Transcript of the December 15, 2021 webinar:
Measuring Hate Crime in the U.S.

DARYL FOX: Good afternoon, everyone. And welcome to today's webinar, Measuring Hate Crime in the U.S., hosted by the Bureau of Justice Statistics. At this time, it's my pleasure to introduce Heather Brotsos, chief of Victimization Statistics Unit within the Bureau of Justice Statistics, for some welcoming remarks and introductions. Heather?

HEATHER BROTSOS: Good afternoon. And thank you for joining today's webinar, Measuring Hate Crime in the United States. My name is Heather Brotsos and I am chief of Victimization Statistics at the Bureau of Justice Statistics. The topic of hate crimes has garnered a lot of attention in the public discord this year. For today's webinar, we've selected a series of presentations that examine measurement of hate crime through sources across the criminal justice system.

Our first speaker, Ebo, will present findings on hate crime prosecutions over time. Next, Erica will discuss trends in hate crimes recorded by law enforcement through the FBI's Uniform Crime Reporting Program. Following Erica, Grace will discuss findings on hate crime victimizations collected through the National Crime Victimization Survey, the NCVS. And finally, Lynn will provide an overview of recent testing efforts conducted by BJS and RTI to improve the measurement of hate crime in the NCVS. Following that, I'll moderate a Q&A session with our panelists. So, please remember to enter your questions into the Q&A window and we'll queue those up for everyone at the end. So with that, I will introduce our very first speaker.

Dr. George Ebo Browne is a statistician in the Prosecution and Judicial Statistics Unit of the Bureau of Justice Statistics. His main duty is overseeing BJS projects that examine the judicial system. Currently, Dr. Browne serves as Project Manager for the National Survey of Prosecutors and criminal cases in State Court's data collection. Additionally, he assists in operations of the Federal Justice Statistics Program. Prior to joining BJS, Dr. Browne was a senior research analyst for the Kansas Sentencing Commission where he also served as the state's Statistical Analysis Federal Director. He holds a Ph.D. in sociology from Kansas State University. Welcome, Ebo.

GEORGE EBO BROWNE: Thank you. Thank you for that great introduction. And thank you guys all for turning in this afternoon, really excited about this presentation. So this report wouldn't be right if I didn't give due diligence to the office of—our main reporter, Mark Motivans. He's actually a BJS statistician as well in my unit. He published a report titled the same as this presentation, "Findings from Federal Hate Crime Prosecution 2005-2019." And that report can be found on the BJS website. So definitely give that a read because this presentation is a quick overview of that. So focused on today's

presentation, the stat is derived from BJS's Federal Justice Statistics Program or FJSP. Be sure to get out the—get out the mouth with those acronyms. But FJSP is a very interesting collection. It tracks offenders from—or defendants from arrest all the way through the correction site of the federal system. And there's six federal justice agencies that collects data, from the U.S. Marshals, the DEA, Executive Office of the U.S. Attorneys, Administrative of the U.S. Courts, the Federal Bureau of Prisons, and the U.S. Sentencing Commission. Today's report looks at that data from the Executive Office of the U.S. Attorneys and the U.S. Courts—Administrative Office of the U.S. Courts. Next slide, please.

So, it's really important to make sure we all have a clear understanding of what a hate crime is, and we actually have a solid definition of it from the U.S. Department of Justice Civil Rights Division. So they define hate crime as an act of physical harm, specific criminal threats motivated by animus based on race, color, national origin, religion, gender, sexual orientation, gender identity, or disability. I think I really—this definition is right because it's more encompassing than, you know, a lot of times we think of a hate crime we think of maybe just race, religion, but it's much more encompassing than that, so it's important to keep the definition in mind throughout today's presentation. Another thing to—important to keep in mind is the federal statutes for hate crimes that are listed here, not necessarily—it's not necessarily to memorize them but just keep it in the back of your head as I talk because I'll be referring to some of these throughout today's presentation. But there's the federally protected activities, the damage to religious property, The Matthew Shepard and James Byrd Hate Crimes Prevention Act of 2009, and the Criminal Inference—excuse me, Interference with Rights of Fair Housing. Just keep those in mind as we're going today.

So looking at suspects in hate crime matters investigated by U.S. Attorneys, so during the 15-year window we're looking at, so from 2005 to 2019, there were 1,864 hate crime suspects referred to prosecution to U.S. Attorneys from federal judicial districts in all 50 states. If my recollection serves me right, there's, I think 94 federal judicial districts. So since we've had at least one hate crime offense investigated for any judicial district throughout the time period of this report. So, hate crime matters investigated by U.S. Attorneys' Offices declined 8%, from 647 during 2005-2009 to 597 during 2015 to 2019. So that's the first group 2005-2009, to the latter end, 2015-2019, actually saw a reduction. In the latter portion, so from 2015 to 2019, nearly half of the 597 suspects investigated for hate crimes were referred to U.S. Attorneys for the Hate Crime Prevention Act or HCPA violations. If you see the charts there in the corner, one thing to note is that the Hate Crime Prevention Act was, you know, took—as I said earlier, took the majority of offenses during the early parts of it, but it actually was not a large—yeah, it was not—being practiced and—for the earlier part of it. Another interesting thing you'll

notice there is that the Fair Housing Offense has really dropped down throughout the later years, so just—it'd be interesting to note. Next slide, please.

So looking at investigations on Federal Hate Crimes, nearly one-third or 32% of hate crime suspects referred to U.S. Attorneys in federal judicial district in California, which was 11%, and also in Michigan, Mississippi, and Ohio, which were 5% each. You see that chart there in the corner, it's color coded so if you see the darker, what is that, maroon or reddish, means that they had a lot of offenses in that—in that area. So, yeah, just interesting to note there of where those—where the main bodies of hate crimes are—were coming from. Another interesting fact is that the FBI agency for referral, for the majority, almost 90% of federal hate crime matters investigated by U.S. Attorney's Office. Next slide, please.

So investigating federal hate crimes. Again, looking at—so 63% of hate crime matters investigated by US Attorneys during 20—2005-2019 involved only one suspect, while 37% involved multiple suspects. The number of suspects range from two to 10 persons per matter. And hate crime matters over fair housing and HCPA violations were the most likely to involve multiple suspects. Conversely, matters involving damage to religious property were the least likely to involve multiple suspects. Next slide, please.

So prosecute—looking at prosecution of federal hate crimes. So, U.S. Attorneys prosecuted 17 percent of suspects in matters investigated for hate crimes during the 2005-2019 block. So US Attorneys declined to prosecute 82% of suspects and 1 percent were prosecuted by U.S. Magistrates. I always thought this part is interesting, so more than half, 55%, were not prosecuted because of insufficient evidence, the most common reason across all three five-year periods. And the second most reason was prioritization of federal resource. That's up 15% of the cases that weren't prosecuted.

Again, looking at prosecution of federal hate crimes, between 2005-2009 and 2015-2019, so that first block of the time period, the first five years and the last five years of this period that we're looking at, they share declinations due to insufficient evidence rose from 49 percent to 63%. The share due to policy of DOJ or US Attorneys' offices fell from 16% to 7%. Use of alternatives to prosecution increased from 1 percent to 11 percent across those periods, while declination due to prosecution being legally barred decreased from 19% to 4%.

So now looking at hate crime cases in U.S. district courts. So during the window of this study, so 2005-2019, 310 defendants were charged with a hate crime in cases terminated in US district courts. So there are a total of 202 defendants, so roughly 65% were charged with a hate crime as the most serious offense, and 108, or 35%, had

a hate crime as a secondary offense. So looking at that second group that 108, or 35%, that had hate crime as secondary offenses, among these defendants, the most serious offenses charged were included conspiracy against rights, so that was 16.5%, explosives used in a felony, 7.4%, explosive-related offenses—explosive-related offenses, excuse me, 3.5%, and firearms and violent offenses, that was 5.2%.

Again, looking at hate crime cases in U.S. district courts, from 2005 to 2019, a total of 284, or 98—92%,of the 310 defendants in hate crime cases were convicted. So 40%of these occurred in just six states, and those six states are New York, California, Texas, Arkansas, Tennessee, and Pennsylvania. It's interesting to note that, I mean, those are our largest states where the—where the two—three—the three top states are, you know, the largest in population sites. So that's not too surprising there but just interesting statistics. Also in the corner, you see that chart there, it kind of breaks, that's kind of pointing back to the slide before, it talks about the number of defendants charged for hate crime cases terminated in U.S. District Courts, we looked at the most serious offense. One thing, like I noted earlier, the Hate Crime Prevention Act was not around on the—from 2005-2009. That's why it's not being captured. And also interesting to see the fair housing also reduced. Another interesting point on this picture here, or this image here, is that conspiracy against rights was a huge issue 2005-2009, they represent a large of the—a large amount of our hate crime cases, but then it really was reduced to the latter half of the—of the latter portion of this report, just interesting points, like, that's all. Next slide, please.

Okay. So this last slide here, okay, Prison Sentences for Federal Hate Crimes. So 85%of defendants convicted of a—of a hate crime from 2005-2019 received a prison sentence. About 14%were sentenced to probation only, and 1%received a suspended sentence. So essentially, the majority of people who were convicted of a federal hate crime were sent to prison. The likelihood of receiving a prison sentence was greatest for defendants convicted of HCPA violation, or HCP violations, excuse me. The lowest for defendants convicted of damage to religious property. The average prison sentence in all hate crime convictions doubled between 2005-2009 and 2015-2019, so it changed—it rose from 62 to 125 months, so pretty substantial change there. HCP violations received the highest average sentence among hate crimes, charged as the most serious offense, because they're averaged around 126 months, and that was followed by damage to religious property, 44 months, federally protected activities, 39 months, and fair housing offenses, that's 35 months. Next slide, please.

And that's it. I think we're going to hold off on questions for the end. So there's my contact information, so if you have any questions, put them in the chat box, and feel free to send me an email. And thank you for the time.

HEATHER BROTSOS: Thank you, Ebo. What an interesting overview. Our next presenter is Erica L. Smith. Erica is unit chief of the Law Enforcement Incident-Based Statistics Unit at the Bureau of Justice Statistics. She has more than 20 years of experience in conducting research and data collection in the field of criminal justice. Ms. Smith currently directs the National Crime Statistics Exchange Initiative at BJS. A joint effort with the FBI to increase the reporting of incident-based crime data by law enforcement agencies to the FBI's National Incident-Based Reporting System, NIBRS. She oversees the development of estimation methods that will use NIBRS data to generate national estimates of crime and arrest. Her research interests focus on elder abuse, intimate-partner homicide, and developing methods to connect calls for service and other police event data to crime incidents. Welcome, Erica.

ERICA SMITH: Thank you, Heather, for that introduction. I appreciate it. Good afternoon. Thank you all for joining us today. I'm going to speak a bit this afternoon about hate crime data that are reported by law enforcement agencies to the FBI's Uniform Crime Reporting Program. I'm going to talk a little bit about the background on the FBI UCR Hate Crime Statistics Program, go into a little bit of information to showcase the findings from a report that we released using this data, released back in September of this year, and then talk a little bit about the identification and recording of hate crimes data, and its impact on our opportunities to improve the way that hate crime are submitted by law enforcement agencies over time. Next slide.

So let me talk a little bit about the background on hate crime data that are reported by—that are recorded by law enforcement. So these data are collected right now through the FBI's Uniformed Crime Reporting Hate Crime Statistics Program. I believe that their first—the first set of data recorded under the—reported out, I should say, under this program occurred in the mid-1990s, 1996, I believe is the first report that you can find online. And it collects data on crimes that were motivated by some type of bias by the offender. There are six different categories of biased motivation. And within those six different categories, a total of 34 different specific types of bias that agencies can record. And over time, these have grown—the number of categories has grown with changes to the legislations and requirements for the FBI to collect additional information, and so this is— this is the number of categories right now. And next slide, please.

One of the things the law enforcement agencies have to do before they can actually record something as—record a crime incident I should say, as having a related biased motivation is determined if the classification is applicable to that particular offense. So in this slide, I've listed the certain offenses that are eligible to be classified as a hate crime,

if any other offense—if the offense that occurred within an incident is any other offense from these then typically a biased motivation cannot be connected to that particular incident. Next slide.

The next step in determining if the hate crime—or a hate crime classification I should say, is applicable is that agencies are required to use a two-tier decision-making process in order to make this assessment. So the first tier is typically of the responding officer, that can be someone who actually shows up on scene or it can be someone who takes the report after the fact, it just depends on the circumstances. That person is responsible for determining if the incident had any indication of biased motivation by the offender. There can be any number of different questions that are asked and there's a lot of training available to agencies showcasing the particular types of incidents that might qualify in order to query agencies on their ability to make those distinction. If the initial first-tier responding officer or someone in that particular role determines that there might be biased motivation as part of that incident, they then forward the case to the second-tier reviewer. Typically, that's going to be in an agency. It's going to be a sergeant or the person assigned to review—who typically is reviewing the reports of responding officers on a day-to-day basis. This person will review the available facts and make a final determination of whether the hate crime classification is applicable. And it's usually someone who is trained in or has experience investigating hate crime. Next slide.

We will talk a little bit now about some of the findings from the UCR Hate Crime Statistics Program. So looking at data for the 10-year period 2010 to 2019, overall, the total number of hate crime incidents increased 10% during that time period. We did see a bit of a decrease between in that first half of the time period 2010 to 2014, where the number of hate crime incidents submitted by law enforcement agencies to the FBI decreased by about 17%. But then, we saw an uptick of 25% then from 2015 through to 2019. Next slide.

During the same time period, the majority of hate crime incidents were crimes against person, so not just person crimes can qualify for a hate crime classification. So we did take a look in the report at the type of victims that were—that were targeted in these incidents. And across that 10-year period, the majority were persons but then another 40%—41% excuse me of those incidents involved crimes against property. And similarly, the majority of hate crimes that were reported—the majority of hate crimes were reported as having individual victims as the target of the incident, whereas nearly the—nearly all of the remaining incidents were committed against property alone. So no individual person was targeted during those events. Next slide.

Thank you. Bias against race, ethnicity—race and ethnicity, or ancestry accounted for more than half of the hate crime incidents recorded by law enforcement in 2019. So even during this time period, you see the same kind of trend line that the number of incidents that were motivated by bias against race and ethnicity, my goodness, or ancestry, decreased during that first half of that time period and then increased in the second half of this past decade. And the number of hate crime—hate crime victims, I should say, that were motivated by race, ethnicity, or ancestry bias was stable—the number of incidents was stable, but the number of victims decreased by about 3%. And most of that decrease came in the total number of victims per incident that were targeted in previous years—in some of the previous years of that decade within that time period, there was a larger number of incidents that involve multiple victims than in those—than in the later years that we examined in this report. Next slide.

An anti-black or anti-African American bias motivation accounted for nearly half of those race, and ethnicity, or ancestry motivated hate crime incidents, in the time period for which we can measure that particular type of motivation. So in 2015, there was a change implemented to the Hate Crime Statistics Program that allowed us to break out these different categories, this specific subset of categories or type of bias among the categories—among the different types of race, ethnicity, or ancestry bias. So that we were able to specifically look at some of these particular groups of interest such as the anti-Black or African American, the anti-Asian, the anti-Arab, and the anti-native Hawaiian, other Pacific Islander categories, which was not possible prior to 2015 to break these things out specifically.

As you can see in the figure there, and this is also discussed in the report, the vast majority of incidents of race, ethnicity, or ancestry bias were anti-Black or African American, followed by anti-white bias, which involves 18% of victims, another 11%of victims were targeted due to anti-Hispanic or Latino bias. And the total number of incidents in victims of anti-Asian bias accounted for about 3% of cases within that same time period 2015 to 2019. Next slide.

Overall, when we look at the trend lines, I'm sorry, if this doesn't show up super well, those bottom few lines there, kind of, merged together in the slide. But looking at the trend over time in these different categories of race, ethnicity, or ancestry bias, hate crimes motivated by bias against Blacks or African Americans, against Asians and against Arabs rose during that time period. And the number of victims of anti-Hispanic or anti-Latino bias also rose. And we are going to look hopefully over time in the future to see if some of those trends continue, and to try to parse it out how much of this is actually due to changes in reporting practices and capabilities within local law

enforcement agencies, and how much of it is attributed to real changes in case numbers. Next slide.

So now that brings me to talking a little bit about identifying and recording hate crime. Next slide. So I wanted to give a little bit of background about how data actually gets to the FBI. These slides are mostly applicable to the majority of the law enforcement data collections that the FBI manages within the Uniform Crime Reporting Program. The data—the initial set of data are generated by the local law enforcement agency, regardless of the type of agency in general. And the typical route for reporting them is for that local agency to then send their data in a specified format to the state Uniform Crime Reporting Program which manages the collection of data recorded by law enforcement agencies for each individual states, for the most part. And then—and then the state UCR Program pulls all that information together and reports it then to the FBI UCR Program.

In this case, this would be the data on hate crimes is a specific targeted data collection of its own, at least until this coming year. And so those agents—the agencies submit their data to the state and then the state to the federal program. Next slide.

So let's talk a little bit about how the data would actually get into the law enforcement system. And we can start to see where we could work to improve some of the information that we collect over time. So an incident is reported to the police and we have a certain source of that incident information. It will often make a difference whether this was something that was reported by someone out in the community through some type of call for service or request for help from law enforcement or some other emergency response organization, or whether it is something that was generated by the officer when they were, you know, they came upon an incident or something of that nature. And then the next—the next thing to look at is whether that incident was founded and if a report was taken. So then if a report was taken, that's often where data will then end up recorded, in a law enforcement information system—information management system of some sort. So the initial incident information will be recorded in the Record Management System. And then there may be follow-up investigative findings. And that really depends on the nature of the incident, the viability of the case based on the initial incident information, and some other probably on the ground factors that would—that would affect whether there's a good amount of follow-up investigation that occurs on each of those incidents.

And then some additional information that is going to be—to be determined at the time of the incident and may or may not be information that's recorded quickly enough to actually be part of the data that are submitted by law enforcement agencies at the time

that is requested by the state program and by the FBI is some of the follow-up outcome and response data, such as whether an arrest was made or any other type of clearance of the case occurred. And then other pieces of information that may not have been available at the time that the initial incident report was taken, such as if there are any additional offenses that need to be added to that incident, if there was an injury to the victim, what the status of that injury was. Any weapon that was present during the— during the incident, those are the kinds of things that may or may not be in the initial report. But that may actually be something that ends up in the system later on down the road but isn't populated in that law enforcement Record Management System until after the data are already sent to the state and then onto the FBI. Next slide.

So law enforcement agencies save—record their incident information via a Record Management System and that RMS is used—the RMS is actually used by the agency and can impact the ability to code or detect state crime incidents. Again, we've got some of these initial intake considerations: what's the amount of information that was recorded in that initial incident report; the ability to update case information. We've run across a number of even large law enforcement agencies and the work that we've been doing specifically with the agencies to get them to report incident-based data, we've run across a number of different agencies that some of that investigative information is not housed within the main Record Management System. It's an ancillary system that is maybe only accessed by, in some instances, just a subset of officers such as a detective or a sergeant who may be doing a review on an—on an overall case. And so we've had some issues actually, with agencies being able to connect that information and provide a comprehensive incident report for each of those. There may be inadequate tracking of cases over time through that investigative process as well, so not only just the ability to update the case information but to connect all the pieces of the case across the various folks within a law enforcement agency that may touch the information. There's often a difficulty in detecting patterns across cases. So if you've got any type of hate crime incident, and this applies to other types of cases too, such as human trafficking, is the one that comes to mind specifically. If you've got a pattern of behavior out in the community, it may be difficult to detect that you've got two, or three, or four cases where the same MO is being used, the same, you know, the same description of the suspect is being provided by victims or witnesses, that can be difficult within some of the RMS features that we've seen within local law enforcement agencies. And that can also be impacted by the age of the RMS, whether it's been updated recently, and then the system adaptability and how much it can be modified to actually measure some of these new and emerging issues over time. Next slide.

Another challenge in collecting data on hate crimes has to do with definitional issues. So the FBI UCR Program does an extremely comprehensive and thorough job of

identifying the ways in which data are supposed to be cross-walked into these uniform categories. So they provide a lot of different examples of specific scenarios that an officer or an agency may encounter in order to allow agencies to understand how they should code it, so that they minimize the amount of variability from one place to another that occurs. But we still do have an absence of common state-to-state definitions. Again, that's applicable to more than just hate crimes but does affect hate crime data.

And then we've also got different definitions as defined across the various state statutes. So not only is there a different understanding of what constitutes a hate crime from place to place but then also the interpretation of these different statutes will— statutes will vary from place to place as well. And then we also have difficulty benchmarking and doing risk assessment for hate crime. It's difficult to know if the incident and victim counts that are being provided by agencies are reasonable, particularly for those places that report zero on hate crime. So, you know, within the number of agencies that submitted hate crime data in 2019, I don't remember the exact number, but I want to say it was upwards of around 8,000 to 9,000 agencies reported that they had no hate crimes, no incidents that involved any type of bias motivation by the offender. And it's difficult to know if that's actually a reasonable submission or not. And then we also have inadequate capacities for identifying and tracking victim. And really understanding when and where people are most at risk in order to really look at population-based rates of hate crime. So we can do that looking at the particular submission by a state and we can calculate those population-based rates for the state and then for the nation, but then, not really having the ability to understand that that's where someone is from and how people might move from one place to the other. In addition to not knowing of those zero counts and other things like that are very reasonable, impacts our ability to do any kind of risk assessment.

In terms of improving data on hate crimes, it is imperative to determine the responsible party for recording whether that incident actually has any type of bias motivation associated with it. So under the hate crime—the Hate Crime Statistic Program managed by the UCR, the assumption is that law enforcement agencies do have a say in determining whether that bias motivation exists. But it may be that within each local jurisdiction, that's the decision that's actually made by the local prosecutor or the state Attorney general's office depending on the structure within the state. And so having some sort of understanding of how that may impact the data that are submitted by a local law enforcement agency would be really—it's really important for us to work to get more information over time. So we have a better understanding of the quality and completeness of hate crime data that are submitted by law enforcement. And it also may be useful in the future to find a way to supplement that law enforcement data with information from other sources. Like victim service organizations that are quite close to

the people who are affected by hate crime. Federal prosecutors who has, you know, as Ebo was showing in his presentation, they manage a lot of activity related to hate crime that local law enforcement agencies may or may not be recording, and trying to understand what that overlap is and how often cases get shifted from local jurisdiction to federal jurisdiction would be important and then as well as State Prosecutor. So, as I said, this idea that the interpretation of the hate crime statute falls to this—to some type of legal authority such as a prosecutor or an attorney general, it would be really good to understand how much more we can learn about hate crimes by looking at those data as well.

And some other things to consider in data collection that I'll leave you with at the end of this presentation, questions that we're—we would need to have a good understanding of in order to know: Are we really hitting our target with these hate crime data that are submitted by law enforcement agencies? What would be the gold standard of data on hate crime? How would we be able to pull information from various sources together to say we have what we think is a relatively comprehensive picture of hate crime in the United States? And why? And then what are the goals of that gold standard? Can the goals be met by other methods of data collection? And then what improvements in training for the detection of and response to hate crime incidents enhance the quality and completeness of the data collected? So that's something that BJS is looking into in conjunction with the FBI, as the FBI works to even refine further the guides that they provide out to law enforcement agencies for training on how to identify and record hate crimes within their Records Management System. Thank you very much. I really appreciate your time and attention. And I will turn it back over to Heather now. Thank you.

HEATHER BROTSOS: Thank you, Erica, for a very interesting coverage of the Hate Crime Statistics Program over at the FBI and findings from that. Next we're going to turn to a complimentary data source, the National Crime Victimization Survey, I'll introduce Grace Kena who's going to walk us through that. Grace is a statistician at the Bureau of Justice Statistics within the U.S. Department of Justice. Ms. Kena's work and areas of interest include patterns and trends in crime victimization, education, and labor force outcomes. As well as hate crime, firearm violence, police public contact, sub national estimation, survey development, and methodological work and planning for the National Crime Victimization Survey. Among Ms. Kena's interests are facilitating the use of data to informed decisions and making research accessible to general audiences. She holds a bachelor's degree from the University of Chicago and a master's degree of public policy from Duke University. Over to you, Grace.

GRACE KENA: Thank you, Heather. Thank you, everyone, for joining us today. I'll be talking about findings from our recent report on Hate Crime Victimization using data from 2005 to 2019. And to give a bit of background, the National Crime Victimization Survey is one of the nation's two major sources of data on criminal victimization. Erica was just discussing with us the UCR, which is the other. NCVS collects information on non-fatal violent and property crimes that are reported and not reported to police and enables us to measure what's called the dark figure of unreported crime. So the NCVS was developed as a complement to the UCR. And a key strength of this survey is the ability to capture crimes that are not reported to law enforcement and to be able to get information about those particular crimes. The NCVS data are collected by staff from the U.S. Census Bureau. And among some of the design features of the NCVS included being a nationally representative, panel-survey, so households are selected to be included in the sample from the general population and they rotate in and out of the sample on an ongoing basis; selected household stay in sample for three-and-a-half years. So among households that are sampled, persons age 12 or older are asked about whether they experienced criminal victimization during the prior six months and are asked information about their demographic characteristics as well as information about any victimization incidents that they experienced. So, information about the offender, about where the incident occurred, what time of day, et cetera.

In order to make the NCVS data representative at the national or other levels, a representative of groups survey weights are applied to the data to be able to produce our victimization estimates. For more information on the NCVS, you can take a look at the link on the screen here.

So as Erica and Ebo have mentioned, there are particular definitions around what a hate crime is. So first, it may sound obvious, but a crime has to occur. We get a lot of data through the NCVS and not every incident that happens is ultimately classified as being criminal in nature. So we have to have a crime. And we have to have a motivation for committing that crime that's based on bias. So like the UCR data are based on the Hate Crime Statistics Act, which categorizes which types of hate crimes can be included in our official hate crime statistics. Next slide.

So a bit more about measuring hate crime in the NCVS, the series of questions on this topic were first added to the instrument in 1999. And data have been reported out beginning at about 2003. So like all NCVS data, every piece of information that we have on hate crimes is from the perspective of the victim. In order to classify as a hate crime in the NCVS specifically, there has to be a personal or property crime that occurred at least one of three types of evidence of a bias motivation, and those include police confirming that a crime is a hate crime, and they also include victims seeing evidence

based on hate symbols that the offender left behind or hate language that the offender used during the incident. And finally, the bias has to be against particular characteristics that are protected that were listed on screen a couple of slides ago.

So NCVS data on characteristics of hate crime victims, offenders, and incidents often have to be reported using particular techniques, including rolling averages and aggregating data years, because of the nature of the survey data and the incidents of hate crime being relatively rare compared to crime as a whole, especially violent crime. So these steps ensure that the estimates that we are able to put out are reliable and stable and allow us to make comparisons across groups and over time.

Turning to some of the findings from the report, so this slide shows the overall number of violent victimizations in 2019. So just over 6 million and of that, looking to the right, we see that there were just under 270,000 hate crime violent victimizations that were captured by the NCVS. Next slide.

So looking here at some trends over time between 2005 and 2019, the latest data year that was available at the time we're putting this report together, we see some fluctuation across overall violent hate crime victimization, simple assault and aggravate— aggravated assault. But in the end the estimates were not statistically different between 2005 and 2019, and over most of this period with a few exceptions. So in 2019, the rate per one thousand persons age 12 or older was at about one hate crime in terms of the rate.

Looking at hate crime victimization by crime types. So here we had to pull together five years of data to be able to drill down into these more specific crime types. We see here that the majority in terms of the broader category of hate crimes were violent, and just about 10 percent were property crimes. So looking at the detailed crime types, the majority of hate crimes were simple assault victimizations, and those include victimizations where the victim was attacked or threatened with an attack, but there was no injury or just a minor injury as a result of the incident. Next slide.

So this slide looks at crime type, but at the larger violent versus property crime categories, and the bias motivations that motivated the incident on the part of the offender. So for both violent and property crime, a large majority of crimes involved race, ethnicity, and national origin bias, and also note here that these percentages don't sum to 100because victims could report more than one bias motivation on the part of the offender. But one interesting difference here is that race ethnicity, national origin aside, property versus violent, you see some differences and what were the—some of the sort of second tier in terms of the largest percentage categories with disability, and

religion, and gender being much higher on the property side than they were on the violent side. Next slide.

So here we are looking at violent crimes victimization. And most of the report focuses on violent crime just because those are the majority of the hate crime victimizations in where we had enough cases to be able to drill down further. So we see here that 42% of violent hate crimes were not reported to police in this five-year period of 2015 to 2019. And looking at some of the reasons that victims didn't report to the police, the largest percentage was that the victim dealt with the incident another way, so that includes reporting to someone else other than police, such as a school official, for example, if it involves someone who was in school, or dealing with the incident informally. And then we see some of the other reasons here as well, including the incident not being important enough to the respondent. And you can get more information on what each of these categories includes in the report and not wanting to get the offender in trouble or being advised not to report. Next slide.

So here, in order to look at more detail on victim personal characteristics, we had to aggregate 10 years of data. So we are looking here at the period of 2010 to 2019 for these estimates. And there was no statistically significant difference between males and females when looking at violent hate crime rates during this period. But by race, you do see some more differences with persons who were American Indian, Alaska Native and up two or more races, those are included in the other category, which we were not able to break out individually they're reported together as a group having a rate per 1,000 persons of 2.4 and Hispanic persons having a rate of 1.1.

Looking by age, we see that persons ages 12 to 17 at a rate of 1.5, whereas persons age 65 or older had a rate of 0.1 during this period.

So this slide takes a look at hate crimes versus non-hate crimes. So that's breaking out all violent victimization incidents into those that involve hate and those that didn't, and then comparing the two. So looking at relationship to the victim, the—a sizable majority of crimes that were hate crimes involved a stranger, 56%compared to about 37% for non-hate crime. And looking at the number of offenders, we see that non-hate crimes were largely more likely to involve only a single person versus hate crime. So hate crimes were more likely to involve strangers and multiple offenders during this period. Next slide.

That was just a brief overview of some of the information in the report. Links to the report to our BJS Hate Crime topic page, and to the NCVS data collection page are here on screen. And please feel free to contact myself or my coauthor, Lexi, for more

information on anything that I've presented here today. Thank you. I'll turn it back over to Heather.

HEATHER BROTSOS: Thank you, Grace. Our last presenter is Lynn Langton. Lynn is a senior research criminologist in the Victimization and Resilience Program at RTI International. Her research is focused broadly on victimization, victim services, hate crimes, financial fraud, and white collar crime, and survey methodology. Currently, Dr. Langton plays a key role in the national victimization statistical support program, assisting the Bureau of Justice Statistics with research analysis, data documentation and dissemination related to the National Crime Victimization Survey. She has substantial experience designing studies, developing survey instruments, collecting data from and about victim population, evaluating program effectiveness, analyzing data and disseminating findings to broad audiences. Please welcome, Lynn. Over to you, Lynn.

LYNN LANGTON: Good afternoon, everyone. And I don't know if you can hear that. But my dog is saying hello, too. So sorry about that. Thank you for that introduction, Heather. So today I'll be building on Grace's presentation and just talking about RTI's collaboration with BJS to improve the NCVS hate crime questions. Since Grace already talked quite a bit about how hate crime is measured in NCVS, I'll just be jumping right in to talk about the purpose of this testing effort, what we did, why we did it, and then of course, an overview of the results and the limitations. Okay.

So the first question you may have is why did we think improvements of NCVS hate crime questions were needed since BJS has been using the same questions since 2003, as Grace noted? And what were we trying to do with this testing effort that I'm going to be asking about? So one of the first things is that we have detected the presence of some false negative and a false positive response bias in NCVS data. So at the end of the NCVS interview form, incident form, the interviewers provide an open-text summary description of the incidents. And RTI researchers spend a considerable amount of time systematically going through those summaries and coding them, and looking for evidence of victims who are classified as having experienced a hate crime, and then comparing those to their responses to the NCVS survey items. And so we were looking for those whose description suggested that they had experienced a hate crime, but their NCVS responses didn't suggest that and then vice versa. And then we also—so we wanted to really tighten up the measurement based on what we had seen around those false negative and false positive responses.

And then the second goal of the testing was to ensure that the NCVS questions used language that was consistently understood by all respondents. The current questions use terminology like bigotry, and prejudice, which are really higher level concepts, and

so we wanted to assess whether the use of these terms could result in any measurement bias if respondents weren't interpreting them consistently. And then third, we wanted to ensure that we understood and we're correctly capturing the respondent's perception of the offender's bias. And then the final goal of the testing was to refine the questions around the evidence that the crime was motivated by hate. So Grace just mentioned this in her presentation, that in order to be classified as a hate crime incident, the victim had to report that the offender either used derogatory language during the commission of the crime, less signs or symbols at the scene, or that the incident was confirmed to be a hate crime by police investigators.

The NCVS asked about other reasons that a victim may have believed the incident to be a hate crime, things like whether they—whether the victim was at an event in a location or in a place that's commonly associated with a specific group. But those other reasons alone are not sufficient to classify the incident as a hate crime. So these evidence questions are really critical for that classification process. And we wanted to make sure that they weren't resulting in victims being incorrectly classified.

So based on work that had already been conducted prior to the point of this online testing effort, we had two versions of the hate crime questions that we wanted, and we wanted to really test out which version did a better job of addressing those goals that I just discussed. So the first version was really just a slightly modified version of the hate crimes questions that were in the field at the time. The structured flow was pretty much unchanged, but some of the wording was just tweaked and simplified. The second version was a much more dramatic shift from the current hate crime—current hate crime questions. So one of the biggest changes is that the term hate crime wasn't used in the questions at all until the very end of the series. So rather than requiring the victims to think about their incident as a hate crime, which could mean different things to different people, the questions focused on the characteristics of incidents that might classify it as a hate crime. And then the second version also got rid of some of the skip patterns that seem to be incorrectly skipping respondents out of more detailed questions about the nature of the hate crime incidents. So Version 2 was really a much more dramatic departure from what had been done in the field to that point. Next slide, please.

Okay. So we knew that in order to determine which version of the questions resulted in the smallest amount of measurement error, we needed to design a split sample test with a large enough sample that we could randomize the administration of the two versions and then have sufficient power to be able to generate hate crime—hate crime estimates and detect differences between the two versions in those estimates. But we faced some challenges to doing this. First of all, we only had a window of about six weeks to complete the testing. So it was a very tight timeframe especially for the sample size that

we were looking to conduct this—the testing with. And then that timeline challenge was compounded by the fact that, as Grace mentioned, hate crime is relatively rare compared to some of the other types of victimization measures through the NCVS. So we were really anticipating additional challenges and identifying a sufficient number of hate crime victims to really be able to detect those differences between the two versions.

So using an online survey platform was really the only way we could reach a large enough sample in that short of a period of time. But even with that vehicle, we knew we needed to extend the reference period for when someone could have experienced the hate crime so we could identify a larger number of victims. So the NCVS uses a six-month reference period; we extended that out to a three-year reference period. And we also knew that it would take too much time to have respondents go through the whole NCVS screen or an incident form in order to get to the hate crime questions. But luckily, we had an adapted version of the NCVS instrument, the BJS Local-Area Crime Survey, that was much shorter and was already developed for a self-administration. And so we use that survey instrument to screen for respondents that had experienced the victimization in the prior three years, and then administered the hate crime questions to those victims. Next slide, please.

We conducted the testing from the very end of August through the beginning of October. We administered the survey to over 4,000 respondents who were randomized against the—one of the two versions of the hate crime questions. And then in addition to collecting the quantitative survey data, respondents who answered affirmatively to the hate crime questions, whether or not they were classified as hate crime victims by BJS, if they had an affirmative answer to any one of the hate crime questions, they were asked to provide an open-text description of the incident, since these descriptions had been so important for us previously in assessing false positive and false negative assessments in that initial work that I referenced. And then on top of that, we also offer those who completed the survey a chance to participate in an in-depth cognitive interview. So we were able to use this online survey platform also as a recruitment tool for conducting qualitative interviews that provided a lot more context to the findings that we were seeing in the survey. We ended up conducting about 60 cognitive interviews in addition to collecting the, you know, more than 4,000 survey responses. But today, I'm really going to be focusing on the data that we collected through the online panel. And there is more information about the cognitive interviewing effort in the final report that we produced for BJS. And I will share that link at the end.

We use Amazon's MTurk, Mechanical Turk, as the platform for this testing effort. It's a platform that we've had prior success with for similar testing efforts primarily because it

enables the recruitment of a really large number of respondents in a short period of time, and it also has features that help to control for the quality of respondents and the quality of the data that you get from them. With all of these platforms though, MTurk included, you have to really watch for efforts to gain the system. I know there's just been a proliferation of spots and people primarily out of the country to get on these sites and try to complete many tasks providing false information just to get the incentive. So that was really something that we had to monitor very closely through this effort. And I already mentioned the narratives, the open-text descriptions that we collected, those were also critical for identifying or weeding out cases of data falsification in addition to being used for just identifying the false negative and false positive responses. But, you know, when you have that open-text field, you can tell pretty quickly if someone is providing false information or if it's a thought because the responses really don't make any sense at all. So that's an additional benefit to collecting the narrative data through this process.

So a little bit more about how we use the narratives to identify the false positive and false negative responses. First, we had two independent researchers go through and code each of the narratives to assess whether the incident that the respondent described appear to rise to the level of a hate crime based on BJS's definition. So we were looking for things like whether there was actually a crime committed. Grace alluded to this in her presentation, but things like just calling someone a derogatory term is not a crime in and of itself. We were looking for whether the offender's bias motivation was in one of the federal hate crime categories. So a big one that we saw in 2020 was people saying that the hate crime was committed against them because of political reasons, but based on the federal hate crimes statutes, political affiliation is not a protected category. So this would not be a hate crime based on the BJS definition. And then finally, we were looking for whether the respondents seem to have evidence that the crime was motivated by hate, one of the three types of evidence that I mentioned previously. So the example that I have here under the false positives, "I was mugged during Pride." That would not raise to the level of a hate crime because of the fact that, you know, the victim was at an event that was associated with particular groups, but that in and of itself isn't sufficient evidence to just classify the incident as a hate crime. Whereas with the bottom example, which the bottom example was not classified as a hate crime based on how the victim responded to the survey questions, but based on the description and the narrative that does appear to be a hate crime, was the offender actually leaving signs and symbols at the—at the scene? So spray painting racial slurs all over the car. So we coded the narratives and then we were essentially looking for discrepancies in how a respondent would be classified, whether they'd be identified as a hate crime victim based on their survey responses, but not the description of the incident or vice versa. Next slide, please.

Okay. So what did we find? Well, first of all, based on the survey responses, we found that the second version of the instrument, the one that was the bigger departure that didn't use the term hate crime, that version resulted in a significantly higher prevalence of hate crime. And this is true across all victim characteristics. And importantly, it wasn't true when we just looked at the prevalence of violent crime and property crime. So it wasn't just that respondent who got that version to happen to have higher rates of victimization in general. Based on the narrative assessment, we also found that Version 2 resulted in a higher false positive bias. So respondents being classified as hate crime victims when their narrative suggested that they shouldn't have been. But it also resulted in a lower rate of false negative bias, so respondents who weren't classified as a hate crime victim but should have been. And ultimately, based on these data and on the cognitive interviews, we felt that the false positive bias was something that could be addressed with relatively minor modifications to the question wording. And so, we ultimately recommended going with Version 2 with those modifications to further clarify the questions and reduce the false positive bias. Next slide, please.

As with any study, there were some limitations. First, in order to participate in this online testing, respondents had to have access to the internet and they had to have a device on which to complete the survey and this certainly could have introduced some sample bias. We also—we did examine the characteristics of respondents compared to the population at large, but there could still be important differences in the sample that we didn't detect. We also, again, looked at whether there were statistically significant differences in the overall prevalence of hate crime, but because of the timing constraints in the relatively—the relative rarity of hate crime, we weren't able to assess the statistical differences across all the metrics of interest. So the test was powered to be able to detect whether one instrument resulted in a higher prevalence of hate crime, motivate—motivated by a certain type of bias, for example. And then finally, there are also some key differences between the NCVS and the study that we conducted including, of course, that we didn't use the full NCVS instrument, another is that our samples didn't include juveniles. It was only persons 18 or older. And, of course, the mode of our study was different. We were using the online survey panel and self-administration. Whereas the NCVS survey is interview-administered over the phone or in person. And all of these differences could potentially impact the findings on how the findings translate to the regular NCVS. But overall, despite the limitations and challenges, we were able to learn a lot from this effort about how the hate crime questions work and how respondents interpret them. And I think we were really able to make some critical improvements to the questions as a result of this testing effort and that we'll be able to reduce bias in those questions moving forward. So it'll be interesting to see how they perform in the field. Next slide, please.

And that is all for me. I have the link here at the bottom to the third-party report that we produced for BJS. That's available in The BJS website. That goes into a lot more detail about all of these findings and the additional efforts that we engaged in around improving the hate crime measurement.

HEATHER BROTSOS: Thank you, Lynn. Now we're going to transition into our Q&A session. So if you have not already done so and you have questions, please make sure to type those into the Q&A window and we'll get those queued up for our panelists. We've got a lot of questions, so we'll cover as many as we can in the time that we have left. And if you do have any follow-up questions after the webinar or we haven't gotten to your question, you can always reach out to the panelists who have provided their contact-information or you can email the monitored email box at BJS, askbjs@usdoj.gov. So, to kick us off, we've got several questions here inquiring about offender data and demographics of offenders, both within the UCR data and the NCVS. So, Erica, do you want to first tackle that one for UCR? And then Grace, you can follow with an answer on NCVS.

ERICA SMITH: Sure. Yes. So, with the summary statistics that are submitted through the Hate Crime Statistics Program, it's much more difficult to take a look at offender data in conjunction with victim and incident information. With the transition to NIBRS, all of that information will be connected to each of the crime incidents specifically. So the transition occurred, you know, for all agencies, January 1, 2021 and so we will be taking a look at those hate crime data in NIBRS moving forward. I don't have a timeline for when BJS will be examining those data and putting out any kind of findings from it. But I know that it's high on our radar as one of the things to take a look at to not only understand offender information, but also clearance and arrest information as well. Grace?

GRACE KENA: And so from NCVS, all of the offender data that we have is from the victim's perspective. So we have data on the victim's perception of the offender's race and ethnicity, of the offender's age, and one more thing that's escaping me. But a couple of characteristics that we have from the NCVS are from the victim's perspective.

HEATHER BROTSOS: Great. Thank you. Okay. Our next question is asking about participation in both the FJSP data collection as well as the FBI hate crimes. So Ebo, maybe you can start by explaining to us about the, you know, number of agencies that are—that are reporting into this data collection and maybe talk a little bit about some of the contacts related to that, and then Erica can follow talking about FBI.

GEORGE EBO BROWNE: Okay. The FJSP is a really cool program because it takes data from a bunch of different sources. There's six federal law enforcement agencies that they refer data from and each data source of like sensing information we get it straight from the Sentencing Commission, a data collection from the Bureau of Prisons for corrective numbers, so we get it straight from them. So the FB—so for the FJSP data for—to this report, we specifically look at the data from the court. So Office of Administrative—office—the courts administration and the USSC, and so it's helpful to go have it straight from the source because I know sometimes few data collections have like secondary, you know, sometimes variables can get lost, but it's through—it's through the direct agency, so it's kind of a direct link to get, you know, the most accurate data. And also it's available for the public to play with the data. We—right now, we have a FCCPS tool. If you go to that website, there are a bunch of different links for that and different queries that you can run, that you can actually dive deeper into some of this information. But like I said, it's helpful to have the data come directly from the source so the data collection is—we're reaching out to those individual agencies. And then we build a data—a full data collection for FJSP. And then that helps us, you know, with hate crime reports, anything else that we get specific topics and we're able to utilize that information for that, so...

ERICA SMITH: And with regards to the FBI UCR data, at the risk of sounding like a little bit like a broken record, some of this will get better when we start getting—you know, now that we've started getting annual data only in the NIBRS format. A number of the federal agencies including the FBI and a number of the different reporting divisions within the FBI have transitioned to NIBRS reporting. And so the current set of statistics that you'll typically find on the FBI Hate Crime Statistics page is going to focus specifically on state and local law enforcement agencies, not on federal agencies. And so being able to understand, I think the question did ask some—did ask for a little bit of information about the distinctions and the types of cases, information about how, like, victims and offenders might differ between those federal cases, and the state and local cases. And then if any of the federal agencies report—state statistics, I think that was the—or, you know, one direction or the other, I can't remember the question and I don't have it right in front of me. But I think those are some of the things that we're going to be able to investigate. Both the FBI and BJS will be able to take a look at over time now that we're getting those data in the NIBRS format and the FBI date, and other federal law enforcement agency data will be included in those—in those publications moving forward. Heather?

HEATHER BROTSOS: Okay. Great. Looking back to the FJSP, I think you touched on this a little bit, Ebo, but maybe you can repeat this for us. The data sources, do they utilize survey data?

GEORGE EBO BROWNE: So no, it does not. So the six agencies, again, it's the U.S. Marshals, DA, Office of U.S. Attorneys, Administrative Office with the U.S. Courts, federal prisons and the Sentencing Commission. They actually gave those standard data files to us and we standardized them, so it's a collection that you can actually follow a defendant from arrest all the way to the corrections time period. So all this is hard data, not surveys, and it's data straight from the administrative offices that we then merged, standardized, and used for individual reports. So that's what was used for this study, and also anything off of the FJSP is pulled from that data standardized data collection.

HEATHER BROTSOS. Great. Thank you. We've also got a question about online activities. And whether there is data either on the prosecution side or on the hate crime incident side about whether there was an online component to the hate crime. Erica, you want to start?

ERICA SMITH: Sure. So we—not that long ago, I feel like back in the mid 2010s, around 2015 or so, the FBI added a location code for cyberspace and it was not the world's most perfect way to address this issue of crimes that occur online. But it did allow for agencies to not change any of their classifications for incidents. So it didn't affect the offense structure in those uniformed definitions. But it did allow them to identify that there was some type of online or cyber element to the offense. I don't think much has been done to evaluate those data and to look at the reporting trend so far in part because the modification was made to NIBRS, so it was only agencies that were reporting to NIBRS at the time that could utilize that location code. But then also there is a bit of a lag in both state UCR Program systems, as well as the local law enforcement agency systems to incorporate cyberspaces a location, and to be able to report out on those things. So I would—I know that as we had worked on this transition over the past five or six years, getting agencies to report to NIBRS, that is part of the data structure and so I believe that in the 2022 timeframe and moving forward, that would be something that we're evaluating to determine if that can be a key indicator that we can report out on or not.

HEATHER BROTSOS: Ebo or Grace, anything to add?

GRACE KENA: In terms of collection of online incidents, that's not so much something that we are covering at this point in the NCVS. But I did want to add on to my prior response about the redesign instrument and the full rollout of these questions. There are some additional reports on the NCVS redesign in general that should be coming out

in the near future, so please sign up to get reports from BJS. If you don't already, just stay tuned with what we're doing there.

GEORGE EBO BROWNE: In terms of the FJSP, I have not really seen incidents to become a big thing of data, it's kind of like I said, we get the data from the other agencies, so basically this shows that data then we'll have more access to it, but I've not really seen too much, what's in this data collection.

HEATHER BROTSOS. Okay. Great. So back to Lynn, we've got a better question for you this time. Is MTurk a probability or non-probability panel and how does that impact the findings?

LYNN LANGTON: That's a great question. It is a non-probability panel. And in many ways, a probability sample would be ideal. There are cost and benefits, cost in particular with going with the probability panel route. But, you know, we did look at the distribution of respondent characteristics, and compared the respondent characteristics both across the two versions of the survey that we were testing and compared it to, you know, population and population estimates from the American Community Survey. And there are—there were some minor differences. Or I should say there were some differences between our sample of MTurk respondents and the general population. So MTurk respondents tend to be a little bit higher educated than the general population. You may not be surprised that they tend to be younger, so the population of persons 50 or under that we get through MTurk is substantially lower than compared to the general population. And then the respondents, there was a higher proportion of white respondents among the MTurk sample as well. But we were able to do some adjustments, wait to adjust those distributions to reflect the population. And, you know, we saw consistent findings across both versions of the survey and consistent distributions across both versions of the survey. So we don't have any reason to think that the testing itself and the comparison between those two versions had any kind of bias. So that was one thing that we were really looking at.

HEATHER BROTSOS: That's great. Thank you. We have several questions coming in about subnational data and whether that is available for these various data collections. Grace, do you want to kick us off with discussing on NCVS?

GRACE KENA: Of course. So subnational data for hate crime incidents are currently not available for the public use. Researchers that have approval can analyze those data within our restricted space with the Census Bureau. I will note that depending on what one's interests are, because of the smaller number of incidents, it may require aggregating several years of data or limiting what you want to look at in some way, but

we are hopeful that the data in general will be available to be able to release more on publicly soon.

HEATHER BROTSOS: Erica, can we dig into subnational data within FBI's collection?

ERICA SMITH: Sure, absolutely. I tend to think of that only as a NCVS thing, so I'm sorry about that. Yeah, so the UCR data are reported by local law enforcement agencies, so you can use those data to look specifically at any of the crime reporting phenomenon that are reported by those agencies at the local level. There are also resources that BJS has and including our agency crosswalk, it's a law enforcement identifier's crosswalk, I'm forgetting one of the letters in there. If you're looking for it on ICPSR, and we have an update hopefully for that in the next year or two as well. But that can be used and along with some other resources of the FBI's to connect to those—each of the individual reporting agencies to the county. You can—there is— there's information available to allow you to connect to the—to the judicial district, the federal judicial district. And, of course, the state level and then regions across the country as well. So there's a lot of opportunity to look at the data through the FBI program at the subnational level. And one of the things that we're working on relative to the NIBRS transition is BJS managing the estimation project to use NIBRS data to generate national estimates of crime from this data source now moving forward. And so we're taking a look at—of course we want to be able to develop national estimates and state-level estimates. We're also trying to understand the capability within each of the states and then across states for generating those county-level estimates as well, being able to look at population-based rates by county in those places that will support it now and where we may be able to do some type of amputation or waiting in order to generation those estimates, too. So there's still a lot to come. And again, just a little bit of a broken record, there's lot TBD with the NIBRS data and the NIBRS transition. But it really—it really does—it does allow us to take a giant step forward and what would be able—what we're able to do with law enforcement data. And maybe even once we have those reported incidents, be able to understand a bit more comprehensively what we're getting reported by victims in terms of the NCVS survey responses compared to what we're actually seeing recorded by law enforcement, in as much more specific and granular type of way.

HEATHER BROTSOS: Great. Lynn, in the testing that you did, did you take a look at how often victims were classifying something as a hate crime but it didn't meet the BJS definition versus it met the BJS definition but a respondent was not answering questions in that way. Any thoughts on that?

LYNN LANGTON: Yes, that's exactly what we were trying to look at with the assessment of the narratives. And so that's—I was talking about Version 2 that we ended up recommending. It did have a higher percentage of false positive responses based on that assessment but also a lower percentage of false negative responses. And so we wanted to—we thought it would be easier to adjust the survey questions or we could identify ways to adjust the survey questions to account for those false positive responses and reduce that rate of false positives. But capturing those—ensuring that those respondents who should be classified as hate crime victims are actually classified as hate crime victims is really important and so that was definitely a key consideration in the study and the key thing that we were trying to tease out between the two versions of the survey. We're using that measurement bias.

HEATHER BROTSOS: That's great. Okay. Ebo, I missed you on the subnational question. Specifically for the FJSP, does this program capture hate crime convictions from state courts?

GEORGE EBO BROWNE: So FJSP is only the federal system. So it does not include data from the state courts. But you could get it—you could get a breakdown from the federal judicial district, so there's 94 of them. And if you use the query I talked about earlier, you can actually zero in on whichever judicial district you're interested in and run those numbers from that. Put in the plug for our project coming up, we have criminal cases in the state courts. It's in the field right now. Data should be out here in the next year or two, on that. But that is similar collection to FJSP as court cases but from state courts. So we—one of the big questions you were asking is about hate crime data. So a lot of times, hate crimes at the state level can either be an individual statute or the added-on offense, so it is kind of hard to gather an information, but one of the main objectives is that they're collecting information from statewide systems. So currently FJSP does not do that, but hopefully our future collection will be able to get some information on that, so that's a great question.

HEATHER BROTSOS: Great. Thank you so much. Okay. We are getting close to the end of our time. So I've got one final question that we can each go around and provide a response to. So reflecting back on everything that we covered today, can each of the panelists describe what would be the most interesting points that you found in the discussion. Why don't we start with Ebo?

GEORGE EBO BROWNE: For me, it's interesting to see how prevalent, you know, hate crime is. Like I said, in every judicial district during the time period, there was at least one incident. So that shows that this is a hot topic not just for discussion but in practical the sense; it's something that's going on, so I'm excited that our agency is getting, you

know, focusing and hosting these webinars. It's a very important topic. It is the rising in interest but also in offenses as well, so it's important to take notice of what's going on, use the data to get that out there to public so we also have this data handy and understand what's going on, so thank you for letting me chime in. It's definitely a great panel to be a part of.

GRACE KENA: I can go next. For me, it isn't any specific finding, but just the ability to look at these different data sources and the strengths and limitations of each of them to help promote a fuller understanding of this issue. I found that to be really valuable and appreciate the exchange and the great questions today.

LYNN LANGTON: And I think just building on what Grace said, it's collecting data from victims to get the victim perspective and that unreported figure of crime is really so important. But I think our work highlighted how difficult that can be also and how important it is to really consider the terminology and even, you know, we talked a lot about defining hate crime in this panel. And I think that's so important to make it—to make sure that we're all on the same page and what we're talking about when we're using these kinds of terms like hate crime.

ERICA SMITH: I would agree. And I think, you know, looking at the federal data that Ebo presented on and then the local FBI data, it showcases the struggle of using the administrative data for these purposes, too. There's a lot less control over the way we ask the questions, even given the limitations, Lynn, that you—that you mentioned in terms of the false negatives and false positives and the different reasons for that. What I really appreciated today is seeing the level of engagement and discussion and the question and answer box, too. There's a lot of really great questions being asked about the data. There are a lot of really great ideas for what to investigate, and I think being able to have this discussion across the different data sources really highlights how we might merge some of this information together differently in the future, so hopefully we can stay tuned for even more about this topic as we move forward.

HEATHER BROTSOS: Well said, Erica. Well, thank you all so much for joining us this afternoon. What a great discussion and great content. We covered a lot today. Thank you to our panelists for joining us and engaging in that discussion. Thank you to Daryl and Tammy for their flawless execution of all things technical and logistical. And thank you to our audience for joining us. We hope to see you soon and if you do have any follow-ups, all of the information is in that chat. So thank you again. Have a great afternoon.