



Federal Hate Crime Prosecutions, 2005–19

SUMMARY | NCJ 300952

JULY 2021

From October 1, 2004 to September 30, 2019, U.S. attorneys investigated a total of 1,864 suspects in matters involving violations of federal hate crime statutes. The number of hate crime matters investigated during that time fell 8%, from 647 during 2005-09 (129 per year) to 597 during 2015-19 (119 per year). During the most recent 5-year period of 2015-19, nearly half (48%) of the 597 suspects investigated for a hate crime were referred to U.S. attorneys for Hate Crimes Prevention Act (HCPA) violations.

Number of suspects per incident

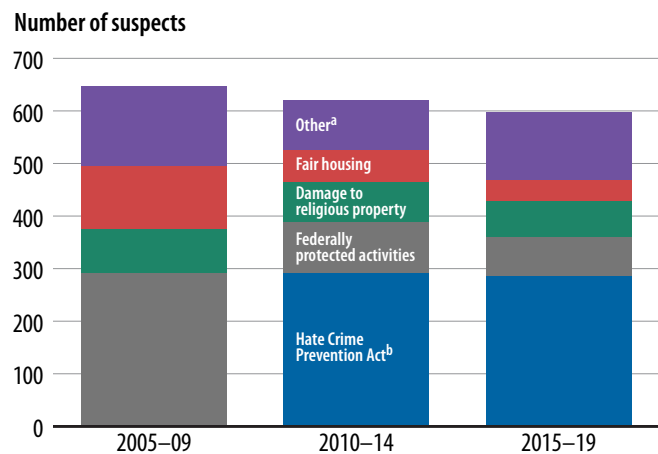
Most (63%) hate crime matters investigated by U.S. attorneys during 2005-19 involved one suspect, while 37% involved multiple suspects. Hate crime matters over fair housing (47%) and HCPA (44%) violations were the most likely to involve multiple suspects. Matters involving damage to religious property (22%) were the least likely to involve multiple suspects.

Investigations/Prosecutions

Of the 597 hate crime suspects in matters opened by U.S. attorneys during the 5-year period of 2015-19, 48% were investigated for HCPA violations. In comparison, 22% were investigated for other offenses, 12% for violations of federally protected activities, 11% for damage to religious property, and 7% for fair housing violations.

During the 15-year period of 2005-19, hate crime suspects were referred by U.S. attorneys in all 50 states. U.S. attorneys declined to prosecute 82% of suspects, prosecuted 17%, and disposed of 1% for prosecution by U.S. magistrates. Insufficient evidence was the most common reason hate crime matters were declined.

Number of suspects in hate crime matters investigated by U.S. attorneys, by lead charge, fiscal years 2005–19



Note: Includes suspects in matters whose lead charge was a hate crime under a substantive federal statute or program category.

^aIncludes suspects in matters whose lead charge was not covered by the four federal statutes for hate crimes but was coded as a hate crime using the program category.

^bStatute effective as of 2010.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, Legal Information Office Network System, fiscal years 2005–19.

Convictions/Sentencing

More than 9 in 10 hate crime defendants adjudicated in U.S. district court during 2005-19 were convicted. The conviction rate for hate crimes increased from 83% during 2005-09 to 94% during 2015-19.

About 85% of defendants convicted of a hate crime during 2005-19 were sentenced to prison, with an average term of over 7.5 years. About 14% were sentenced to probation only, and 1% received a suspended sentence.

The full report (*Federal Hate Crime Prosecutions, 2005–19*, NCJ 300952), related documents, and additional information about the Bureau of Justice Statistics are available on the BJS website at bjs.ojp.gov.