Narrowing the Gap

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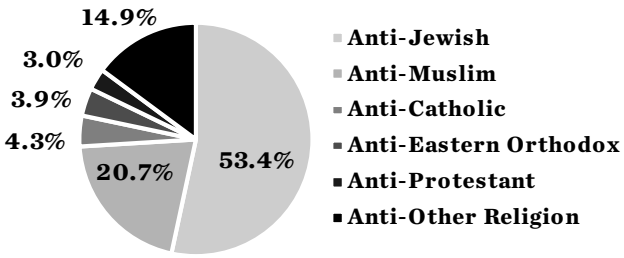
Violence Against Religious Minorities

Hate Crimes and Bias Incidents

EQUALITY INDICATORS CONTEXT

- ISLG's Equality Indicators for New York City (NYC) include an indicator for *hate crime victimization*, which reported 35.9 hate crimes committed per 1,000,000 people in NYC in its most recent report.
- Across New York State, anti-religion hate crimes are most common, accounting for half of all hate crimes (50.9%).

ANTI-RELIGION HATE CRIMES IN THE U.S.



Source: FBI Uniform Crime Reports, 2015 Hate Crime Statistics.

HATE CRIMES TARGETING RELIGIOUS MINORITIES

In the United States anti-religion hate crimes make up one in five (21.4%) hate crimes and disproportionately affect religious minorities. Jewish and Muslim Americans represent only 1.9% and 0.9% of the total U.S. population, respectively, but they are the most targeted minorities in anti-religion hate crimes. Together, almost three-quarters (74.1%) of single-bias anti-religion hate crimes are anti-Jewish (53.4%) or anti-Muslim (20.7%).

National FBI data does not distinguish between hate crimes against persons and property. However, some states, like New York (NYS), separate property crimes from crimes against persons, which makes it possible to determine how victimization differs by religious groups. In 2015, anti-religion hate crimes accounted for half of all hate crimes in NYS (50.9%). Three out of four hate crimes targeting Jewish individuals were property crimes (140 out of 206 hate crimes, or 77.0%), while three out of four hate crimes targeting Muslims were crimes against persons (25 out of 33 hate crimes, or 75.8%).

HATE CRIMES AND BIAS INCIDENTS

The federal government defines hate crimes as crimes motivated by bias towards a race, color, religion, national origin, gender, sexual orientation, gender identity, or disability, but the interpretation of hate crime law—and who is protected—may vary by jurisdiction. Bias incidents, on the other hand, include actions or threats motivated by prejudice that do not constitute a crime, but may nevertheless impact the well-being of victims. Examples of bias incidents include verbal abuse, inflammatory symbols, and actions by organized hate groups.

HATE ON THE RISE

Hate crimes and bias incidents targeting religious minorities are on the rise: the Bureau of Justice Statistics reported that 21% of hate victimizations between 2007 and 2011 were anti-religion, an increase from 10% for 2003-2006. The Council on American-Islamic Relations (CAIR) reported a 584% increase in nationwide anti-Muslim hate crimes between 2014 and 2016. In NYC, the New York Police Department (NYPD) reported that crimes against Muslims were up 50% from the previous year as of December 2016.

CASE STUDY: HATE INCIDENTS AT SCHOOL

The U.S. Department of Justice's Civil Rights Division reported an increase in harassment and bullying targeted at Muslim, Sikh, Hindu, Arab, Middle Eastern, and South Asian students in 2016. According to the 2017 American Muslim Poll that surveyed self-identified Muslims and Jews, as well as the general public, Muslim families are four times as likely as the general public, and Jewish families are twice as likely as the general public, to report that their children have been bullied in schools. In 2016, ProPublica launched the Documenting Hate project to create a national database of hate crimes and bias incidents, including school bullying data.

HATE ON THE RISE (CONT.)

Early 2017 saw a wave of hate crimes and incidents targeting community centers, cemeteries, immigrants, refugees, and travelers: the Southern Poverty Law Center reported 100 threats to 73 Jewish institutions in 30 states between January 1 and February 27, including the bomb threats against Jewish Community Centers, and vandalism of Jewish cemeteries and headstones. CAIR verified 65 anti-Muslim hate crimes and 851 anti-Muslim bias incidents between January 1 and March 31, 2017. One third of the bias incidents pertained to the immigration executive order, which was challenged multiple times due to the perceived discrimination toward Muslims. The U.S. Supreme Court recently allowed parts of the order to move forward until it rules on the case in October.

THE ROLE OF LAW ENFORCEMENT

Police departments walk a fine line in how they classify bias-related harassment—only criminal offenses involving physical harm or vandalism can be classified as hate crimes. Even when harassment is physical, police must be able to determine a bias-related motive in order to report an assault or attack as a hate crime specifically. The fact that criminal intent can be ambiguous, and that officers must interpret motive using limited information, means that the approach to reporting such incidents can vary by officer and police department.

The NYPD has a Hate Crimes Task Force, and all officers are required to flag an incident for investigation if there is even a suspicion of bias-related motive. NYS is creating a hate crimes task force to bolster reporting and investigations at the state level. Even when hate crimes are reported, the need to prove that the offender's motivation was rooted in bias makes them difficult to prosecute, and may contribute to the gaps in reporting and data tracking.

Bias incidents like verbal harassment and hate speech are not included in hate crime data because they are not criminal in nature, but some police departments report them as 'hate incidents' and track them in order to collect supporting evidence in case future hate crimes occur. Because the criminal nature of an act is not always clear, alternative reporting options outside of law enforcement exist that encourage reporting all bias incidents, regardless of whether the incident could be considered a hate crime.

GAPS IN THE DATA

Although hate crimes are less common than other types of crime in the United States, a number of reporting issues mean their prevalence is likely underestimated, obscuring our understanding about the extent to which religious minorities and others are victimized. The Bureau of Justice Statistics estimated that almost two-thirds of hate crime victimizations (65%) went unreported to police in 2007-2011, up from 54% in 2003-2006.

Victims may not report due to shame, fear, or lack of trust in police, which may have an outsized impact on reporting by some religious minorities. In 2016, the NYC Equality Indicators *religion and trust in police* indicator revealed that more Muslim survey respondents would not feel comfortable calling the police for help (29.6%, up from 19.0% in 2015) than Jewish respondents (3.4%, down from 8.8% in 2015). Moreover, reporting hate crimes to the FBI is voluntary; thousands of local law enforcement departments, including from several large cities, did not send a single hate crime report to the FBI from 2009-2014.

Documenting hate incidents can increase awareness about the prevalence of such incidents targeting certain groups and can help supportive services protect vulnerable populations.

Recent changes in federal data collection may impact how hate incidents are recorded, allowing harassment and violence to be isolated from other types of discrimination. For example, the U.S. Equal Employment Opportunity Commission announced in July 2016 that it will change how it collects data on religious discrimination in the workplace to include more details about the charges filed—current data does not distinguish between incidents involving targeted harassment and other forms of discrimination like the failure to accommodate religious beliefs. In addition, starting from the 2015-2016 school year, all public schools began submitting data on anti-religion bullying and harassment to the U.S. Department of Education, although the first dataset has not yet been released.

The Equality Indicators is a project of the Institute for State and Local Governance (ISLG) of the City University of New York. The project measures progress towards greater equality across six themes related to Economy, Education, Health, Housing, Justice, and Services using 96 indicators. Each indicator is scored from 1 to 100, where 1 represents the most inequality and 100 the least inequality. For more information please visit our website at equalityindicators.org and follow us on twitter @equalityISLG.