justice at Texas Southern University.

Dr. Kalunta-Crumpton’s research focuses primarily on race/ethnicity, crime and criminal justice; drug use and drug trafficking; violence against women; and comparative criminology/criminal justice. She has published extensively in a variety of publication outlets. She is the author of Race and Drug Trials: The Social Construction of Guilt and Innocence (1999), Drugs, Victims and Race: The Politics of Drug Control (2006), and editor (with Biko Agozino) of Pan-African Issues in Crime and Justice (2004).


Through her engagement with community issues in Houston and its surrounding areas, Dr. Kalunta-Crumpton puts her academic and research interests into practice.