## STAFF REPORT

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| **Agenda Item:** | 10 | **Name:** | Mike Reed |
| **Proposed No**.: | 2022-0171 | **Date:** | August 30, 2022 |

**SUBJECT**

A Motion regarding development of a plan for the establishment of a hotline for the reporting of hate crimes and incidents, and for a public awareness campaign associated with the hotline.

**SUMMARY**

Proposed Motion 2022-0171 would provide for the development of a plan to establish a countywide “Stop Hate Hotline” that would support accessible reporting of such events in a way that avoids fear of retribution. The legislation also provides for a public awareness campaign associated with the hotline.

**BACKGROUND**

Emerging concern regarding the increasing occurrence of hate crimes and hate incidents, and the need for effective information tools regarding the prevalence of such incidents, has led to interest in facilitating the process for reporting such incidents. Among the recent trends of note has been an increase in hate incidents targeting Asian Americans.

The Federal Bureau of Investigation (FBI) reports annually on trends in the incidence of hate crimes. The FBI has collected national hate crime data since 1992, pursuant to the 1990 Hate Crime Statistics Act. On August 30, 2021, the FBI released the “Hate Crimes Statistics 2020” report pursuant to the federal Uniform Crime Reporting Program. The report summarizes incident reports submitted by law enforcement agencies nationwide, referencing 7,759 criminal incidents and 10,532 related offenses as being motivated by bias toward race, ethnicity, ancestry, religion, sexual orientation, disability, gender and gender identity.

Under FBI data collection definitions, hate crimes are defined as criminal events motivated, in whole or in part, by actual or perceived bias based on race, ethnicity, ancestry, religion, sexual orientation, disability, gender, and gender identity. Prejudiced hate speech alone, absent a genuine threat of violence or criminality, is constitutionally protected, and is not included in these FBI data.

A percentage distribution of victims by bias type, as a proportion of all bias-incident victims, shows the following bias motivations:

* Gender: 0.7%
* Disability: 1.4%
* Gender Identity: 2.7%
* Religion: 13.3%
* Sexual Orientation: 20%
* Race/Ethnicity/Ancestry: 61.8%

Among single-bias hate crime incidents in 2020, there were 6,880 victims of race/ethnicity/ancestry-motivated hate crime. Of those:

* 56.9% were victims of crimes motivated by anti-Black or African American bias;
* 15.7% were victims of anti-White bias;
* 10.1% were victims of anti-Hispanic or Latino bias;
* 5.0% were victims of anti-Asian bias;
* 4.1% were victims of bias against a group of individuals in which more than one race was represented;
* 1.6 percent were victims of anti-American Indian or Alaska Native bias;
* 1.3% were victims of anti-Arab bias
* .3% were victims of anti-Native Hawaiian or Other Pacific Islander bias.

Of the 7,426 hate crime offenses classified as crimes against persons in 2020, 53.4% were for intimidation, 27.6% were for simple assault, and 18.1% were for aggravated assault. Twenty-two murders and nineteen rapes were reported as hate crimes.

In King County, according to the King County Prosecutor’s “Data Dashboard”[[1]](#footnote-1), the Prosecutor’s Office has filed a total of ninety-five cases involving hate crimes occurring in King County since January 2020. The Prosecutor’s Office only charges a case when a completed investigation is referred by law enforcement, and the Prosecutor believes that they can prove the case beyond a reasonable doubt.

Elsewhere in the nation, consideration is being given to “hate hotline” legislation. In California, proposed legislation would require the state Attorney General to establish and publicize a toll-free public hotline telephone number for the reporting of hate crimes. Through the creation of an accessible hate crimes hotline, the proposed legislation is intended to create safe spaces to report hate crimes, particularly where there may be a distrust of police by hate crime victims.

**ANALYSIS**

**Proposed Motion 2022-0171**

Proposed Motion 2021-0171 indicates the Council’s intent that the Executive develop a plan to expand the King County Coalition Against Hate and Bias community-based hate crime reporting system to report hate crimes and hate incidents. The motion would request the Executive to convene a workgroup to prepare a plan to develop the reporting system, to include telephone and web-based online portals for reporting. Additionally, the plan should address incident reporting requirements for data collection purposes, as well as a public awareness campaign. The plan should also identify a hosting agency such as the King County Coalition Against Hate and Bias.

The workgroup is to include staff from the Department of Community and Human Services, Public Health/Seattle King County, the Prosecutor’s Office, the Sheriff’s Office, and representatives from the King County Coalition Against Hate and Bias. Work Group members who are not paid employees of King County, or who are not being compensated for their participation on the work group through their employer, would be compensated for work group meetings attended at the rate of $100 per meeting.

The goals of the reporting system would include:

* To provide hate crime victims a means to work with to community-based service providers who would help victims report the crime to law enforcement authorities without fear of retribution or mistrust;
* To provide access to services for the victim regardless of whether the incident is reported to law enforcement; and
* To raise public awareness about the nature of hate crimes, how and where they occur locally and how to report them, and to collect and report countywide data on hate crimes and hate incidents.

The work group is to:

* Make use of successful strategies developed in other jurisdictions;
* Work with the federal Department of Justice to create reporting systems requirements that meet federal standards, and to explore opportunities for federal technical assistance and grant funding;
* Identify minimum service requirements for a hotline and web portal contractor;
* Explore partnership opportunities with existing service providers and identify federal technical assistance and grant funding for such providers.

Public information materials used for the hotline and in the public awareness campaign are to be accessible in multiple languages.

The Executive is requested to transmit a plan for the establishment of the hotline and the public awareness campaign to Council by October 1, 2022.

**AMENDMENT**

A striking amendment (Attachment 2) has been prepared that:

* Updates statistics regarding the incidence of hate crimes;
* Identifies the Office of Equity and Social Justice as the hosting agency, in partnership with members of the King County Coalition Against Hate and Bias;
* Revises the convening date for the workgroup to November 1, 2022;
* Revises the reporting date for transmittal of the plan to May 2, 2023;
* Clarifies that the community-based reporting system is to be a non-law enforcement system;
* Revises the work group to strike representation from Public Health—Seattle/King County, and to add representation from the Office of Equity and Social Justice, and provides that the work group is to include representation from the Prosecutor’s Office and the Sherriff’s Office when necessary;
* specifies that one of the goals of the reporting system is to provide a means for survivors to of hate crimes or incidents to report hate crimes or incidents to non-law enforcement community based service providers, who would then help the victims report the crime or incident to law enforcement, if desired by the victims.

A corresponding title amendment (Attachment 3) has also been prepared.

**ATTACHMENTS**

1. Proposed Motion 2022-0171
2. Striking Amendment 1
3. Title Amendment 1

1. [Data Dashboard - King County](https://kingcounty.gov/depts/prosecutor/criminal-overview/CourtData.aspx) [↑](#footnote-ref-1)