



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion 16218

Proposed No. 2022-0171.3

Sponsors Dunn

1 A MOTION requesting the executive develop a plan for
 2 establishing a non-law-enforcement community-based
 3 countywide hotline, web portal, incident reporting
 4 requirements for a countywide data collection system and
 5 public awareness campaign for persons to report hate
 6 crimes and incidents.

7 WHEREAS, the Washington state Legislature finds that the state interest in
 8 preventing crimes and threats motivated by bigotry and bias goes beyond the state
 9 interest in preventing other felonies or misdemeanors that are not motivated by hatred,
 10 bigotry and bias, and that prosecution of those other crimes inadequately protects citizens
 11 from crimes and threats motivated by bigotry and bias, and

12 WHEREAS, as a result of that recognition by the state, state law establishes that a
 13 person who intentionally threatens or causes injury to persons or physical property
 14 because of the victim's race, color, religion, ancestry, national origin, gender, sexual
 15 orientation, gender expression or identity or mental, physical or sensory disability has
 16 committed a hate crime offense under RCW 9A.36.080, and

17 WHEREAS, in addition to the criminal penalty provided in state law for
 18 committing a hate crime offense, state law allows that the victim may bring a civil cause
 19 of action for the hate crime offense against the person who committed the offense. A
 20 person may be liable to the victim of the hate crime offense for actual damages, punitive

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21 damages of up to one hundred thousand dollars and reasonable attorneys' fees and costs
22 incurred in bringing the action, and

23 WHEREAS, according to the U.S. Department of Justice, in the simplest terms, a
24 hate crime must include both hate and a crime, and

25 WHEREAS, the federal government and national advocacy groups acknowledge
26 that there is a difference between hate crimes and hate incidents. Hate crimes have
27 established criminal penalties and require due process to arrest alleged perpetrators, file
28 charges and adjudicate those cases. A hate crime is a crime for which an individual can
29 be arrested and where bias was observed and can be proven, and

30 WHEREAS, the U.S. Department of Justice and national advocacy groups have
31 noted that hate or bias incidents are acts of discrimination that are not classified as crimes
32 and do not involve violence, threats or property damage. The most-common examples of
33 hate incidents are racial slurs and attacks, notes the National Asian Pacific Bar
34 Association, where yelling a racial slur without committing a crime or threatening one is
35 likely a hate incident that negatively affects the victim but cannot be prosecuted as a hate
36 crime, and

37 WHEREAS, the federal government and national law enforcement leaders have
38 noted that, if possible, all hate incidents, such as verbal harassment or refusal of service,
39 should be reported to law enforcement in that reports of any hate incidents help law
40 enforcement "focus, track and provide extra attention to areas to prevent those incidents
41 from escalating into crimes of violence or reportable criminal acts," and

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42 WHEREAS, according to the U.S. Department of Justice, hate crime victims
43 include not only the crimes' immediate targets but also others like them. Hate crimes
44 affect families, communities and, at times, the entire nation, and

45 WHEREAS, hate and hate crimes know no boundaries, affecting people based on
46 their race, ethnicity, sexuality, gender identity, religion, political identity, housing status
47 and disability, and

48 WHEREAS, hate crimes in the United States rose in 2020 to the highest level in
49 12 years, with a significant increase in numbers of anti-Asian and anti-Black hate crimes,
50 according to the U.S. Department of Justice, and

51 WHEREAS, King County declared racism a public health crisis in June of 2020,
52 and

53 WHERAS, in May 2021, the Washington state Attorney General's Office
54 announced the formation of the Missing and Murdered Indigenous Women and People
55 Task Force to address the epidemic of disproportionate violence against Indigenous
56 people.

57 WHEREAS, the Seattle police department's bias/hate crime data dashboard shows
58 cases involving hate crimes, bias incidents and crimes with bias elements in the city of
59 Seattle. In 2020, the data dashboard showed 497 hate/bias crimes based on race, of
60 which 55 percent were anti-Black, 10 percent anti-Asian, 9 percent anti-Latinx and 2
61 percent anti-Arab. In addition, there were 134 hate/bias crimes and incidents based on
62 sexual orientation, 22 based on gender identity and 38 on religion in 2020. In 2021, the
63 total number of hate/bias crimes and incidents in Seattle increased by 27 percent to 632,
64 of which 48 percent were anti-Black, 18 precent anti-Asian, 9 percent anti-Latinx and 2

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65 percent anti-Arab. There were an additional 140 hate/bias crimes and incidents based on
66 sexual orientation, 31 on gender identity and 27 on religion in 2021, and

67 WHEREAS, according to data compiled by California State University's Center
68 for the Study of Hate and Extremism, anti-Asian hate crimes in 16 of America's largest
69 cities spiked in the first quarter of 2021, going from 36 incidents in the first quarter of
70 2020 to 95 in the first quarter of 2021, which is an increase of 164 percent, according to
71 the center's data. The 2021 first quarter increase follows an historic surge in anti-Asian
72 hate crime that started in 2020. In 2020, anti-Asian hate crime increased 146 percent
73 across 26 of America's largest jurisdictions that comprise over 10 percent of the nation's
74 population, according to an updated analysis of official preliminary police data by the
75 center, and

76 WHEREAS, a separate group, Stop AAPI Hate, launched a reporting site where
77 individuals who have experienced anti-Asian American Pacific Islander hate incidents
78 can report their experiences. From March 2020 to March 2021, the reporting site
79 received over 9,000 reports of hate incidents, and

80 WHEREAS, the King County prosecutor's office has reported a total of ninety-
81 five filed cases involving hate crimes perpetrated in King County since 2020, and

82 WHEREAS, it is well-established that victims of hate crimes under report
83 incidents of violence to due to social stigmatization and fear of reprisal. International
84 research into hate crime shows that those crimes are less reported to the police than non-
85 hate crimes, and most victims do not report their hate victimization to the police or to
86 other organizations, and

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87 WHEREAS, researchers note that underreporting is the result of suspicion of
88 government agencies among some marginalized communities. For some communities,
89 that suspicion stems from the historically poor relationship between state agencies and
90 communities. In addition, those victims fear being subject to discrimination, and even
91 victimization, by police or other criminal-justice agency staff, and

92 WHEREAS, there are also practical limitations that prevent hate crime victims
93 from reporting. Those are issues affecting the accessibility or adequacy of existing
94 reporting mechanisms for victims. For example, limited access to translation resources
95 for some groups is a barrier to reporting, and

96 WHEREAS, the King County Coalition Against Hate and Bias, which established
97 the Hate and Bias Response Survey, reports that the survey has recorded five hundred
98 forty-two incidents since its initiation in 2020, and

99 WHEREAS, other jurisdictions have established hate crime hotlines and reporting
100 programs. Those programs are run by either law enforcement or prosecutors, where
101 victims would be reluctant to use those programs because of mistrust or suspicion of the
102 organizations, and

103 WHEREAS, on May 20, 2021, President Biden signed Pub. L. 117-13, the
104 COVID-19 Hate Crimes Act, which requires the federal Department of Justice to
105 facilitate the expedited review of hate crimes and reports of hate crimes. In addition, the
106 legislation requires that the federal government issue guidance for state, local and tribal
107 law-enforcement agencies on establishing online hate crime reporting processes,
108 collecting data disaggregated by protected characteristic, such as race or national origin,
109 and expanding education campaigns. The bill also establishes federal grants for states

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110 and local governments to implement the National Incident-Based Reporting System and
111 to conduct law enforcement activities or crime reduction programs to prevent, address, or
112 respond to hate crimes;

113 NOW, THEREFORE, BE IT MOVED by the Council of King County:

114 A. It is the intent of the council that the executive develop a plan to expand King
115 County's Coalition Against Hate and Bias non-law enforcement community-based
116 countywide hate crime reporting system for persons experiencing hate crimes and hate
117 incidents.

118 B. The executive is requested to convene a workgroup to develop a plan to
119 expand a community-based Stop Hate Hotline to include telephone and web-based online
120 portals for reporting hate crimes and hate incidents. The plan should also include both
121 incident reporting requirements for data collection purposes and an attendant public
122 awareness campaign. In addition, the plan should also identify the office of equity and
123 social justice as the hosting agency in partnership with members of the King County
124 Coalition Against Hate and Bias. The workgroup should include staff from the
125 department of community and human services, the office of equity and social justice and
126 representatives from the King County Coalition Against Hate and Bias. The workgroup
127 should also include members of the prosecutor's office and the sheriff's office when
128 necessary. Workgroup members who are not paid employees of King County or who are
129 not being compensated for their participation on the work group through their employer
130 should be compensated at a rate of \$100 dollars per meeting they attend.

131 C. The Stop Hate Hotline should have four goals:

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132 1. To provide a means for victims and survivors of hate crimes or incidents to
133 report the crimes or incidents to non-law enforcement community-based service
134 providers who would then help the victims, if desired by the victims, report the crime or
135 incident to law enforcement authorities without fear of retribution or mistrust;

136 2. To provide access to services for the victim regardless of the whether or not
137 the incident is reported to law enforcement;

138 3. To raise public awareness about the nature of hate crimes and hate incidents,
139 how and where they occur locally and how to report them; and

140 4. To collect and report countywide data on hate crimes and incidents.

141 D. The workgroup should to the extent feasible use successful strategies
142 developed in other jurisdictions in developing a plan for the hotline, web portal and
143 public awareness campaign.

144 E. The workgroup should, to the extent possible, recommend data collection and
145 reporting systems that meet the federal standards to be established pursuant to Pub. L.
146 117-13, the COVID-19 Hate Crimes Act, and explore how the county can obtain federal
147 technical assistance and grant funding for these programs.

148 F. The workgroup should identify the minimum service requirements for a
149 hotline and web portal contractor, including:

150 1. Identification of populations to be served;

151 2. Service hours;

152 3. Data recording and reporting requirements;

153 4. Systems to engage victims with law enforcement agencies in the event of a
154 crime;

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- 155 5. Procedures to ensure victims can access appropriate services;
156 6. Language access for non- or limited-English speaking communities; and
157 7. An estimate of projected funding and other resources needed to establish a
158 hotline, web portal and reporting system.

159 G. The workgroup should explore partnership opportunities with existing service
160 providers who already work with communities that have been subject to hate crimes and
161 incidents. In addition, the workgroup should identify federal technical assistance and
162 grant funding for these programs available through Pub. L. 117-13, the COVID-19 Hate
163 Crimes Act, and to explore how the county or contractor can use these funds to offset the
164 costs of the developing, implementing and operating the hotline, web portal and reporting
165 system.

166 H. The public information materials used for the hotline and in the public
167 awareness campaign should be accessible in multiple languages.

168 I. The workgroup should assess the distinctions between the existing Hate and
169 Bias Incident Response Survey and database and the countywide system envisioned by
170 this motion.

171 J. To the extent the workgroup believes meeting the goals stated in section C
172 above may be better achieved through approaches different from those identified in this
173 motion, the executive is encouraged to include these recommendations in its report.

174 K. The executive is requested to provide an update on the progress of the
175 workgroup and potential recommendations by May 2, 2023, and a plan for the
176 establishment of the hotline and public awareness campaign by September 15, 2023, in
177 the form of a paper original and an electronic copy filed with the clerk of the council,

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178 who shall retain the original and provide an electronic copy to all councilmembers and to
179 the lead staff of the law, justice, health and human services committee, or its successor.

Motion 16218 was introduced on 5/3/2022 and passed as amended by the Metropolitan King County Council on 9/27/2022, by the following vote:

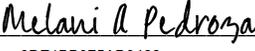
Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

7E1C273CE9994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

Attachments: None

Certificate Of Completion

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Source Envelope:	
Document Pages: 9	Signatures: 3
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Cherie Camp
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	401 5th Ave
	Suite 100
	Seattle, WA 98104
	Cherie.Camp@kingcounty.gov
	IP Address: 198.49.222.20

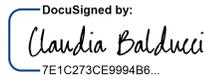
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Signer Events

Claudia Balducci
 claudia.balducci@kingcounty.gov
 Council Chair
 King County General (ITD)
 Security Level: Email, Account Authentication (None)

Signature

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 Signature Adoption: Pre-selected Style
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Melani A Pedroza
 melani.pedroza@kingcounty.gov
 Clerk of the Council
 King County Council
 Security Level: Email, Account Authentication (None)

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Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps

Envelope Summary Events	Status	Timestamps
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Payment Events	Status	Timestamps
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