Review of Hate Crime Prevention, Response, and Reporting in Seattle: Phase 2 Report

May 9, 2019

Melissa Alderson
Claudia Gross-Shader
Jane Dunkel

David G. Jones, City Auditor

Seattle Office of City Auditor

Review of Hate Crime Prevention, Response, and Reporting in Seattle: Phase 2 Report

Report Highlights

Background

Seattle City Councilmember Lisa Herbold asked our office to audit the City of Seattle's (City) handling of hate crimes. Our office completed a first phase report focused on practices and processes the Seattle Police Department (SPD) follows to identify, respond to, and prevent hate crimes. This second phase report examines prosecuted hate crimes, identifies areas where hate crimes are concentrated, and uses community feedback and best practices to offer ways to strengthen efforts to prevent, respond to, and report hate crimes.

What We Found

In this Phase 2 report, we found:

1. Reported hate crimes and incidents in Seattle increased dramatically from 2012 to 2018.
2. SPD refers about a third of hate crimes for prosecution.
3. Hate crimes are concentrated in high traffic areas, in areas of dense demographic diversity, and along the borders of racially diverse neighborhoods.
4. Community organizations report that: hates crimes are a significant issue, some populations are more vulnerable (such as people with disabilities and the homeless), underreporting is a concern, and more support from the City is needed.
5. SPD does not have sufficient data to evaluate their hate crime response and prevention efforts.

Recommendations

We make seven recommendations to improve the City's efforts to prevent, respond to, and report on hate crimes. We recommend that SPD improve the way hate crime data is documented in their records management system, then create policies and procedures that support these changes. SPD should also explore ways to partner with community organizations that are seeking more support in preventing and responding to hate crimes. We recommend that SPD evaluate and measure the results of their hate crime prevention and response efforts. Finally, we recommend that the King County Prosecutor's Office (KCPO) and the Seattle City Attorney's Office (CAO) make data on prosecuted hate crimes available to the public.

Department Response

SPD, CAO, and KCPO generally agree with the report's recommendations. SPD's formal response can be found in Appendix A.

TABLE OF CONTENTS

INTRODUCTION

Audit Overview

In 2016, Seattle City Councilmember Lisa Herbold asked our office to audit the City of Seattle's handling of hate crimes, including looking at how the Seattle Police Department uses hate crime data, how hate crimes are investigated and prosecuted, and the extent to which the City of Seattle (City) is using leading practices for preventing and responding to hate crimes. Our office structured this review into two phases. The first phase report, published in September 2017, focused on practices and processes the City follows to identify, respond to, and prevent hate crimes. This second phase report provides data on hate crimes in Seattle, examines hate crime prosecution data, identifies areas where hate crimes are concentrated, and uses community feedback and best practices to offer ways to strengthen Seattle's efforts to prevent, respond to, and report hate crimes.

Acknowledgements

The Office of City Auditor would like to thank Dr. Jack McDevitt from Northeastern University and Dr. Janice Iwama from American University for sharing their expertise on hate crimes and reviewing previous versions of this report. We also thank Dr. Tim Thomas from the University of Washington for his geographic and demographic analysis of hate crimes and the insights gained from that analysis.

Additionally, we extend our appreciation to the King County Prosecutor's Office for sharing their prosecution data. In particular, we thank Senior Deputy Prosecuting Attorney Mike Hogan for sharing his insights from years of experience and his approach to prosecuting hate crimes. Finally, we appreciate the continued cooperation from the Seattle Police Department, the City Attorney's Office, and the Seattle Office for Civil Rights.

HATE CRIMES AND INCIDENTS IN SEATTLE

What is a Hate Crime?

A hate crime is a criminal act, usually involving assault, threat of bodily harm, or property damage, that is motivated by bias based on real or perceived characteristics of the victim. The term hate crime is interchangeable with bias crime and with malicious harassment, which is the legal description for this type of crime. A hate *incident* is offensive or derogatory language that does not rise to the level of a crime. In this report, we use the terms "hate crime cases" and "hate crime reports" interchangeably, and define them as reported incidents that the Seattle Police Department (SPD) has reviewed and determined to be bias motivated. SPD has three categories to describe bias related cases: malicious harassment, crimes with bias elements, and non-criminal bias incidents.

Washington's malicious harassment law specifies eight bias categories: 1) race, 2) color, 3) religion, 4) ancestry, 5) national origin, 6) gender, 7) sexual orientation, and 8) a mental, physical, or sensory handicap. The City of Seattle has a malicious harassment law that includes five additional categories: 1) homelessness, 2) marital status, 3) political ideology, 4) age, and 5) parental status.

Hate Crimes in Seattle are Rising

Reports of hate crimes continue to increase in Seattle and have increased by almost 400 percent since 2012, from 106 cases in 2012 to 521 cases in 2018. Federal Bureau of Investigation (FBI) data shows that hate crimes have risen across the nation as well. A recent study from the Center for the Study of Hate and Extremism at California State University, San Bernardino calculated that the number of reported hate crimes in the ten largest cities in the United States has increased for four years in a row and hate crime cases have reached the highest level in a decade. See Exhibit 1 for a summary of hate crimes and incidents in Seattle between 2012 and 2018.

Exhibit 1: Hate Crimes and Incidents Reported to SPD between 2012 and 2018

Stacked bar chart showing hate crimes and incidents reported to SPD from 2012 to 2018.

Year	Total	Malicious Harassment	Crimes with Bias Elements	Non-Criminal Bias Incidents
2012	106	28	45	33
2013	109	33	44	32
2014	126	51	53	22
2015	205	84	57	64
2016	256	89	89	78
2017	418	113	169	136
2018	521	125	215	181

Non-Criminal Bias Incidents
Offensive bias comments; increased 448% since 2012

Crimes with Bias Elements
Criminal act involving bias, but not bias motivated; increased 378% since 2012

Malicious Harassment
Criminal act motivated by bias; increased 346% since 2012

Source: Seattle Office of City Auditor analysis of Seattle Police Department bias crime data.

As discussed in our Phase 1 report, a rise in reported hate crimes does not necessarily mean there are more of these crimes occurring. Jurisdictions that report more hate crimes are typically seen as leaders in hate crime response efforts because high reporting can indicate law enforcement is prioritizing these crimes.

Exhibits 2 and 3 show the top four offense categories and bias categories for reported hate crimes and incidents from 2012 to 2018. Of the assault offenses, half involved a racial bias, and anti-black crimes accounted for over half of the hate crimes within the race bias category.

Reports of hate crimes can help expose which groups are experiencing high levels of victimization, but it is important to remember that these numbers tell only part of the story. Communities that show low levels of reporting need to receive special attention to ensure that there isn't rampant underreporting. For example, studies of crimes against people with disabilities have shown that there are many barriers, such as physical access, social, and institutional barriers, that may deter reporting hate crimes to law enforcement. This may be a population that would benefit from tailored outreach and support.

Exhibit 2: Top Four Reported Offense Categories of Hate Crimes and Incidents, 2012-2018
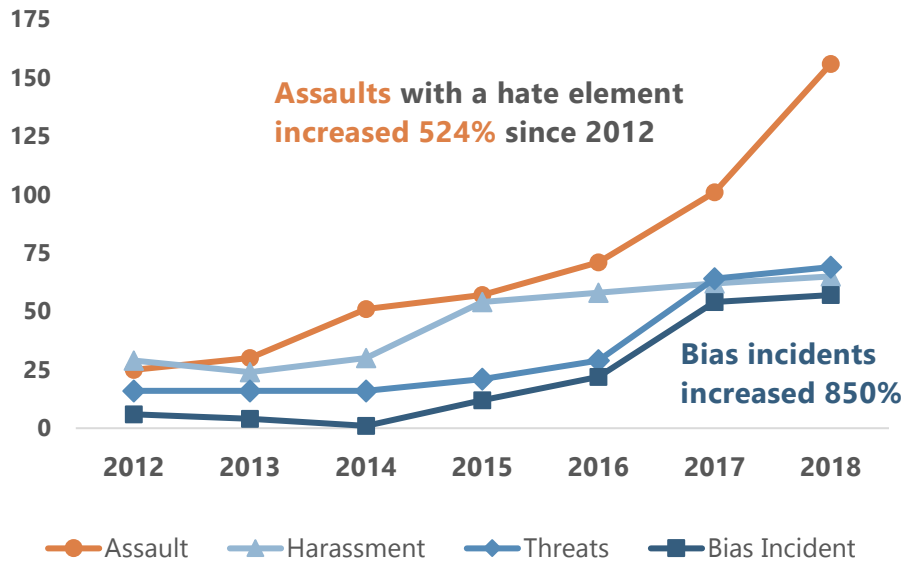
Assaults with a hate element increased **524%** since 2012

Bias incidents increased 850%

Legend: Assault, Harassment, Threats, Bias Incident

Source: Seattle Office of City Auditor analysis of Seattle Police Department bias crimes data.

Exhibit 3: Top Four Reported Bias Categories of Hate Crimes and Incidents, 2012-2018
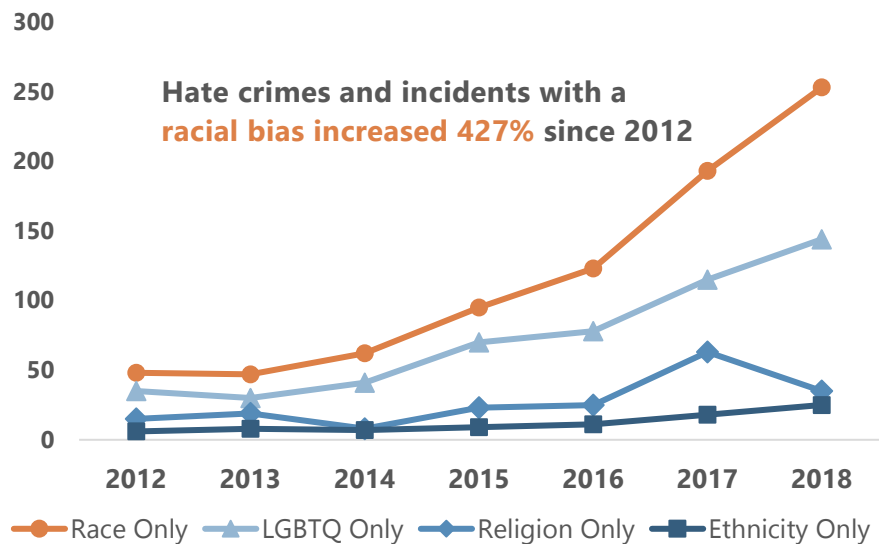
Hate crimes and incidents with a racial bias increased 427% since 2012

Legend: Race Only, LGBTQ Only, Religion Only, Ethnicity Only

Source: Seattle Office of City Auditor analysis of Seattle Police Department bias crimes data.

SPD Hate Crime Resources

The unit responsible for investigating hate crimes within SPD, the Violent Crimes unit, has maintained the same staffing level since 2008, at 52 full-time equivalents (FTE's). Hate crimes are assigned to the Bias Crimes Coordinator or another detective, depending on available resources. The Bias Crimes Coordinator is responsible for participating in community outreach, creating detailed reports, and maintaining her own caseload of hate crime investigations.

Additionally, she acts as a resource on hate crimes for other detectives. Since hiring the Bias Crimes Coordinator in 2015, reports of hate crimes in Seattle have more than doubled, yet SPD resources dedicated to investigating and working to prevent these crimes have stayed the same.

In this audit, we did not evaluate whether the number of detectives in the Violent Crimes unit is enough to adequately address hate crime cases. We also did not assess if one Bias Crimes Coordinator position was sufficient to handle the current workload. However, given the growing number of reported hate crimes, the City of Seattle may want to evaluate the resources dedicated to hate crime investigations and outreach.

HATE CRIME PROSECUTIONS IN SEATTLE

Section Summary

In evaluating the lifecycle of a hate crime, prosecution data helps to provide the complete story of how the criminal justice system handled the crime. In this section, we summarize cases of malicious harassment referred for prosecution from 2012 to 2017. We describe how hate crimes are referred for prosecution, why some cases are not prosecuted, and why not all cases result in a hate crime conviction. We make recommendations to improve documentation related to referring hate crimes for prosecution, and to increase the transparency and use of prosecution data.

How Hate Crimes are Referred

Under current Seattle and Washington State laws, malicious harassment is an offense motivated in whole or in part by the offender's bias, and it is a separate standalone crime. See Exhibit 4 for a comparison of the Seattle and Washington Malicious Harassment laws. SPD sends misdemeanor level crimes to the City Attorney's Office (CAO) and felony level crimes to the King County Prosecutor's Office (KCPO).

Exhibit 4: Local Malicious Harassment Laws

Washington State – Felony	City of Seattle – Gross Misdemeanor
Conviction Sentence: _Maximum_: 5 years prison and $10,000 fine _Standard_: 6 months jail	Conviction Sentence: _Maximum_: 364 days jail and $5,000 fine
Protected Bias Categories: • Race • Religion • Ancestry • Ethnicity • National Origin • Gender • Sexual Orientation • Mental, Physical, Sensory Disability	Additional Protected Bias Categories: • Homelessness • Marital Status • Political Ideology • Age • Parental Status

Maximum: the maximum sentence allowed under the Revised Code of Washington.
Standard: the midpoint of the sentence range for a defendant with an offender score of 0. These standards apply to felony convictions only.
Source: 2017 Washington State Adult Sentencing Guidelines Manual, version 20171201; Seattle Municipal Code 12A.06.115; and Seattle Municipal Code 12A.02.070.

The Seattle Police Department (SPD) explained that after they receive a hate crime report, detective sergeants assess the "solvability factors," as well as the severity of injury to the victim, and the impact

to the community to determine if a case should be assigned to a detective for further investigation. Solvability factors can include the existence of an identifiable suspect, witness statements, or physical evidence. As part of this audit, we did not assess these solvability factors or evaluate the decisions detective sergeants made when they determined which cases were investigated. However, the Bias Crimes Coordinator can open and investigate any bias crime case, even if it was not selected for further investigation and assigned to a detective.
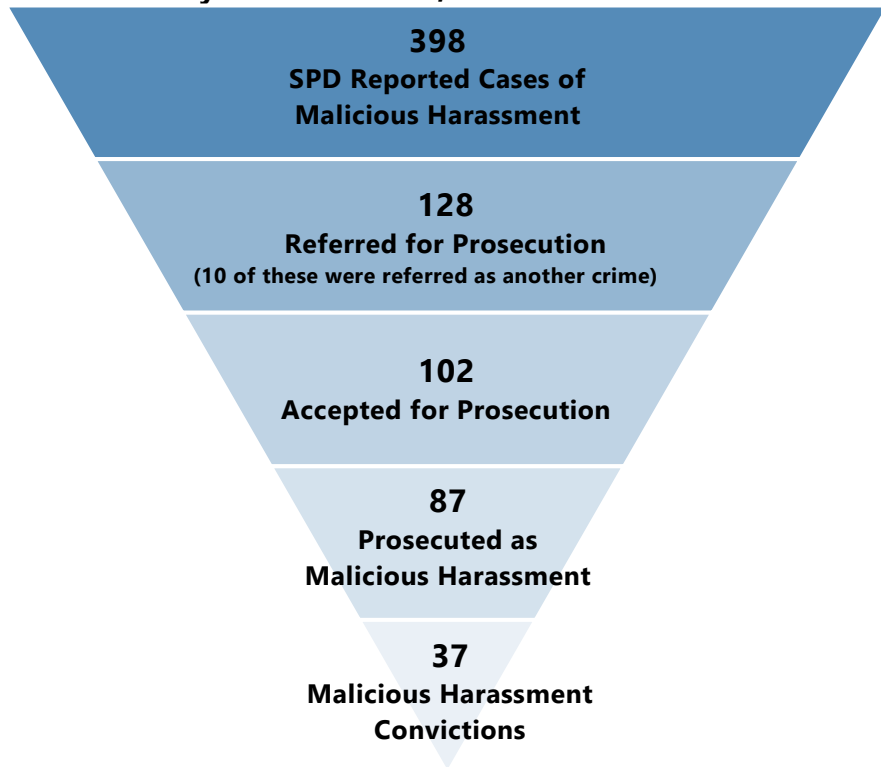
Cases that are selected for further investigation are assigned to either the Bias Crimes Coordinator, or another detective in the Violent Crimes unit. The detectives consider the facts of the case, including the availability of the victim and witnesses, evidence, and the legal filing standards applicable to malicious harassment, to determine whether a case should be forwarded for prosecution. The Bias Crimes Coordinator reviews every report marked as involving bias, regardless of whether it was previously assigned to a detective, to ensure it was coded appropriately and to include the data in monthly and bi-annual statistical reports.

Summary of Prosecution Analysis

We reviewed all SPD hate crimes that were referred for prosecution between 2012 and 2017. For this period, there were 398 incidents that were reported to and verified by SPD as being a malicious harassment crime. SPD referred about a third of these cases (128) to KCPO or CAO for prosecution. Ten of these cases were originally categorized and referred by SPD as a different crime, and KCPO or CAO ultimately prosecuted them as malicious harassment.

KCPO and CAO accepted most referred cases, though some were ultimately prosecuted as a crime other than malicious harassment. In the six-year period we reviewed, 37 cases resulted in a malicious harassment conviction. Exhibit 5 summarizes the numbers of hate crimes that progressed through SPD and KCPO and CAO. See Appendices C and F for a more detailed look at this data.

Exhibit 5: Total SPD Hate Crime Cases, Case Referrals, and Convictions by KCPO and CAO, 2012-2017

398
SPD Reported Cases of
Malicious Harassment

128
Referred for Prosecution
(10 of these were referred as another crime)

102
Accepted for Prosecution

87
Prosecuted as
Malicious Harassment

37
Malicious Harassment
Convictions

Source: Seattle Office of City Auditor analysis of Seattle Police Department, King County Prosecutor's Office, and Seattle City Attorney's Office data.

SPD Refers a Third of Hate Crime Cases for Prosecution

From 2012 to 2017, SPD referred about a third of malicious harassment cases for prosecution for either misdemeanor or felony filing. We did not benchmark Seattle's referral rate against other jurisdictions; however, according to the most recent National Crime Victimization Survey, between 2011 and 2015 about 12 percent of reported hate crimes resulted in an arrest. This suggests that SPD is referring a higher number of hate crimes for prosecution than the national average.

Research has shown that hate crimes can be challenging to investigate and prosecute for many reasons. Most hate crimes involve encounters between strangers, so a victim may not be able to identify or locate the offender. Further, victims of hate crimes may be reluctant to participate in investigation and prosecution efforts because of the trauma they experienced from the incident, as hate crimes can cause severe emotional stress for the victim. For these reasons and others, experts agree that the percentage of hate crime prosecutions will be lower than the number reported to law enforcement.

Some Cases Are Referred for Prosecution but Not Accepted

KCPO and CAO review referred cases of malicious harassment and make a "filing decision" on whether to prosecute the case and, if so, under which statute. When deciding whether to prosecute a case, KCPO officials told us they consider many factors, including, among others, the thoroughness of the investigation completed by the detective and the availability and cooperation of the victim and witness(es).

We asked KCPO the reason they declined cases referred as malicious harassment in 2016 and 2017. During this period, KCPO declined seven cases for the following reasons:
- Determined the case did not involve a bias motive (5)
- Victim or witness did not want to assist in prosecution (2)

For the cases CAO received that were referred as malicious harassment from 2012 to 2017, CAO declined 13 cases for the following reasons:
- Victim did not want to assist in prosecution (6)
- Insufficient evidence to prove malicious harassment (3)
- Determined the case involved a felony level crime (3)
- Joined with another case (1)

Not All Hate Crimes Result in a Hate Crime Conviction

Prosecutors carefully consider the details of each case to determine the crime for which they have the most evidence and for which they will most likely obtain a conviction. Malicious harassment cases can be challenging to prosecute because the motive of the defendant needs to be proven, whereas most other crimes do not require this burden of proof. However, when enough evidence is available, there is often value in prosecuting hate crimes as malicious harassment because of the message it sends to the defendant and the community that bias related crimes will not be tolerated. For cases in which the defendant's motive cannot be proven, the prosecutor will choose the most applicable crime to charge.

In our analysis of prosecuted hate crimes, 43 percent of the defendants charged with malicious harassment were convicted of the same crime, 25 percent were convicted of a different crime, and 21 percent had the entire case dismissed or transferred to King County Mental Health Court. The remaining defendants received no conviction, or their case was still open at the time of our review.

Prosecution Data Can Provide Value for Law Enforcement, Prosecutors, and the Public

Comparing the number of reported hate crimes to those prosecuted over time, and tracking the reasons why reported cases are not referred for prosecution or are not prosecuted, can provide insight into ways in which both police investigations and prosecutions could be improved. For example, the number of cases selected for prosecution, when reviewed over time and in context, can indicate the sufficiency of evidence and quality of the investigation. Also, the number of hate crime convictions could provide insight into barriers to prosecution, if any. See Appendix D for more information on measuring the effectiveness of hate crime response efforts.
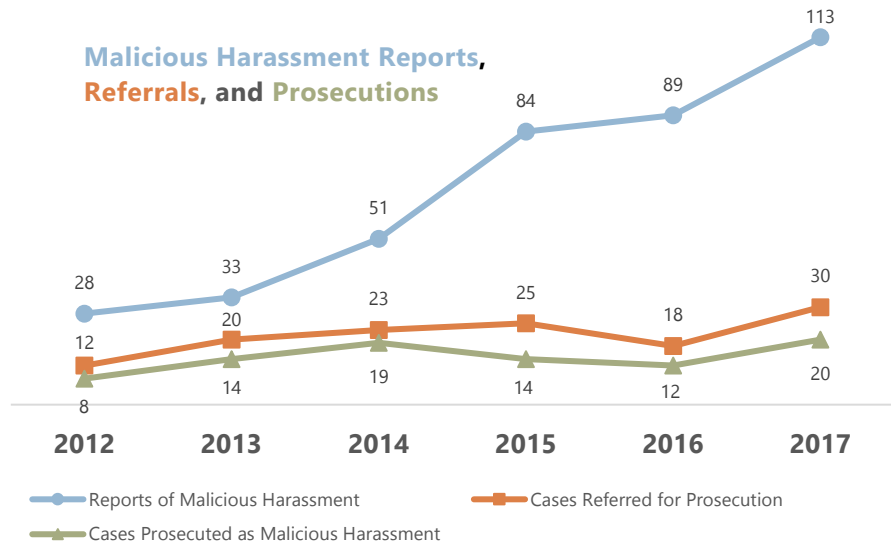
SPD Should Document Reasons for Not Referring Cases

The implementation of a new records management system later this year will enable SPD to improve the tracking of hate crime cases. SPD's current records management system has a field that documents the status of the case, including whether the case was referred for prosecution. However, this tracking method can result in inaccurate referral information. For example, if a case is "open" and being investigated by SPD, while also being worked at the prosecutor's office, the system may record the status simply as "open" but not referred for prosecution. At the time of our review, SPD was not confident the records management system could accurately show which malicious harassment cases were referred for prosecution. However, SPD anticipates this technological limitation will be remedied with the new system.

Additionally, SPD does not document in their records management system the reasons hate crime cases are <u>not</u> referred for prosecution. Exhibit 6 shows the results of our review of all hate crime cases between 2012 and 2017. As the exhibit shows, the number of hate crime reports is growing at a faster rate than the number of referred or prosecuted hate crimes. SPD officials told us that an increase in reported crimes would not necessarily result in an increase in prosecuted crimes, because the decision of whether to refer a case for prosecution depends on the details of each individual case. However, because SPD did not track the reasons hate crime cases were not referred, we could not determine why more cases were not submitted for prosecution.

SPD officials reported to us that they can explore adding functionality to track the reasons cases were not referred when implementing their new records management system.

Exhibit 6: SPD Reports of Malicious Harassment, Referrals to KCPO and CAO, and Prosecutions by KCPO and CAO, 2012-2017

Malicious Harassment Reports, Referrals, and Prosecutions

	2012	2013	2014	2015	2016	2017
Reports of Malicious Harassment	28	33	51	84	89	113
Cases Referred for Prosecution	12	20	23	25	18	30
Cases Prosecuted as Malicious Harassment	8	14	19	14	12	20

Source: Seattle Office of City Auditor analysis of Seattle Police Department, King County Prosecutor's Office, and Seattle City Attorney's Office data.

Recommendation 1

SPD should include a separate field in their new records management system to indicate if a malicious harassment case has been referred for prosecution, and to which agency it was sent. This information should be maintained in a way that can be summarized and tracked.

Recommendation 2

SPD should explore the feasibility of documenting the reasons that cases of malicious harassment are not referred for prosecution in their new records management system. This information should be maintained in a way that can be summarized and tracked.

KCPO and CAO Should Track and Publicize Hate Crime Prosecution Data

Currently, neither KCPO nor CAO sufficiently document or publish the outcome of hate crime prosecutions. As a result, it is difficult to obtain summary statistics of hate crime outcomes or to determine the extent to which hate crime laws are being enforced. This kind of information would be useful to both policy makers and the public. Additionally, law enforcement entities can use this information to identify areas for improvements in both investigatory and prosecution efforts.

Without public access to prosecution data, it can be difficult for communities affected by hate crimes to see the outcomes of cases. Further, making prosecution data public and easily accessible could help improve confidence in law enforcement and the legal system, which in turn could increase reporting. Conversely, publicizing low rates of prosecuted hate crimes could raise public awareness and

increase accountability. The state of California is a good example of a jurisdiction providing consistent and transparent hate crime reporting and prosecution data across multiple agencies. California's Open Justice website shows reported hate crimes, the number of hate crime cases referred for prosecution, the number of cases filed as hate crimes, and the number of hate crime convictions.

Information on hate crime prosecutions from KCPO and CAO could include summary statistics on:

- Cases referred by law enforcement as malicious harassment, or referred as another crime and later changed to malicious harassment
- Cases prosecuted as malicious harassment
- Cases referred but not prosecuted as malicious harassment, including the reasons why
- The outcome of malicious harassment cases
- The demographics of the defendants

This data should be summarized by bias motivation and specific crime to sufficiently evaluate the outcome of different types of crimes. KCPO and CAO appear to have much of the data needed for this analysis already available in their respective records management systems; however, some data would need to be added, such as bias motivation. We recommend that both offices start entering case data into their systems in a way that can allow for easy summarizing of the data points listed above.

Recommendation 3   **The Seattle City Attorney's Office and the King County Prosecutor's Office should track and publicly report data on the prosecution of malicious harassment cases using the data categories listed in this report.**

Officials from CAO and KCPO told us they plan to implement this recommendation.

Local Jurisdictions Can Learn from King County's Long-Term Hate Crimes Prosecutor

Senior Deputy Prosecuting Attorney Mike Hogan is the dedicated hate crimes prosecutor at King County and has over 30 years of experience prosecuting malicious harassment cases in Seattle. King County or the City of Seattle may want to consider capturing his expertise through a knowledge transfer exercise before he retires. For example, Mr. Hogan shared the following tips for law enforcement agencies investigating hate crimes:

- Solicit and document statements from witnesses
- Document any slurs used, how often, and by whom
- Ask and seek out possible video recordings from the crime scene or from witnesses
- Get a statement of admission while the defendant is in custody, as soon as possible
- Ask for help from the King County Prosecutor's Office with some investigation activities, such as reviewing social media accounts
- Communicate the outcome of the case to the victim

Documenting this information, such as in a training video or booklet, would be useful for future prosecuting attorneys and could also assist detectives by showing them the kind of investigative work and evidence that is necessary to support successful prosecution of hate crimes.

CONCENTRATIONS OF HATE CRIMES IN SEATTLE

Section Summary

Our office contracted with Dr. Tim Thomas from the University of Washington to analyze Seattle Police Department (SPD) hate crime data from 2012 to 2016, Seattle Public Utilities (SPU) user-reported hate graffiti from 2013 to 2017, American Community Survey census data from the United States Census Bureau, and King County geographic data to identify neighborhoods where hate crimes in Seattle most frequently occur. Dr. Thomas found that in Seattle hate crimes occur most frequently in:

1. High traffic areas and on transit routes
2. Areas of dense demographic diversity
3. Borders of racially diverse neighborhoods

In this section, we summarize the findings in Dr. Thomas' report, which can be found in Appendix G.

High Traffic Areas and Transit

Dr. Thomas compared hate crimes with land use zones and found that about half of hate crimes occurred in areas zoned as "mixed use," such as a blend of residential and commercial buildings, and "multi-family," such as apartments or condos. These two zones are typically located next to each other, and mixed use zones fall along major streets and bus routes. Dr. Thomas explains that these high traffic areas result in more interactions between strangers and diverse groups, and this may lead to more hate crimes.

Exhibit 7, from Dr. Thomas' report, is an example of hate crimes concentrated along high traffic areas and in general mixed-use zoned areas. The exhibit shows concentrations of hate crimes occurring along Rainier Avenue in Southeast Seattle (see arrow on map).

In our review of prosecuted hate crimes, we also found that many hate crimes (23 percent) occurred on a bus or at a bus stop. Though these crimes are under the jurisdiction of the King County Sheriff's Office (KCSO), they are often handled jointly with or entirely by SPD, as are all high profile crimes that occur in Seattle.

Exhibit 7: Hate Crimes and Incidents in South Seattle, 2012-2016
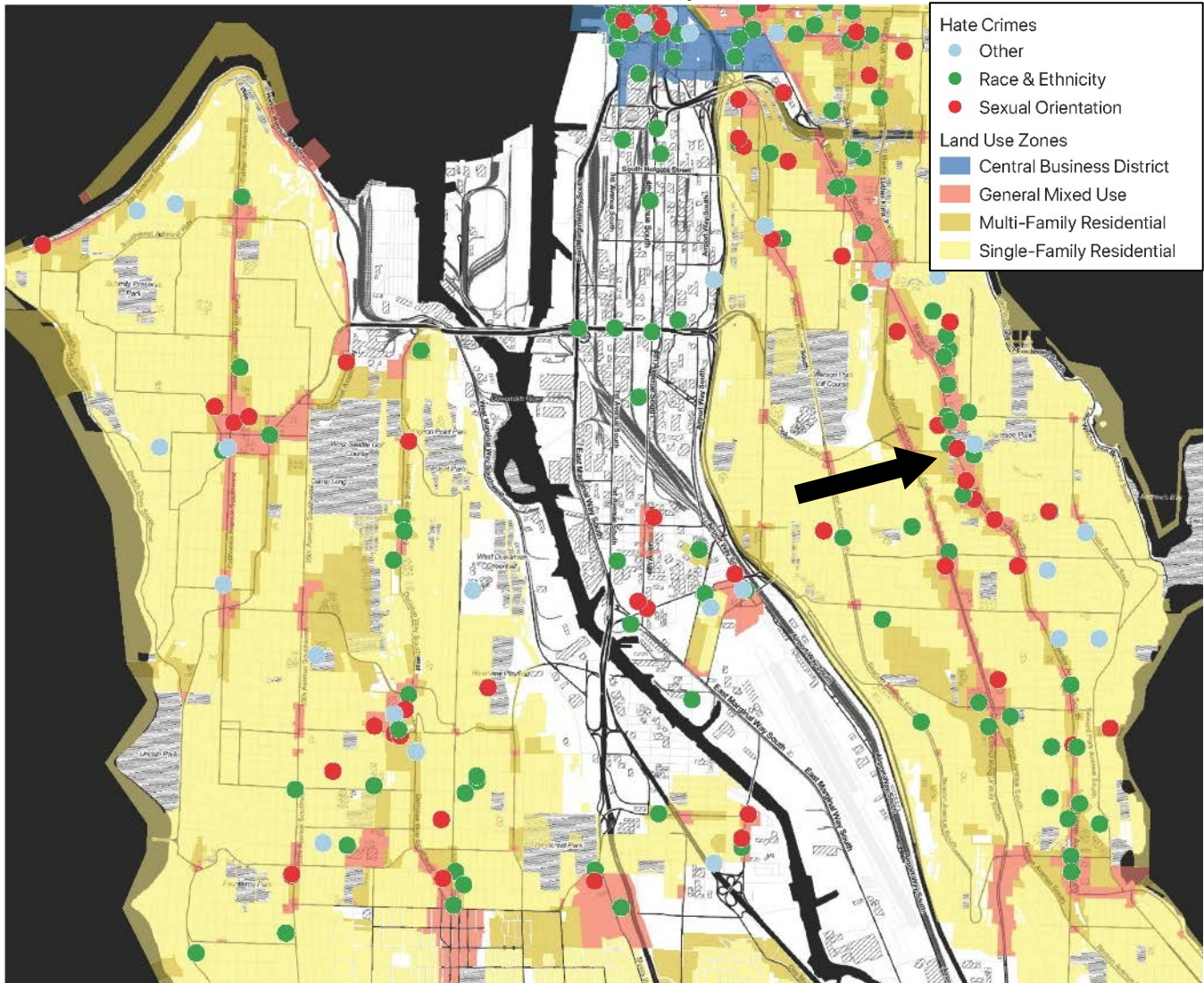
Source: Neighborhood Demographics, Zoning, & Hate Crime Report

Areas of Dense Demographic Diversity

Within the city of Seattle, the Downtown and Capitol Hill neighborhoods show clear concentrations of hate crimes (see Figure 3.f in Appendix G). The Downtown business district experienced more anti-race and ethnicity crimes, while Capitol Hill experienced more anti-LGBTQ crimes.

Dr. Thomas writes that Downtown Seattle attracts the most diverse demographic and socio-economic groups in the city, providing a higher likelihood for different groups to interact and potentially experience conflict. Dr. Thomas notes the Capitol Hill neighborhood has a high LGBTQ population, which may account for the concentration of anti-LGBTQ crimes in this part of the city.

Borders of Racially Diverse Neighborhoods

Dr. Thomas' analysis found that hate crimes in less dense neighborhoods most often occurred along the edges of more racially diverse areas, and less frequently in the center of mostly white neighborhoods. Exhibit 8 is a map of North Seattle showing this effect. Dr. Thomas notes this pattern also occurs in block-groups located around West Seattle, Magnolia, Eastlake, and Montlake.

Exhibit 8: Hate Crimes and Incidents in North Seattle, 2012-2016
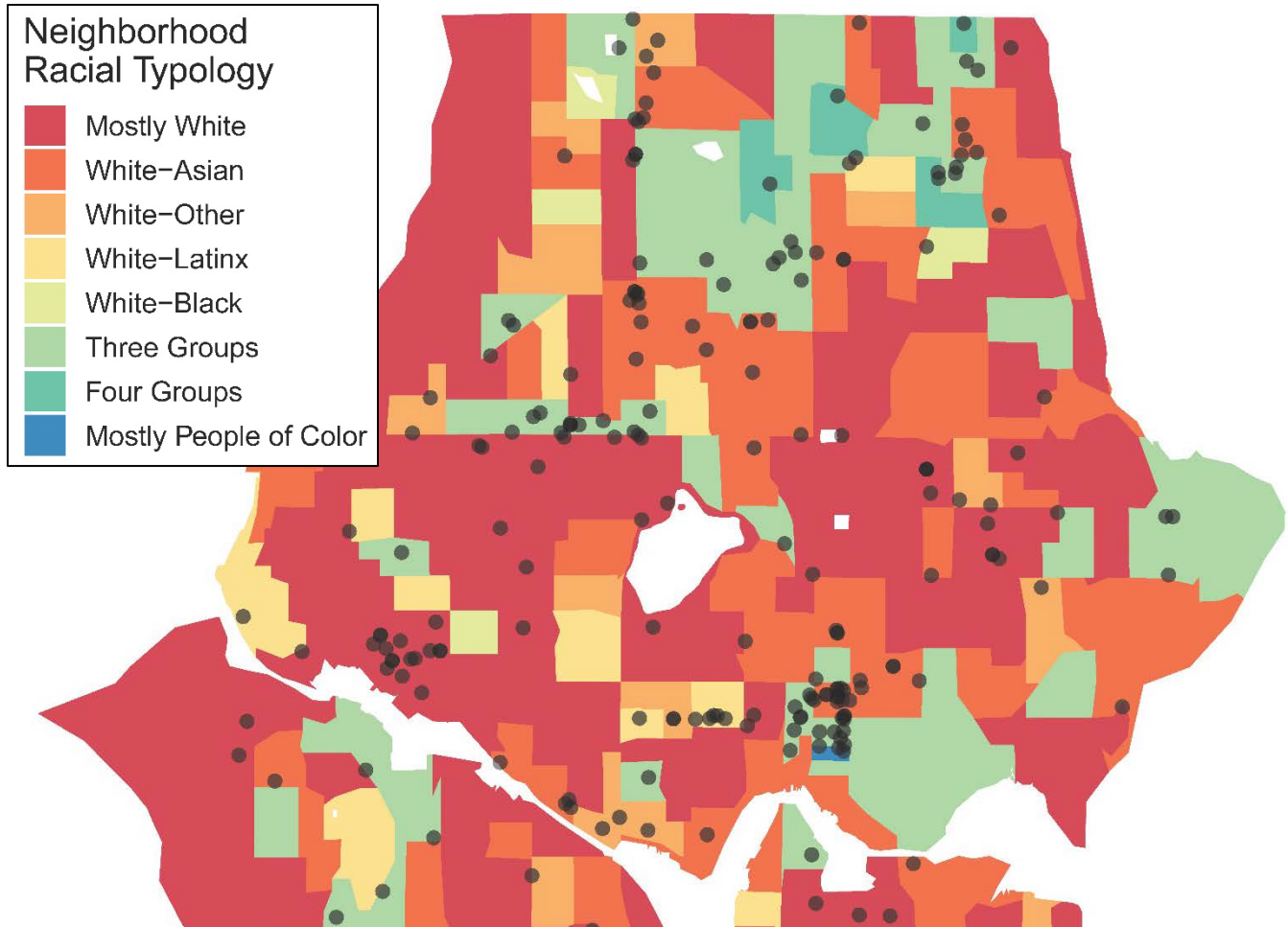
Source: Neighborhood Demographics, Zoning, & Hate Crime Report

OPPORTUNITIES TO STRENGTHEN PREVENTION AND RESPONSE

Section Summary

In this section, we share the results from a survey we sent to community organizations in Seattle asking for their views on hate crimes. Most of the respondents reported that, in their opinion: 1) hate crimes are a significant issue, 2) not all hate crimes are being reported to SPD, 3) certain populations are more vulnerable to hate crimes than others, and 4) more support is needed from the City to prevent and respond to these crimes. We also describe opportunities for the City to strengthen prevention and response activities through increased outreach, and we share leading practices for evaluating hate crime efforts the City could adopt to monitor the impact of prevention and response activities.

Survey of Local Community Organizations

We sent a survey to 212 community organizations in Seattle, such as service providers and advocacy organizations supporting minority populations, to understand more about the services they provide for preventing and responding to hate crimes, and what additional support, if any, they may need from the City. We were also interested in learning about any barriers to reporting hate crimes to the Seattle Police Department (SPD). We received 54 valid and complete responses and summarize their answers below. See Appendix E for more information on how we conducted the survey.

Hate Crimes are a Significant Issue

The results of our survey indicate that hate crimes are a significant issue to Seattle's community organizations and the constituents they serve. About half of the survey respondents reported that hate crimes are a significant issue for their community. Additionally, 59 percent of respondents reported knowing someone who had been victimized by a hate crime within the past six months. The most commonly reported places where hate crimes occurred were at the victim's work, school, on transit, or on the way from one place to another.

Hate Crimes are Underreported

About a third of respondents told us that they were aware of at least one hate crime that was not reported to SPD. Common reasons cited for not reporting hate crimes include:
- Cultural issues or fear of revealing immigration status
- Fear of reprisal by the offender
- Victim preferred to report to the community organization rather than law enforcement
- Limited English proficiency

- Perception that law enforcement would be inefficient and/or ineffective
- Victim handled the matter themselves or informally

A recent study of National Crime Victimization Survey data found that the most common reason for not reporting a hate crime to law enforcement was because the victim decided to report the crime to another official. The researchers recommend implementing third party reporting structures to improve relationships with law enforcement and increase reporting. Third party reporting could be formal or informal; organizations could assist victims with reporting, or anonymously transmit details of victimization to the police, to increase law enforcement awareness and potentially prevent future hate crimes.

The [Center for Problem Oriented Policing](#) recommends gathering data on which communities are least likely to report hate crimes so that staffing and outreach can be adjusted to encourage reporting. Given the level of underreporting expressed by community organizations in our survey, SPD should encourage community organizations to share instances of non-reporting. This would benefit the City in understanding and monitoring the level of underreporting and allow SPD to adjust its outreach and coordination efforts.

Some Populations are Especially Vulnerable to Hate Crimes

Some of the organizations we surveyed emphasized that certain populations are especially vulnerable to hate crimes. These include people with disabilities, people with limited English proficiency, people from immigrant communities, and people experiencing homelessness.

Local and national hate crime data shows that individuals within these groups have lower crime reporting rates than others. Our survey results also indicate potential underreporting by individuals in these groups. For example, eight survey respondents were aware of an anti-disability hate crime occurring within the past six months, yet SPD received only 10 cases of anti-disability crimes between 2012 and 2018. The U.S. Department of Justice reported that in 2015 people with disabilities are two and half times more likely to experience violence. Because of low reporting and high vulnerability, the City's hate crimes prevention efforts should give special attention to people with disabilities.

With the rise of homelessness in Seattle, reports of hate crimes against homeless individuals have increased as well, and 26 percent of our survey respondents knew of someone being victimized because of their housing status. One community organization representative told us they were surprised to learn that crimes against the homeless can be considered a hate crime. This person

asked that the bias categories protected by law be more strongly communicated to the public.

More Support is Needed

Seventy-two percent of our survey respondents said their organization offers services to hate crime victims and/or that they participate in prevention activities. The most common types of services provided were:

- Sharing information on how to report to police
- Organizing community meetings in response to hate crimes
- Providing anti-bias training
- Public policy advocacy

Some respondents said they were interested in building upon their prevention and response efforts. The most commonly requested activities, mentioned by 39 percent of respondents, were:

- Educational and training opportunities
- Resource guides, such as brochures, in multiple languages
- Coordination with SPD to increase reporting, especially for people with disabilities, immigrant communities, and people that are homeless

Other requested assistance from the City included:

- Follow up – a better understanding of the reporting process, and information on report resolutions and hate crime statistics
- Tips – how to increase prevention, how to recognize a hate crime, and how to respond safely
- Outreach – more police presence and outreach to build confidence in reporting
- Support for victims – encouraging reporting while addressing the victim's fear of retaliation and/or revealing private information about themselves
- Legal assistance – information on where to find legal representation, if applicable

Several organizations asked for brochures or printed materials with information on hate crimes, available for both English and non-English speaking individuals. SPD has such a brochure already and could find ways to let more community organizations know this.

SPD officials told us that most of the Bias Crimes Coordinator's outreach has been to immigrant and non-English speaking groups, and that she has also worked on outreach at Mary's Place, a family shelter and services organization, as a starting point for reaching the homeless population. Nonetheless, based on our survey results, some community organizations would like more collaboration with SPD.

Recommendation 4

SPD should continue to explore ways to partner with community organizations to address the issues mentioned in our survey results:

- **Underreporting: SPD should encourage community organizations to share instances of non-reporting to supplement the information SPD receives through formal reporting.**
- **Vulnerable populations: SPD should work with community organizations to determine how crime prevention can be improved for individuals that may be especially vulnerable to hate crimes, such as people with disabilities and the homeless.**
- **Increase support: SPD should explore ways to provide community organizations with the support activities mentioned in our survey, including hate crimes training, resource guides, and coordination activities to increase reporting.**

Evaluating Hate Crime Prevention and Response Efforts

Many organizations, such as the Center for Problem Oriented Policing at Arizona State University and the College of Policing in the United Kingdom, recommend that law enforcement entities implement specific performance measures to evaluate the effectiveness of hate crime response efforts. Although SPD currently tracks some of these measures, the data they report are not sufficient to gain a complete view of how hate crimes are handled in the city.

Data gathering and analysis are important components of developing and sustaining any effective program. For hate crime prevention and response programs, a single metric alone will not provide a complete understanding of the impact and success of the program. For example, an increase in reported hate crimes does not necessarily mean there are more occurring. This is because the public's willingness to report these crimes may vary over time, making it appear that crimes are increasing, when willingness to report is increasing. Law enforcement's efforts and ability to recognize and accurately track hate crimes may also vary over time. Thus, hate crime statistics can change from year to year based on factors other than the actual occurrence of crime.

We provide three examples of methods and data other jurisdictions use to measure effectiveness of hate crime response efforts: 1) gauging victim satisfaction with law enforcement, 2) assessing community perception of hate crimes, and 3) tracking repeat offenders and victims. Appendix D provides more information on these methods and others.

Gauging Victim Satisfaction with Response Efforts

Victimization surveys can provide information about victims' perception of police response and other aspects of the crime. These surveys gather data on the victim's satisfaction with police response, their level of concern about hate crimes, the location of the crime, whether they are personally aware of other hate crimes occurring, and victim demographics. SPD does not currently conduct victimization surveys specifically for hate crimes, but could incorporate hate crime related questions into their existing Service Quality Survey.

Assessing Community Perception of Hate Crimes

Another way to measure the effectiveness of hate crime prevention and response efforts is to collect resident views about hate crimes. Survey questions should attempt to learn respondents':
- Willingness to report hate crimes to SPD
- Fear of becoming a hate crime victim
- Experience with reporting bias related incidents to SPD and/or to a non-law enforcement agency

Seattle University conducts annual public safety surveys for SPD, and could add questions related to hate crimes. Ideally, the chosen survey would target populations that are most commonly victims of hate crimes. The results of such a survey could help the City (1) gauge the level of underreporting and (2) determine how to direct outreach efforts to communities most in need.

Reviewing Data on Repeat Offenders and Victims

The U.S. Department of Justice (DOJ) Community Oriented Policing Services recommend analyzing repeat victimization, stating that previous victimization is a better predictor of future victimization than any other characteristic of a crime. Repeat victims can be thought of as repeat targets, meaning the "victim" can be an individual, a specific address, a car, or a business.

The DOJ recommends tracking repeat victimization by crime category, such as hate crimes, over a period of about 3 years, as a way to provide insight into crime patterns, develop more effective responses, and potentially reduce future crime. Underreporting among repeat victims can be an issue, and the DOJ advises police departments to obtain victim survey data to supplement data on reported crimes. For example, offense reports could include questions about prior related victimization, and this information could be included in the repeat victimization analysis.

The College of Policing also recommends reviewing cases of repeat victimization, stating that a lack of repeat victims is the best indication that effective support has been provided to people victimized by hate crimes. They advise police agencies to develop strategies for responding to repeat victims, as they can be some of the most vulnerable victims that police encounter. In addition to

repeat victims, the DOJ recommends analyzing and responding to repeat offending, and offers five strategies for reducing repeat crime. We analyzed SPD's hate crime data to determine the occurrences of repeat offenders and repeat victims for hate crimes and incidents between 2012 and 2017. The following exhibit shows a summary of the results.

Exhibit 10: SPD Repeat Offenders and Victims of Hate Crimes, 2012-2017

Number of individuals
arrested or suspected of a hate crime,
out of 398 total reported cases

	Number of Individuals	Cases Prosecuted*
Two Times	12	1
Three Times	2	0
Four Times	1	0
Total	15	1

Number of victims of more than one hate crime,
out of 398 total reported cases

	Number of Individuals	Cases Prosecuted*
Two Times	14	3
Three Times	4	1
Total	18	4

*Includes cases referred or prosecuted as malicious harassment only.

Source: Seattle Office of City Auditor analysis of Seattle Police Department, King County Prosecutor's Office, and Seattle City Attorney's Office data.

Recommendation 5

SPD should track indicators that will help periodically evaluate the success of hate crime efforts, using the measures mentioned in this section and in Appendix of D this report as a guide. The results of this analysis should be published on SPD's Bias Crimes website.

STATUS OF PHASE 1 RECOMMENDATIONS

Section Summary

The Seattle Police Department (SPD) has made progress in implementing the recommendations from our Phase 1 report and plans to make further changes to improve hate crime prevention and reporting. SPD is implementing a new records management system (RMS) this year that will allow for more granular level hate crime reporting. With that comes the opportunity to examine SPD's processes related to hate crimes and explore ways to improve the accuracy of hate crime statistics. In this section, we summarize the status of recommendations from the Phase 1 report and discuss other improvements related to SPD's new RMS.

Status of Phase 1 Recommendations

Our Phase 1 report included nine recommendations addressed to SPD, the Seattle Office for Civil Rights (SOCR), and Seattle Public Utilities (SPU). Exhibit 11 is a summary of the recommendations and their status. We will continue to follow up on the status of these recommendations during our annual audit recommendation follow up process.

Exhibit 11: Status of Phase 1 Recommendations as of December 2018

Recommendation	Status
1. SPD should remove the bias category code "unknown."	*Completed in 2017*
2. SPD should determine if a different placeholder bias code can be used, and to allow the selection of multiple bias codes. Status: The Seattle Police Department (SPD) reported that its new records management system is planned to go live in 2019, and SPD will make changes to its workflow for bias crimes at that time.	*Pending*
3. SPD should add codes for age, parental status, marital status, and political ideology to the bias categories in their records management system.	*Completed in 2017*
4. SPD should establish a regular hate crimes training curriculum, develop a plan to evaluate the training, and establish a hate crimes training policy. Status: The creation of a bias crimes e-learning module is in process. After the training has been created and implemented, SPD will work on the remaining parts of this recommendation, including creating a hate crimes training policy and evaluation plan.	*Pending*

Recommendation	Status
5. SPD should improve its guidance to officers on how to identify whether an incident might be a hate crime. Status: The new records management system is scheduled to go live in 2019, and SPD will review their hate crime policy and guidance at that time.	*Pending*
6. SPD should pilot new analyses of hate crime data and explore implementing new hate crime prevention strategies based on the results. Status: SPD will use their new records management system to pilot the analyses in this recommendation when 1 year of crime data is available.	*Pending*
7. SPD and SOCR should establish and formally document a protocol for how hate incidents and crimes are handled when they are reported to SOCR.	*Completed in 2018*
8. SOCR and SPU should explore publishing their hate crime and hate graffiti data online. The City should consider creating a single webpage that serves as a portal for all hate crime data.	*Completed in 2018*
9. City leaders should participate in a statewide agency or task force to coordinate ongoing hate crime prevention and response efforts. Status: In 2018 the Office of City Auditor, the Seattle Police Department, and the Seattle Office for Civil Rights participated in meetings convened by the Northwestern Regional Office of the United States Department of Justice Community Relations Service. In 2019 the group will continue to meet and discuss regional coordination of hate crime prevention and response efforts.	*Pending*

Source: Seattle Office of City Auditor review of Seattle Police Department, Seattle Office for Civil Rights, and Seattle Public Utilities audit follow up status.

Upcoming Improvements to Hate Crime Tracking

SPD is implementing a new RMS, giving them the opportunity to make improvements in how hate crime data is recorded. One improvement available with the new system relates to how bias type is captured. Currently, only one bias category can be selected at the "general offense" level. Because one case report can include many offenses, and because multiple bias categories can be involved in a crime, recording a single bias category does not offer enough granularity to track hate crimes. SPD used a manual process as a workaround to this problem, but the new RMS will allow up to five bias categories to be selected per offense.

Another improvement relates to how records are updated. Currently, SPD detectives are not required to manage their caseload in RMS, and there is no policy requiring detectives to update RMS during an investigation. As a result, as the investigation progresses, some fields in RMS do not reflect the most current information about the case. Hate crime cases are tracked outside of RMS in a separate

spreadsheet managed by a single detective. With the implementation of the new RMS, SPD has an opportunity to develop strong policies that ensure RMS has complete and accurate case information. SPD officials told us they plan to create new policies that pertain to the new system after its implementation.

Recommendation 6

As SPD implements their new records management system, they should create a policy that specifies who is responsible for updating the system when changes to case records are required.

SPD has recently started recording instances of hate graffiti in a more consistent and reportable way. When SPD's Graffiti Detective investigates instances of hate graffiti, he selects the appropriate bias category code from the drop-down list in RMS, thereby allowing SPD to include hate graffiti in their hate crime statistics. Previously, hate graffiti was not consistently marked using this feature, and SPD could not produce reliable reports of hate graffiti. When the new RMS is available, SPD should document this new procedure for recording hate graffiti in the system to ensure it is followed consistently.

Recommendation 7

As SPD implements their new records management system, they should document the procedure for recording hate graffiti. The procedure should ensure that hate graffiti is included in SPD's bias crimes statistics. This procedure could be part of the existing department policy on malicious harassment.

OBJECTIVES, SCOPE, AND METHODOLOGY

Objectives

Our audit of hate crimes in Seattle was separated into two phases. The first phase report addressed objectives 1 and 2 listed below, while this Phase 2 Report responds to objectives 3-5.

The objectives of our audit of hate crimes in Seattle were to:
1. Review the Seattle Police Department's (SPD) hate crime data and related processes to determine if improvements could be made (Phase 1 Report)
2. Review leading practices related to hate crime prevention, response, and reporting, and make recommendations in these areas (Phase 1 Report)
3. Analyze hate crime cases to determine their final disposition (Phase 2 Report)
4. Conduct a Problem-Oriented-Policing analysis to identify demographic and time/place concentrations of hate crimes in Seattle (Phase 2 Report)
5. Determine how hate crime data can be used more effectively for Seattle's hate crime prevention efforts (Phase 2 Report)

Scope

The scope of this audit included SPD hate incident and hate crime data with incident dates between 2012 and 2018.

Methodology

During Phase 2 of this audit we performed the following analyses:
- Analyzed hate crimes and incidents reported to SPD between 2012 and 2018
- Reviewed and summarized all cases that were categorized in the Seattle City Attorney's Office or the King County Prosecutor's Office as being either referred or prosecuted as malicious harassment between 2012 and 2017
- With input from the Seattle Office for Civil Rights and the Seattle Police Department, surveyed select community groups in Seattle for their thoughts on hate crimes (see Appendix E for more information)
- Contracted with Dr. Tim Thomas from the University of Washington to perform a geographic and demographic analysis of hate crimes in Seattle from 2012 to 2016
- Interviewed staff from the Seattle Police Department, the King County Prosecutor's Office, and the Seattle City Attorney's Office
- Assessed the status of recommendations from our Hate Crimes Phase 1 audit report

- Applied the City's Race and Social Justice Toolkit framework to help structure our audit

We did not assess the solvability factors or the decisions detective sergeants made when they determined which hate crime cases were assigned for investigation.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

APPENDIX A

Department Response

Seattle
Police Department

April 11, 2019

David G. Jones, City Auditor
700 5th Ave, #2410
Seattle, WA 98104

RE: Review of Hate Crime Prevention, Response and Reporting in Seattle – Phase II

Dear City Auditor Jones,

This memorandum is in response to your office's Phase II report on the City of Seattle's continued work to enhance its response to and prevention of hate crimes. I appreciate your responsiveness to our initial feedback on the report, and for giving the department the ability to clarify a few points as they relate to the work of the Seattle Police Department (SPD). I know your team has put a tremendous amount of work into this report. I also know that the SPD and all of our many city and community partners are committed to making the City of Seattle a welcoming city for every person who lives and visits here. Between the work put into Phase I and, now, Phase II, I know the hours that have been put into this assessment both by your team and by the various Seattle Police Department employees who have provided the data and insights into our nationally-recognized, but still constantly improving, hate crime prevention and response efforts.

The work of the SPD in this area has resulted in members of the Department being asked to present before various government bodies, including the United States Commission on Civil Rights (link), on best practices for investigating and responding to Hate Crimes. The USCCR particularly was impressed with the Bias Crimes Dashboard (link) the SPD shares with the community, and beyond. Additionally, SPD's *Safe Place* program has continued to expand locally, nationally, and internationally. The Department's LGBTQ Liaison Officer is frequently called to visit other jurisdictions – approximately 25 cities have adopted *Safe* Place, with another 50 inquiring or in the process – to help them establish *Safe Place* programs, LGBTQ Liaison positions, and general LGBTQ community engagement. International cities including Vancouver (BC), Edmonton, Calgary, Toronto, along with cities in Germany, France, Ireland, and England, have engaged SPD about the *Safe Place* program and the LGBTQ Liaison model. Numerous corporations and local business have adopted the program here in Seattle, with many expanding it regionally, and nationally. In 2016, the SPD hosted a major Hate Crimes Conference, in which over 250 people attended, including national speakers such as the parents of Matthew Shepard, the investigators of Matthew's murder, and the investigators of James Byrd's murder. The SPD also has worked with the Department of Justice's Community Relations Service (CRS), the U.S. Attorney's Office, and the King County Prosecutor's Office to develop a collaborative working group to address hate crimes in Seattle and the Pacific Northwest.

In the complex environment of preventing, responding to, and investigating hate crimes, it is only natural that the SPD would have several areas where we would like to further clarify or correct the findings and or recommendations in this report. These comments are offered in the spirit of continuous improvement and

innovation, along with the very real need to acknowledge the hard work that so many people have put into limiting the effect these horrific incidents can have on an entire community. I worry that if it is not clearly stated that the Seattle Police Department is heavily invested and whole-heartedly committed to responding to these crimes, it could harm the trust that SPD has worked so diligently at enhancing with marginalized and victimized communities. It is from that perspective that our detailed responses below are presented.

Specific SPD Responses to Findings

In general, SPD agrees that more work can be done to ensure that perpetrators of hate crimes receive appropriate services and are held accountable. While the department, in general agrees with the intent of all of the recommendations, it does feel some of them fail to acknowledge the nationally-recognized work already being done by the department, as well as by its justice system partners. I understand the point of an audit is to highlight where work can be better, but I do want to ensure the message is not muddled to the point that anyone thinks SPD is not fully committed to increasing the reporting and prosecution of these cases. We have all worked too hard for anyone to feel that they will not be seen, heard, and respected if they feel they have been the victim of a crime – or any sort of biased behavior.

Summary of Prosecution Analysis

The 398 malicious harassment (hate crime) incidents were categorized as such based on information available shortly after the initial report was taken and using the broadest definition. These incidents are assessed for assignment to a detective based on *solvability factors,*[1] . As with all cases, detective sergeants assess the solvability factors, severity of injury, and impact to the community to determine if a case should be pursued for further investigation. If so, it is then assigned to a detective. Detectives consider the facts of the case, including the availability of a victim, witness, and statements, video from various sources if available, physical evidence, the law, and filing standards when making the decision whether to forward a case for review of charges and at what level the case should be referred. The prosecutor's office is often consulted up front to obtain direction for filing. Jurisprudence requires that detectives only bring a case to the prosecutor's office which are statutorily sufficient and there is a belief that charges can be obtained. Whether to charge and what to charge rests solely with the prosecutor's office. The one-third of referred malicious harassment cases are sent to a prosecutor follow a review of all reports, evidence, statements, and any additional investigation information.

Not All Hate Crimes Result in a Hate Crime Conviction

There are potential drawbacks to prosecuting a case that is not likely to result in a guilty plea or finding. These issues are more germane to the standards and ethics of a prosecutor's office, but charging to make a statement without the evidence to prove beyond a reasonable doubt carries the risk that someone who did commit the crime will be acquitted, which likely sends a message just as loud as prosecuting the case that could be proven.

---

[1] Solvability factors include having a witness to the crime, information on a suspect, positive results from a crime scene/evidence search, information on an involved vehicle, and the knowledge of other crimes with similar modus operandi.

SPD Should Document Where Cases Were Referred and Reasons for Not Referring Cases

When a case is not referred for prosecution, the case would be closed with another code, such as *inactive*, *not assigned* (detective sergeant decided it was not prudent to pursue the case), or *pending further information*. Each of these codes is searchable in the system. The Department does receive decline notices from both attorneys' offices on why a case was declined – these reasons are unique to each case. It is important to note this "flagging" and searching will be even easier in the new records management system.

Additionally, it is important to note that while the reporting of hate crimes has increased, that does not mean there was a requisite increase in solvable cases or cases that can be successfully prosecuted. The Department often hears from victims that they reported a case they would not have in the past because they wanted to make sure it was included in the statistics. These types of reports are testaments to the excellent work the Department has been doing on engagement, but do not mean there should be an increase in prosecutions.

Specific SPD Responses to Findings/Recommendations for the King County Prosecutor's Office and the City Attorney's Office

The SPD will allow the King County Prosecutor's Office and the City Attorney to enumerate their responses.

Specific SPD Responses to Recommendations

> *Recommendation 1* – SPD should include a separate field in their new records management system to indicate if a malicious harassment case has been referred for prosecution, and to which agency it was sent. This information should be maintained in a way that can be summarized and tracked.

> *Recommendation 2*— SPD should explore the feasibility of documenting the reasons that cases of malicious harassment are not referred for prosecution in their new records management system. This information should be maintained in a way that can be summarized and tracked.

As was indicated in the Phase I audit report, the SPD's new records management system – Mark43, which is scheduled to go live in early May 2019 – will include both recommendations. These were long-standing desires of the Department, but were not accomplishable with the legacy reporting system. As noted above, the reason for not referring a case will vary from case to case, but the department will work to see if it is possible to aggregate these values.

> *Recommendation 4* – SPD should continue to explore ways to partner with community organizations to address the issues mentioned in our survey results:

> - Underreporting. SPD should encourage community organizations to share instances of non-reporting to supplement the information SPD receives through formal reporting.
> - Vulnerable populations. SPD should work with community organizations to determine how crime prevention can be improved for individuals that may be especially vulnerable to hate crimes, such as people with disabilities and the homeless.

Page **3** of **5**

- Increase support. SPD should explore ways to provide community organizations with the support activities mentioned in our survey, including hate crimes training, resource guides, and coordination activities to increase reporting.

The bulk of the Bias Crime Coordinator's outreach has been to immigrant and non-English speaking or proficient groups. The Bias Crime Coordinator also has worked on outreach at Mary's Place as a starting point for reaching the homeless population. Outreach efforts have focused on groups believed to underreport. The Department has produced outreach/informational brochures in multiple languages. It should be noted that some of the surveyed groups have a record of discouraging their clients from reporting their victimization to the police and have openly stated they would not share their information with the Department.

> *Recommendation 5* – SPD should track indicators that will help periodically evaluate the success of hate crime efforts, using the measures mentioned in this section and in Appendix of D this report as a guide. The results of this analysis should be published on SPD's Bias Crimes website.

The increase in the reporting of bias-involved crimes is a strong indicator of the trust the community has in SPD to professionally and respectfully investigate these cases. The other metrics are good indicators of a department's performance around responding to hate crimes, though many of them fall outside the usual purview of a police department. Police departments are not funded, nor provided the tools, to conduct statistically valid community surveys. Additionally, the number of witnesses interviewed often has no relation to the efforts of the department, but, instead, is unique to the circumstances of each case. Also, for a variety of reasons, many not having to do with trust, it is difficult for the department to routinely obtain data from community organizations on unreported hate crimes.

> *Recommendation 6* – As SPD implements their new records management system, they should create a policy that specifies who is responsible for updating the system when changes to case records are required.

The Department already planned on requiring full case management within the new RMS system, including for bias-involved crimes and non-criminal incidents. The legacy system did not have a comprehensive, user-friendly case management system. The Department selected the Mark43 system, in part, because of its case management capabilities.

> *Recommendation 7* – As SPD implements their new records management system, they should document the procedure for recording hate graffiti. The procedure should ensure that hate graffiti is included in SPD's bias crimes statistics. This procedure could be part of the existing department policy on malicious harassment.

The SPD has always recorded and reported on graffiti and criminal property damage. It is unclear what this recommendation is referencing, unless it is focused on graffiti on public property that is handled by Seattle Public Utilities. These incidents should be reported to the SPD as well, and tracked as usual. More likely can be done to ensure this information is shared.

Conclusion

The Seattle Police Department has established itself as a national leader in efforts around hate crime prevention, engagement, training, investigation, analysis, and education. This work has been an essential element in the continued willingness of hate crime victims – as well as those experiencing incidents that do not rise to the level of a hate crime – to report these incidents to the SPD. Of course, we always are asking ourselves what more we can do, but it is essential for the people of this department who do the work, and the community we seek to serve, to acknowledge that the Seattle Police Department is a model for responding to and preventing hate crimes and other bias-involved incidents.

Sincerely,

Carmen Best
Chief of Police

Page **5** of **5**

APPENDIX B

List of Recommendations

1. SPD should include a separate field in their new records management system to indicate if a malicious harassment case has been referred for prosecution, and to which agency it was sent. This information should be maintained in a way that can be summarized and tracked.

2. SPD should explore the feasibility of documenting the reasons that cases of malicious harassment are not referred for prosecution in their new records management system. This information should be maintained in a way that can be summarized and tracked.

3. The Seattle City Attorney's Office and the King County Prosecutor's Office should track and publicly report data on the prosecution of malicious harassment cases using the data categories listed in this report.

4. SPD should continue to explore ways to partner with community organizations to address the issues mentioned in our survey results:
   - Underreporting: SPD should encourage community organizations to share instances of non-reporting to supplement the information SPD receives through formal reporting.
   - Vulnerable populations: SPD should work with community organizations to determine how crime prevention can be improved for individuals that may be especially vulnerable to hate crimes, such as people with disabilities and the homeless.
   - Increase support: SPD should explore ways to provide community organizations with the support activities mentioned in our survey, including hate crimes training, resource guides, and coordination activities to increase reporting.

5. SPD should track indicators that will help periodically evaluate the success of hate crime efforts, using the measures mentioned in this section and in Appendix of D this report as a guide. The results of this analysis should be published on SPD's Bias Crimes website.

6. As SPD implements their new records management system, they should create a policy that specifies who is responsible for updating the system when changes to case records are required.

7. As SPD implements their new records management system, they should document the procedure for recording hate graffiti. The procedure should ensure that hate graffiti is included in SPD's bias crimes statistics. This procedure could be part of the existing department policy on malicious harassment.

APPENDIX C

SPD Reports and Prosecutions of Malicious Harassment

The numbers below represent individual defendants, rather than number of cases. Some cases involved multiple defendants.

Year	Malicious Harassment Reports	Referred for Prosecution*			Accepted by Prosecutor			Declined by Prosecutor			Prosecuted as Malicious Harassment			Prosecuted as Another Crime		
	SPD	CAO	KCPO	Total	CAO	KCPO	Total	CAO	KCPO	Total	CAO	KCPO	Total	CAO	KCPO	Total
2012	28	4	8	12	3	8	11	1	0	1	1	7	8	2	1	3
2013	33	2	18	20	0	17	17	2	1	3	0	14	14	0	3	3
2014	51	5	18	23	4	17	21	1	1	2	3	15	18	1	2	3
2015	84	5	20	25	0	16	16	5	4	9	0	14	14	0	2	2
2016	89	2	16	18	1	13	14	1	3	4	1	11	12	0	2	2
2017	113	5	25	30	2	21	23	3	4	7	1	19	20	1	2	3
Total	398	23	105	128	10	92	102	13	13	26	6	80	86	4	12	16

Year	Convicted of Malicious Harassment			Convicted of Other Charges			Case Dismissed			No Conviction		
	CAO	KCPO	Total	CAO	KCPO	Total	CAO	KCPO	Total	CAO	KCPO	Total
2012	1	1	2	0	2	2	0	4	4	0	0	0
2013	0	9	9	0	3	3	0	0	0	0	1	1
2014	0	7	7	1	3	4	0	4	4	3	1	4
2015	0	4	4	0	5	5	0	4	4	0	0	0
2016	0	5	5	0	3	3	1	2	3	0	0	0
2017	0	10	10	0	5	5	1	2	3	0	0	0
Total	1	36	37	1	21	22	2	16	18	3	2	5

KCPO – King County Prosecutor's Office (felony level crimes); CAO – City Attorney's Office (misdemeanor level crimes)
*Includes some cases that were referred by SPD as a different crime category.
Five defendants' cases were still open at the time of our review.
Source: Seattle Office of City Auditor analysis of King County Prosecutor's Office and Seattle City Attorney's Office data.

APPENDIX D

Measuring the Effectiveness of Hate Crime Prevention and Response Efforts

The City of Seattle should examine the increase of reported hate crimes using multiple metrics to gain an understanding of the cause(s) and how effectively the City is responding. The Center for Problem Oriented Policing advises using the following process and outcome measures to determine if efforts are successful, and if the efforts are not successful, how to make modifications. Our office included some data sources that the City could use to compile the process measures listed.

Process Measures: Was the response properly implemented?		Potential Data Sources
1	Increased number of people willing to report hate crimes	• Hate crime reports • Resident survey
2	Increased number of officers trained in how to respond to hate crimes	• SPD training records
3	Increased number of officers who take policing hate crimes seriously	• Evaluation of officer training effectiveness
4	Increased number of officers who respond to and interact with sensitivity with hate-crime victims	• Victimization survey
5	Increased interactions, communication, and cooperation between the police and targeted minority communities about hate crimes	• Community engagement metrics (such as the number of SPD meetings with community groups)
6	Improvements in how hate crimes are investigated	• Number of cases closed without talking to any witnesses (negative indicator) • Number of witnesses interviewed per case • King County Prosecutor's Office and Seattle City Attorney's Office feedback on investigation quality
7	Increased number of officers who correctly recognize and categorize hate crimes	• Number of different responding officers who report a hate crime • Number of inquiries to hate crime unit by officers, such as seeking advice about cases that are potentially bias related
8	Increased number of community members, both majority and minority, who express trust in the police	• Resident survey
9	Increased number of people in the community, both majority and minority members, who express support for tolerance and diversity, and outrage against hate crimes	• Resident survey • Community engagement metrics
10	Increased compatibility between the number of hate-crime victims reporting their victimization to the police and the number who report to watch groups or in victimization surveys	• Community organization data on unreported hate crimes • Hate crime reports

Outcome Measures: How effective was the response?		Potential Data Sources
11	Decreased number of hate crimes in your community	• Hate crime reports
12	Decreased severity of harm caused by hate crimes (even if the number of hate crimes stays the same)	• Hate crime reports
13	Decreased fear of becoming a hate-crime victim	• Resident survey
14	Decreased number of hate groups in your community	• SPLC data on hate groups

APPENDIX E

Survey of Community Organizations

In 2018, we conducted a survey of community organizations to understand more about the services they provide for preventing and responding to hate crimes, and what additional support, if any, they may need from the City. We were also interested in learning about barriers to reporting hate crimes to the Seattle Police Department (SPD). The survey was sent directly to 212 individuals representing various community organizations. In addition, a link to the survey was published online. To create our survey distribution list, we obtained referrals from the City of Seattle's Office for Civil Rights, SPD, and the Northwestern Regional Office of the U.S. Department of Justice Community Relations Service.

We received 127 responses to our survey. After reviewing these responses for completeness, we identified 54 responses, representing 53 organizations, that we considered sufficiently reliable to include in our analysis. We did not consider responses that were missing responses to significant questions, or from respondents who did not represent a community organization.

Respondent organizations included, among others, service providers, advocacy organizations, educational organizations, government organizations, and faith-based organizations. Service areas covered included Seattle (28 organizations), King County (14 organizations), the Puget Sound region (2 organizations), the State of Washington (4 organizations), and other regions or geographic areas (6 organizations).

Below, we summarize the results from key survey questions. Some responses were altered slightly to remove identifiable information. We appreciate the time and effort the representatives from these organizations took to respond to this survey.

Survey Results

Question 1: Briefly describe the population your organization serves. *(respondents could enter any response in an open text field)*

Respondents reported serving the following populations:

African refugee and immigrant women and their families; persons who identify as having a disability; tenants; Asian American seniors; Asian Pacific Islanders; Somali/East African community; children and families; low income persons and households including unemployed or underemployed residents; immigrants; refugees; people of color; university students; homeless; mentally ill; substance abusers; homeless adults that use drugs or alcohol; immigrant Latinx day laborers and domestic workers; Latino/Latino LGBTQ; limited English speakers; Seattle Housing Authority tenants; public school students considered at-risk and their families; victims of crimes and trauma survivors; persons who experience violence or discrimination on the basis of gender and sexuality; members of the Gothic community; gardeners; believers in Baha'u'llah; persons in specific Seattle neighborhoods; persons interested in co-housing; and everyone, no boundaries.

Question 2: Does your organization currently support activities to prevent or respond to hate crimes or hate incidents? *(multiple choice, respondents could choose more than one response)*

Activity	Number of Responses
Community meetings	24
Information about how to report hate crimes and hate incidents to the police	18
Anti-bias training	18
Public policy advocacy	16
Organize community meetings about hate crimes/incidents	15
Organization does not currently provide activities for preventing or responding to hate crimes/incidents	15
Hate crime/incident victim assistance	12
Support groups	10
Restorative justice practices	9
Training for hate crime/incident prevention	8
Training for bystanders of hate crimes/incidents	8
Information about hate crime/incident trends and data	7
Legal services for victims	7
Peacemaking circles	4
Operate a hotline for reporting hate crimes/incidents	2
Other activities (please describe): ▪ Referrals to partner organizations, that provide direct services ▪ Contacting City Officials on behalf of the community ▪ In our yearly Summit we often address issues of bias against persons who have a limited ability to communicate in English. ▪ If we are aware of problems, we urge our members to report incidents to the police ▪ Training in dealing with housing advocacy and lobbying the state Legislature ▪ We provide Help hotlines and other links for people to find information ▪ We are normally the victims of hate perpetrated by Socialists and Communists. Hate crimes are a tiny part of the serious larger issues ▪ We assist and inform when told of a situation and have a no tolerance policy in place ▪ Race and Equity trainings for volunteers in the Seattle Public Schools ▪ Community education on interacting with police ▪ Individual therapy services, medical services	12

Question 3: Please describe any additional activities for preventing or responding to hate crimes and hate incidents that would be helpful to the people served by your organization. (*respondents could enter any response in an open text field***)**

- ****FUNDING**** for any of the above activities that would be appropriate. For [the question regarding how significant hate crimes are for the people served by our organization] I think it really depends on if the senior is also a member of a community that is a target of hate crimes. However, we weren't given that as an option, so I picked something neutral.
- A better understanding of follow up processes.

- Our organization is very interested in helping to form a Hate Crimes Task Force. We are in early conversation with the King County Prosecutors office and other interested groups, and it could be great to have City of Seattle involved, too.
- Anti-discrimination policies and procedures
- At least 50% of people killed by police are Deaf or disabled; as such, many disabled people don't want to interact with the police or report crimes, especially if they are POC or LGBTQ.
- Community awareness training on hate crimes topic is important. Providing tips and resource how to recognize, to respond in a safe manor, and to report for prevention.
- Educate community on policies and systems from a cultural lens
- Education
- Education and awareness
- Employer training
- Funding to print brochures in multiple languages describing how to identify, report and address hate/bias incidents. We have speakers who have considerable experience in this area and have developed materials in English which could be used as a basis for such a brochure/reporting form.
- Getting rid of all politically correct far left liberal morons in the world
- Information on hate crimes, literature to pass out to tenants.
- It is not really our primary focus, however, if there should be a problem, we will get involved
- Multi-racial meetings, with all groups *strongly* encouraged to attend
- Need focus on mentally challenged, especially Dementia sufferers, and Seniors on Social Security.
- Police accountability & training
- Printed resource guide
- Private space for shelter residents (safe from police and ICE)
- Promote the elimination of prejudice of all kinds through educational practices.
- Rapid response training for ICE raids.
- Stop the sweeps of homeless people's camps until there is enough suitable housing or shelter for them to go to.
- Stronger policies on harmful hate speech and alt-right resurgences, including protection from rallies
- Support for examining the massive problem of continuing abuse by caregivers and inability of City of Seattle to support residential victims who are frail
- There is a huge need for case management in accessing victim's compensation funding, trauma informed therapist that are free or low cost, emergency financial assistance, as well as safety and security upgrade assistance funding.
- We are all trained to identify & respond to hate crimes that happen against our clients, HOWEVER, our clients very, very often decline to file a claim or seek justice.
- We build community relationship which can be a foundational support for people experiencing hate crime, but we do not have any formal programming to respond.
- We offer sport programs that involved whole families
- We promote as much as possible the SPD/OCR bias reporting hotline. We have also contracted with organizations to offer help to immigrant and refugee students in Seattle Public Schools who have experienced bullying due to their perceived immigration/citizenship status.
- We work in conjunction with law enforcement and other community organizations.
- We work with some international students and immigrant communities. Despite our encouragement and assurances (we often work with other groups including the police and DOJ), some are still unwilling to report.

- We would like to promote programs where Socialists, Leftist and Liberals could learn to be Tolerant of Diverse opinions as expressed by others. We have found Seattle to be sorely lacking in this ability.

Question 4: In general, for the people served by your organization, how significant an issue is hate crimes/incidents? *(respondents could choose only one response)*

Level of Significance	Number of Responses	Percent of Total Responses
Very significant	19	35%
Somewhat significant	9	17%
Neither significant or insignificant	3	6%
Somewhat insignificant	9	17%
Very insignificant	10	18%
Don't know	4	7%
Total responses:	54	100%

Question 5: Within the past six months, have people served by your organization in Seattle been victims of hate crimes or hate incidents, to your knowledge? *(respondents could choose only one response)*

Aware of hate crimes in the last six months	Number of Responses	Percent of Total Responses
Yes	32	59%
No	6	11%
Don't Know	16	30%
Total responses:	54	100%

Question 6: Where did these hate crimes/hate incidents mostly occur? *(multiple choice, respondents could choose more than one response)*

Location of hate crime(s)	Number of Responses
At work	13
At school	14
On public transportation	12
On the way to or from work	10
On the way to or from school	5
On the way to or from another place	12
Shopping, errands	10
At place of worship	4
At home	8
Leisure activities away from home	5
At bar or night club	4
Online, through social media	8
Don't know	2
Other – Council meetings	1

Location of hate crime(s)	Number of Responses
Other – while living or being outside	1
Total responses:	109

Question 7: In the past six months, were the people served by your organization targeted for *(multiple choice, respondents could choose more than one response)***:**
- **Categories protected by Washington State law**
- **Categories protected by City of Seattle law**

Protected Category	Legal Code	Number of Responses
Race	State of Washington	21
Color	State of Washington	19
Religion	State of Washington	13
Ancestry	State of Washington	7
National origin	State of Washington	16
Gender	State of Washington	11
Sexual orientation	State of Washington	15
Mental, physical or sensory handicap	State of Washington	8
Homelessness	City of Seattle	14
Marital status	City of Seattle	6
Political ideology	City of Seattle	7
Age	City of Seattle	8
Parental status	City of Seattle	3
Don't know	N/A	12
Total responses:		160

Question 8: In the past six months, how many of these hate crimes/hate incidents were reported to the Seattle Police Department, to your knowledge? *(respondents could choose only one response, some chose not to respond)*

Hate Crimes Reported to SPD	Number of Responses	Percent of Total Responses (54)
Most were reported	4	7%
Some were reported	11	20%
None were reported	4	7%
Don't know whether they were reported	12	22%
Total responses:	31	57%

Question 9: For the people served by your organization who experienced hate crimes/hate incidents in the past six months, what were the reasons for not reporting to the Seattle Police Department? *(multiple choice, respondents could choose more than one response)*

The top six reasons for not reporting were:

1. Cultural issues or fear of revealing immigration status

2. Fear of reprisal by the offender
3. Victim preferred to report to the community organization rather than law enforcement
4. Limited English Proficiency
5. Perception that law enforcement would be inefficient, ineffective
6. Victim handled the matter themselves or informally

Question 10: For the people served by your organization, please describe any steps that might be helpful to ensure that all hate crimes and hate incidents in Seattle are reported to the police. *(respondents could enter any response in an open text field)*

- Build confidence with the Police Departments and have guaranties that the victim will be protected.
- Continued community outreach and a stronger PR effort.
- Dump Trump.
- Flyers, informational flyers or posters to post in building common areas.
- Full disclosure by police of reports and of resolution.
- Having a strong community-police relationship and police presence more frequently and accessible around Othello Station area.
- Hire and promote more police that represent the diverse communities for which the police serve.
- I believe that training our residents about dementia would result in more reports. Many "blow it off" as the resident being a "drunk".
- Increased public awareness and advocacy that crimes against the homeless are crimes.
- More outreach with immigrant communities, especially on matters pertaining to U and T Visas and VAWA.
- Some was reported and others language barrier.
- The biggest problem is the one involving the police as perpetrator during graduation ceremonies. The victim reported it to the UW.
- The Mayor must stop sweeping homeless encampments and denying people any shelter at all, which is what is now happening. There is no shelter to replace that which the Mayor is ordering swept, and the police are carrying out this cruel and we believe unlawful order.

Question 11: What else would your organization like us to know about the Seattle Police Department's response to hate crimes and hate incidents that affected the people served by your organization? *(respondents could enter any response in an open text field)*

- Assign culturally appropriate officers to the neighborhood they serve.
- Creating a non-criminal civil statute for protection similar to protection from abuse orders. Many survivors do not want to engage with police, prosecutors, or courts and find the process revictimizing without creating additional safety or providing any resources to cope with trauma.
- Is there any plan to combat and bring awareness on this issue rather than dealing with the issues as they arise?
- It is hard to handle both sufferer and trespasser in many situations. Community Police do a good job, but those who prey on persons with dementia say they are homeless...hard to know it that is true.
- It is particularly shocking and misleading to team up police who are sweeping peoples shelters with other 'navigation team' workers who purport to have access to resources that they do not, in reality, have.

- It's hard to know if age is involved or gender because these are all intersected. I believe the one involving Seattle police was racial, but it could be age since the officer probably mistook the Asian American professor to be younger and threatened him when he was corrected, etc.
- Police officers who do not comply with the morals and standards of policing. Those minority of officers who violate the rights of individuals get more attention than the good deeds performed. Need to better screen for officers who can mentally handle the job.
- Seattle PD is working hard to be responsive. Kudos for their efforts.
- The incident rate of hate crimes against our clientele is of major concern to our organization because of the very physical & emotional negative impact of these hate crimes. We respond to the crises as they happen, provide therapy for those that have happened in the past, and do what we can to decrease the likelihood of a future hate crime, but we've been able make very little progress with motivating our clients to come forward & interact w/ SPD, and many times we do not hear the extent of the harassment & abuse that occurs against our clients - it's hard to even estimate the numbers affected.
- To educate the community what are their rights and provide interpreters.

Question 12: What else would your organization like us to know about how hate crimes and hate incidents in Seattle affect the people served by your organization? *(respondents could enter any response in an open text field)*

- A better understanding of the issue officers are dealing with. Help us understand what it is like to be in their shoes.
- Due to the sweeps more homeless people are physically and mentally suffering, and more are dying - the rate is unprecedented.
- Hate crimes impact the people served by our organization financially, as they are often denied employment or terminated because of the color of their skin.
- Hate messages, of course, go beyond the individual or individuals that are specifically targeted. Hate incidents and crimes are intended to send a message to entire communities, and to communicate a feeling of "otherness" or vulnerability. Groups across the spectrum are feeling anxiety due to white supremacist leafleting, swastikas, offensive online comments, etc., which are currently on the uptick here in Seattle, and society in general.
- How can we support the victims to come forward to make reports and not to wait and suffer mentally?
- In the disability world, people experience bullying, mistreatment, and oppression that goes unreported. I believe we need to look at this category, and those trying to live in independent housing who don't manage it well. This city needs far more housing for those with memory issues (dementia and related disorders).
- Just because a person disagrees with your political viewpoint, it is not a hate crime. Just because you feel offended, it is not a hate crime to speak the truth.
- LGBT+ older adults, especially compared to younger queer folks, are sometimes not "out" to everyone, and may be reluctant to talk about incidents.
- Many of our members work in Seattle and live outside city limits.
- Men of color in manufacturing training and on worksites have experienced significant discrimination and bias.
- Not only immigrants are vulnerable to hate/bias incidents, but those who assist the as advocates or as interpreters are also targeted.
- Statistics of hate crimes in Seattle and if our group is a typical target for hate criminals.
- That they are being addressed and followed up on.

- Our members oppose hate crimes against any individual or group, regardless of religion, race, ethnicity, gender, sexual orientation, or political affiliations.
- The people being picked on seem to be young API/APIA women. The international students and immigrants seem to be most impacted because of stereotypes and language difficulties.
- The school district has its own curriculum to deal with bullying and hate crimes, yet I'm sure they still occur.
- There is significant fear of biased-based crime, and growing fear of interacting with government agencies and officials.
- Training, information.
- We see daily institutional policies that are biased against black, brown, and immigrant students. Our students regularly feel discriminated against by white teachers and white institution policies.
- We work with the youth primarily. Hate crimes can be very triggering for some of them or create its own trauma.
- Your questionnaire does not list AGE as a source of protection under City Law….why not? This questionnaire shows bias at every level and should be investigated for this use of City funds when it is clearly biased against age related issues.

Question 13: What challenges has your organization had in providing support to victims of hate crimes? *(respondents could enter any response in an open text field)*

- Our organization would like to work more closely with the City and the Mayor's Office to support our respective efforts and to amplify the good work we are doing, in addition to the challenges we face. A united message of Seattle being "no place for hate" could be very powerful.
- Bias and racism can still manifest in street level bureaucracy, and that really scares folks away from reporting.
- Capacity to monitor these incidents.
- Explaining things to our managers.
- Finding good legal representation.
- For five years I have heard lip service and seen no funding, support, or coordination in addressing the issue. It has been deeply frustrating.
- Funding for staff to focus on services and referrals.
- Hate crime workshops, speaking out on issues. We have worked with the City of Seattle on these issues, the UW campus, etc.
- I think it's more significant for my students because of our high population of Somalis. The girls who wear hijabs have been sometimes targeted by other children who think it's funny to try to pull off their hijab. I can't speak to the greater community, but I'm sure there are times when it might be scary to be Somali in America. I feel for the families and what this teaches them about self-worth and self-esteem. All I can say is that we try to teach peace and that we are all human beings.
- Impeach mayor and all city council members.
- Knowing where to find legal assistance.
- Lack of capacity to deal with this. We're more a health and policy-oriented organization.
- Lack of interest for safety on public highways (massive potholes on the road and breaks in sidewalks) so that elderly and infirm cannot move easily. But hey, I got a new bike lane sign outside my front yard so it is not a question of money… it is a clear demonstration of lack of fiduciary responsibility and prejudice against persons who rely on cars to get to the grocery store down the block.
- Not knowing about them.

- Our challenges have been the SPD's continued disrespect and violent tendencies towards the people we serve.
- People seeing abuse and mistreatment as a hate crime.
- Poor attendance of members at meetings. Not all neighborhoods represented.
- Our organization is an intermediary so we often get the information regarding incidents second hand from our navigators and CBOs.
- The City of Seattle's Human Service Department is black balling our organization because we object to the sweeps, and counter misinformation about the sweeps.
- Those in political power do not give equal protection under the law.
- Thoughts that the police would be ineffective.
- Under-reporting because of fear/distrust of government that is pervasive in immigrant and refugee communities.
- We are an all-volunteer organization. As such, we do not enjoy the services of staff which could permit us to offer our direct services. Nevertheless, we have available speakers with considerable experience and expertise in this area.
- We do not understand the scope though assume it to be large.
- We encourage reporting any crimes to the authority. We encourage a spiritual approach to seeing the nobility in each soul, and the opportunities for learning and change.
- We get police and healthcare providers if needed. We have provided bereavement and grief counseling recently as well.
- We provide emotional support and encourage the victims to report with our assistance. However, often the victims do not want to report and we have to go with their wishes.
- We share tenant rights.
- Well, we would need knowledge/training to help them.
- When they come to us, we expect that they be able to cooperate with us in leading them through the legal system. At some point they may refuse.
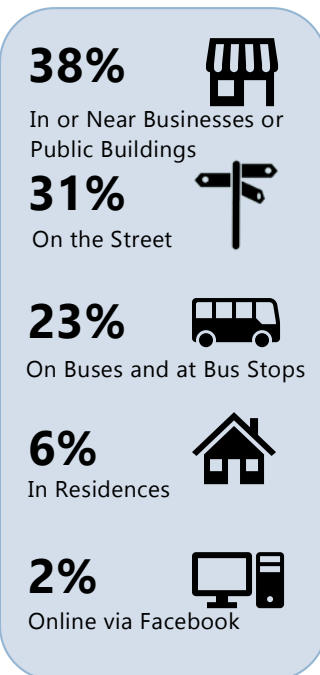- Willingness to address these matters publicly.

APPENDIX F

Demographics and Case Characteristics of Prosecuted Hate Crimes in King County

In our review of prosecuted hate crimes in King County, we summarized victim and defendant demographics and other characteristics about the cases. This data includes all cases prosecuted as malicious harassment from all law enforcement agencies in King County for the years 2012 to 2017. There were 118 cases total; SPD referred most of these cases (74), followed by the King County Sheriff's Office (24).

65%
Race, Ethnicity, Ancestry, National Origin

32%
Gender Identity/ Sexual Orientation bias

3%
Disability bias
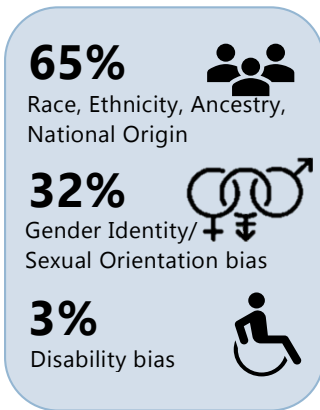
Victims in Prosecuted Hate Crimes
The percentages of the bias categories from our review of prosecution data are consistent with those of reported crimes, with race and ethnicity crimes accounting for the largest percentages. This indicates that hate crimes are being evenly prosecuted across all bias categories.

38%
In or Near Businesses or Public Buildings

31%
On the Street

23%
On Buses and at Bus Stops

6%
In Residences

2%
Online via Facebook

Crime Locations in Prosecuted Hate Crimes
Most hate crimes occurred in or just outside of businesses or public buildings, or on the street. These typically involved a passing interaction with a stranger as the victim was patronizing a store or walking from one place to another. About a quarter of hate crimes occurred on a bus or at a bus stop. These cases were also random in nature. A small percentage were inside living areas, such as homes and apartments. These instances were typically more personal in nature, meaning the perpetrator knew the victim before the crime occurred. Only two cases involved an online hate crime. This could be an area for police agencies to give greater attention and outreach, as online crimes continue to rise with the increase of social media use.

85%
Male

83%
Had a Criminal History

20%
Intoxicated

22%
Living Unsheltered

20%
Mentally Ill
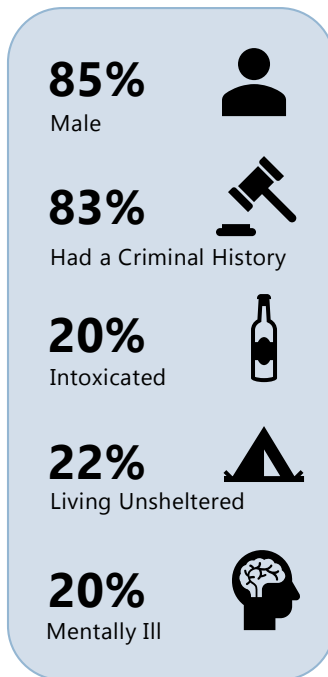
Perpetrators in Prosecuted Hate Crimes

The majority of the perpetrators of hate crimes were male (85 percent), with a median age of 37. Police records show that 77 percent of perpetrators were White and 19 percent were Black. Most perpetrators had prior convictions (83 percent), acted alone in committing the crime (91 percent), and did not know their victim (87 percent). Twenty percent of the perpetrators were suspected to be under the influence of alcohol at the time of the crime. Most perpetrators live in Seattle (41 percent) or in surrounding cities (30 percent), and 22 percent reported they were homeless. Twenty percent of the defendants either claimed to be or were suspected of suffering from mental illness. Six percent of the cases prosecuted as malicious harassment were transferred to the King County District Court Regional Mental Health Court. This program is available to people that meet certain eligibility requirements, and provides access to medication and treatment services.

64%
Had a Witness

16%
Video/Audio Recorded

25%
Involved a Weapon
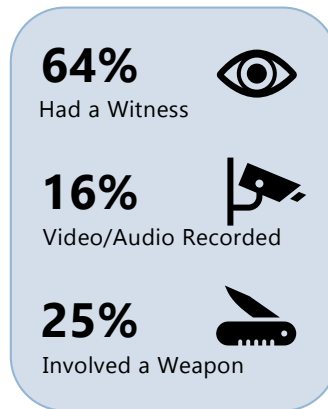
Other Attributes of Prosecuted Hate Crimes

In 64 percent of the cases, the police report mentioned the corroboration of the crime by a witness at the scene. Few cases were recorded by video and/or audio (16 percent). Senior King County Deputy Prosecuting Attorney Mike Hogan told us that a credible witness and video evidence can significantly aid in prosecution. In 25 percent of the cases, the defendant displayed and/or used a weapon against the victim. The most common weapon was a knife.

APPENDIX G

Geographic and Demographic Analysis of Hate Crimes in Seattle

Neighborhood Demographics, Zoning, & Hate Crime Report

Tim Thomas, PhD University of Washington
t77@uw.edu
8/18/2018

Executive Summary

Hate crimes in Seattle are not randomly distributed, but rather cluster around different neighborhood social and cultural dynamics measured through racial composition, socio-economics, political, and other population factors. For instance, places with a large presence of a targeted group may see higher counts of hate crimes (e.g., more anti-LGBTQ crimes in neighborhoods like Seattle's Capitol Hill). Furthermore, areas with high population diversity and turnover (e.g., high proportion of renters, pedestrian traffic, or nighttime destinations where strangers converge) may see more hate crimes due to social or cultural friction. In both scenarios, victimizers in these spaces inflict abuse or violence on a victim who they believe should be or act in a way that aligns with the victimizer's group's values or beliefs. These hate crimes are situated within the context of exploitation, marginalization, and cultural imperialism.[1]

To understand spatial trends in hate crimes, this analysis examines the geographic distribution of hate crimes[2] reported to the Seattle Police Department (SPD), hate graffiti reported to Seattle Public Utilities (SPU), neighborhood socio-demographics, and land use characteristics. Data are drawn from SPD, SPU, the U.S. Census Bureau, and the King County GIS Data Hub.

Primary findings:

- Hate crimes are most frequently directed towards a victim's race or ethnicity (54%) and sexual orientation (32%).

- Hate crimes occur more often in block-groups that are either racially diverse, have slightly lower income than the Seattle median, or have a high proportion of renters.

- The largest clustering of hate crimes occurs in the densely populated areas of Downtown and Capitol Hill. Smaller clusters occur in the U-District and Ballard—all spaces known for high commuter and visitor traffic.

- In less dense areas of Seattle where more White residents live, hate crimes occur along the borders of mostly White and racially diverse neighborhoods.

- Over half of all hate crimes (53%) occur in mixed general use (commercial and residentially zoned areas) and multi-family residential zones—areas that tend to be proximate to each other.

- Like hate crimes, hate graffiti is reported along busy thoroughfares and in racially diverse block-groups. Unlike hate crimes, graffiti is reported more often in block-groups that are mostly White and White-Asian.

---

[1] Perry, B. (2002). In the name of hate: Understanding hate crimes. Routledge.
[2] The terms hate crime and bias crime are used interchangeably in this report.

Page 1 of 20

Findings

1. Hate Crime Counts

The data used for this analysis are verified bias related incidents[3] reported to SPD between January 2012 and December 2016. After cleaning the data, a total of 808 hate crimes were aggregated into three main categories based on the victim's race and ethnicity (e.g., Black, White, Asian, other), sexual orientation (e.g., LGBTQ, male, female), and other (a catch-all for less frequent hate crimes such as religious, political, or homeless).

Among the three primary hate crime types in Figure 1.a, the highest number of incidents are directed towards the race and ethnicity of the victim (n = 437) followed by sexual orientation (n = 262) and other (n = 109).[4]

Figure 1.a: Aggregated Hate Crime Counts by Category, 2012-2016
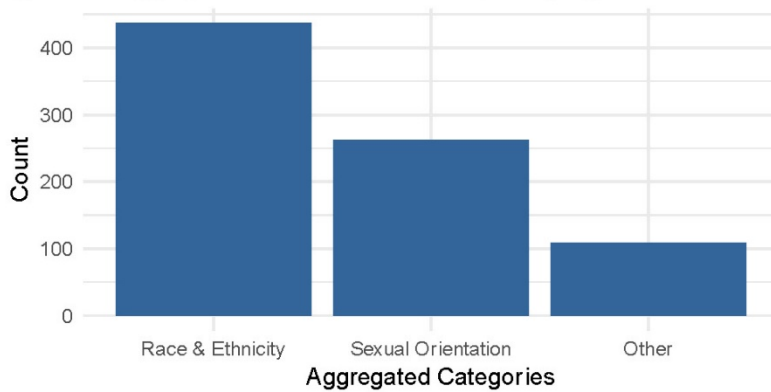
Figure 1.b shows the breakdown of hate crimes as defined and reported by SPD. Each hate crime is grouped into sub-categories consisting of gender identity (GI on the x-axis), other (Oth), race and/or ethnicity (RE), religion (Rel), or sexual orientation (SO). The two most prevalent hate crime types are directed towards Black and LGB individuals with over, or near, 200 incidents. Hate crimes against White and Jewish individuals had over 50 occurrences each while Asian, transgender, ethnicity, Latinx, and Native American had over, or near, 25 a piece.

---

[3] SPD tracks three categories of bias related incidents: bias crimes, crimes with bias elements, and non-criminal bias incidents.
[4] A small number of cases have a combination of race and ethnicity and sexual orientation/identity identifiers, such as LGB/Black. These combined instances are aggregated into the race and ethnicity category.

Figure 1.b: Detailed Bias Counts by Disaggregated Categories, 2012-2016
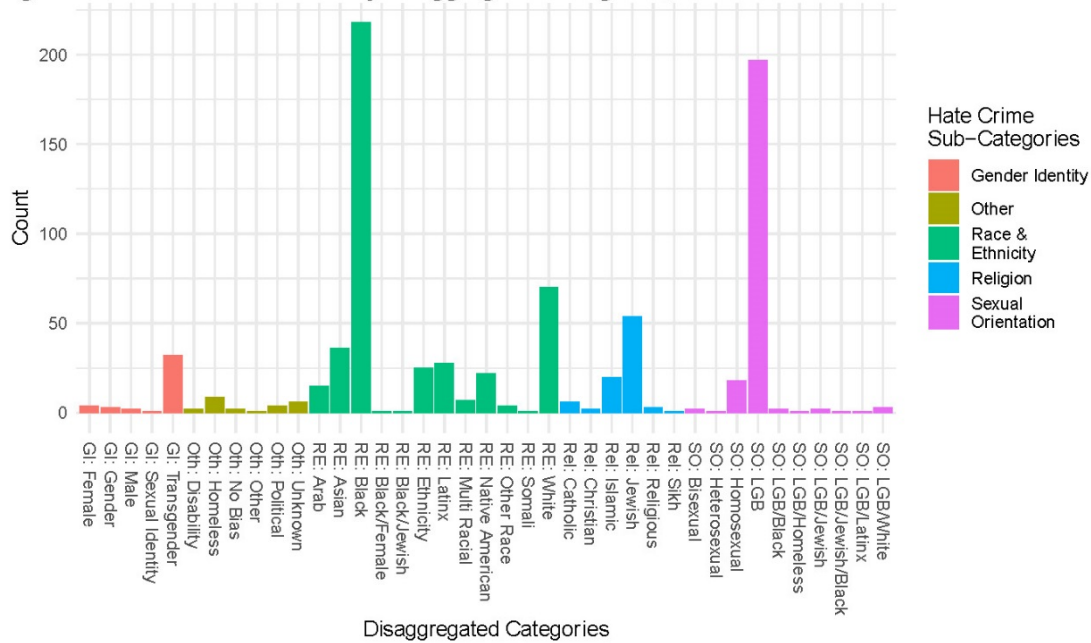
2. Hate Crimes and Neighborhood Socio-Demographics

Neighborhood characteristics for this report were selected based on theoretical and scholarly considerations around the topics of hate crimes, racial segregation, criminology, and demographics related to neighborhood transition (e.g., gentrification). This includes:

1. Neighborhood level racial composition (the proportion of White, Black, Asian, Latinx, and other/multi-racial residents)

2. Socio-economics (neighborhood median family income and the proportion of residents on public assistance; in poverty; unemployed; with a bachelor's degree or higher; and workers that are managers, scientists, or artists)

3. Socio-demographics (proportion of households that are female headed with children, residents over 65 or below 18 years of age, and children in K-12 private school)

4. Housing dynamics (proportion of renters, homeowners, and median gross rent)

Neighborhood racial and socio-economic characteristics are drawn from 2012-2016 five-year American Community Survey census defined block-groups (a cluster of street blocks with roughly 600 to 3,000 persons). Block-groups are ideal for this analysis as they provide the smallest census geography with aggregated socio-economic, demographic, and other relevant neighborhood information. Overall, hate crimes tend to occur most in block-groups with slightly more racial diversity, slightly lower incomes, and more renters as compared to the Seattle median. See Appendix A. and B. for box plots of the listed variables.

Racial Composition

Regarding racial composition, hate crimes occur in neighborhoods with a relatively high proportion of Whites, which makes sense given that Seattle is mostly white (about 67%). Half of hate crimes occur in neighborhoods where the white proportion is between .53 and .73 with a median of about .64. The median neighborhood Black proportion where hate crimes occur is about .06, .11 for Asian, .06 for Latinx, and .06 for other and mixed-race groups.

Socio-Economics

Regarding socio-economics, hate crimes occur in relatively low welfare and low unemployment block-groups, but slightly more in somewhat higher poverty and lower income block-groups as compared to Seattle's median values. Seattle's median block-group poverty is about .07 while the median block-group value for where hate crimes occurs is 0.14. Likewise, Seattle's overall block-group median family income is about $80k while the median income value for where hate crimes occur is about $63k. The median college education and the proportion of professionals between the Seattle and hate crime distributions are almost the same, just slightly lower for the distribution of hate crimes.

Socio-Demographics

Regarding socio-demographics, the hate crime distribution is about the same as Seattle's neighborhood distribution. Hate crimes occur in block groups with a slightly lower proportion of professionals and persons under 18 or over 65. Hate crimes occur in block groups with slightly lower proportion of those in private school as compared to Seattle's median private school attendance. Female headed households with children are relatively the same for Seattle and the hate crime distribution.

Housing Dynamics

Regarding housing dynamics, there is no real difference between where hate crimes occur and different distributions of Seattle's median gross rent—meaning hate crimes do not occur more or less in low or high rent areas. However, hate crimes do tend to occur more in areas where there is a higher proportion of renters (a median .77 where hate crimes occur as compared to Seattle's median of .45). Theoretically, areas with more renters tend to have more diversity between social groups (e.g., differences in norms, beliefs, and demographics), leading to possibly more friction between different groups and possible increases in hate crimes.[5][6]

3. Spatial Distribution of Hate Crimes

The following section shows the geographic distribution of hate crimes overlaid on distinct neighborhood racial typologies and land-use zones.

3.1 Hate Crimes and Neighborhood Racial Composition

Figure 3.a shows all hate crimes overlaid on eight different racial neighborhood types from mostly white to mostly diverse within the city:

- *Mostly White* (> 90% white)

- *Four White-shared* categories (e.g., White-Asian where < 70% is white, > 10% is Asian, and all others are < 10%)

---

[5] Kirk, D. S., & Laub, J. H. (2010). Neighborhood Change and Crime in the Modern Metropolis. *Crime and Justice*, 39(1), 441–502.

[6] Lees, L., Slater, T., & Wyly, E. K. (2007). *Gentrification*. New York: Routledge.

- *Three groups* (< 70% is white and two groups are > 10%)

- *Four groups* (four or more of the five racial groups are above 10%)

- *Mostly People of Color* (White is < 20% while all other groups are above 10%)

Hate crimes tend to cluster in the densely populated areas of downtown, Capitol Hill, Ballard, the U-District, and along major thoroughfares. These highly populated and high pedestrian traffic spaces allow individuals the opportunity to interact with diverse groups of people leading to a higher frequency of hate crime incidents. In less dense areas, such as North Seattle, hate crimes tend to occur in minority mixed neighborhoods just along the border of mostly-White neighborhoods.

A majority of these crimes along the borders are related to race and ethnicity which can be explained in part by the racial threat hypothesis: the perceived encroachment of People of Color in White dominated areas "leads Whites to perceive threats to their economic and political standing and personal safety."[7] To quell this threat, Whites respond with formal social control (e.g., calling the police) or informal social control, such as confrontation through verbal or physical assault (i.e., hate crimes). High traffic corridors along these racial boundaries seem to exacerbate the rate of hate crimes in these less populated areas. This bordering effect also occurs in block-groups located around West Seattle, Magnolia, Eastlake, and Montlake.

In South Seattle's more diverse block-groups, most hate crimes seem to occur along the Rainier Avenue and MLK Way corridors where there are White-mixed and mostly minority neighborhoods. This area holds a mix of race/ethnic and sexual orientation hate crimes. A possible explanation for these patterns is the influx of white middle-class residents through gentrification in this area, increasing diverse exposure and potential tensions between legacy and new residents.

---

[7] Ousey, G. C. and Matthew R. L. (2008). Racial Disparity in Formal Social Control. *Journal of Research in Crime and Delinquency* 45, no. 3, 322–55.

Figure 3.a: Hate Crimes and Neighborhood Racial Typology, 2012-2016

Neighborhood Racial Typology

- Mostly White
- White−Asian
- White−Other
- White−Latinx
- White−Black
- Three Groups
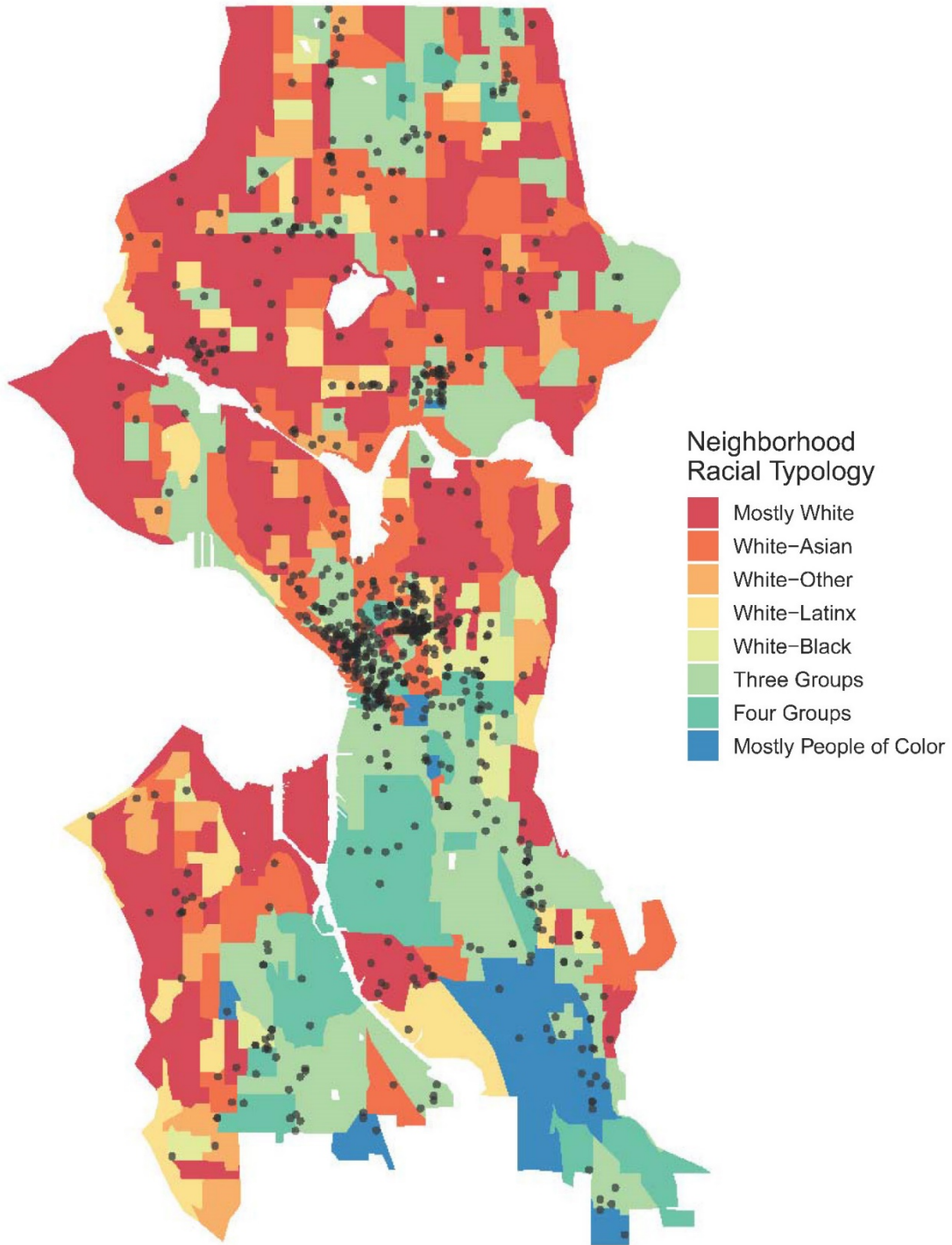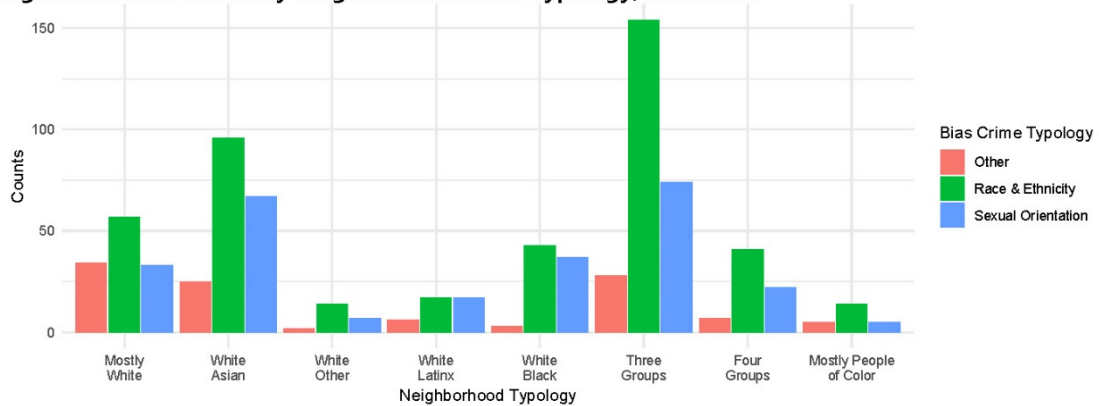- Four Groups
- Mostly People of Color

Figure 3.b shows the number of hate crimes within the different neighborhood racial typologies. Here we see that most hate crimes are occurring in neighborhoods that are categorized as three groups, White-Asian, and mostly White.

Figure 3.b: Hate Crimes by Neighborhood Racial Typology, 2012-2016

3.2 Hate Crimes and Land Use Zones

Drawing from King County's land use zoning data, the following graphs and maps provide insight into where the three primary hate crime types are occurring in relation to zoning.

Figure 3.c shows that most hate crimes occur in general mixed use,[8] central business district, multi-family residential, and single-family residential zoned areas.

Figure 3.c: Hate Crimes by Land Use Zones, 2012-2016

---
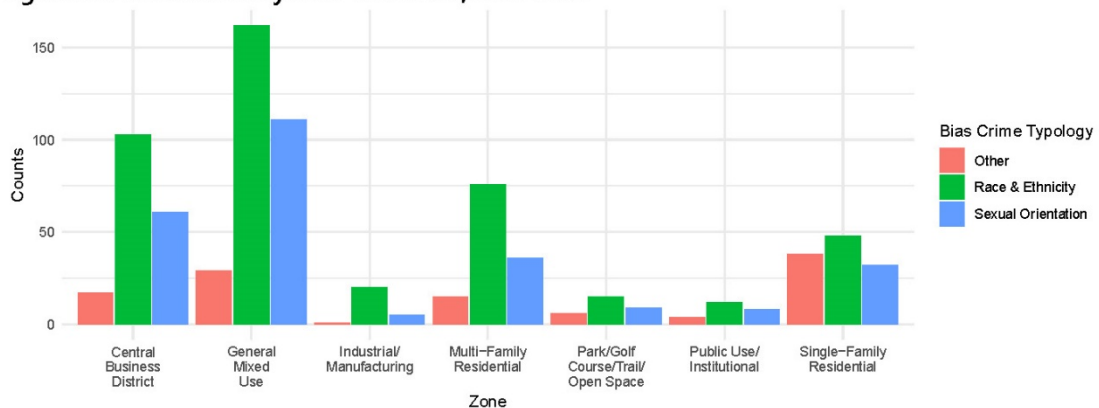
[8] General mixed use areas are zoned for buildings that are a mix of non-residential (e.g., commercial or office space) and residential.

Most of the hate crimes in North Seattle occur in general mixed use areas, with multi-family zoned areas slightly buffering the geographically larger single-family zoned areas.

Figure 3.d: North Seattle
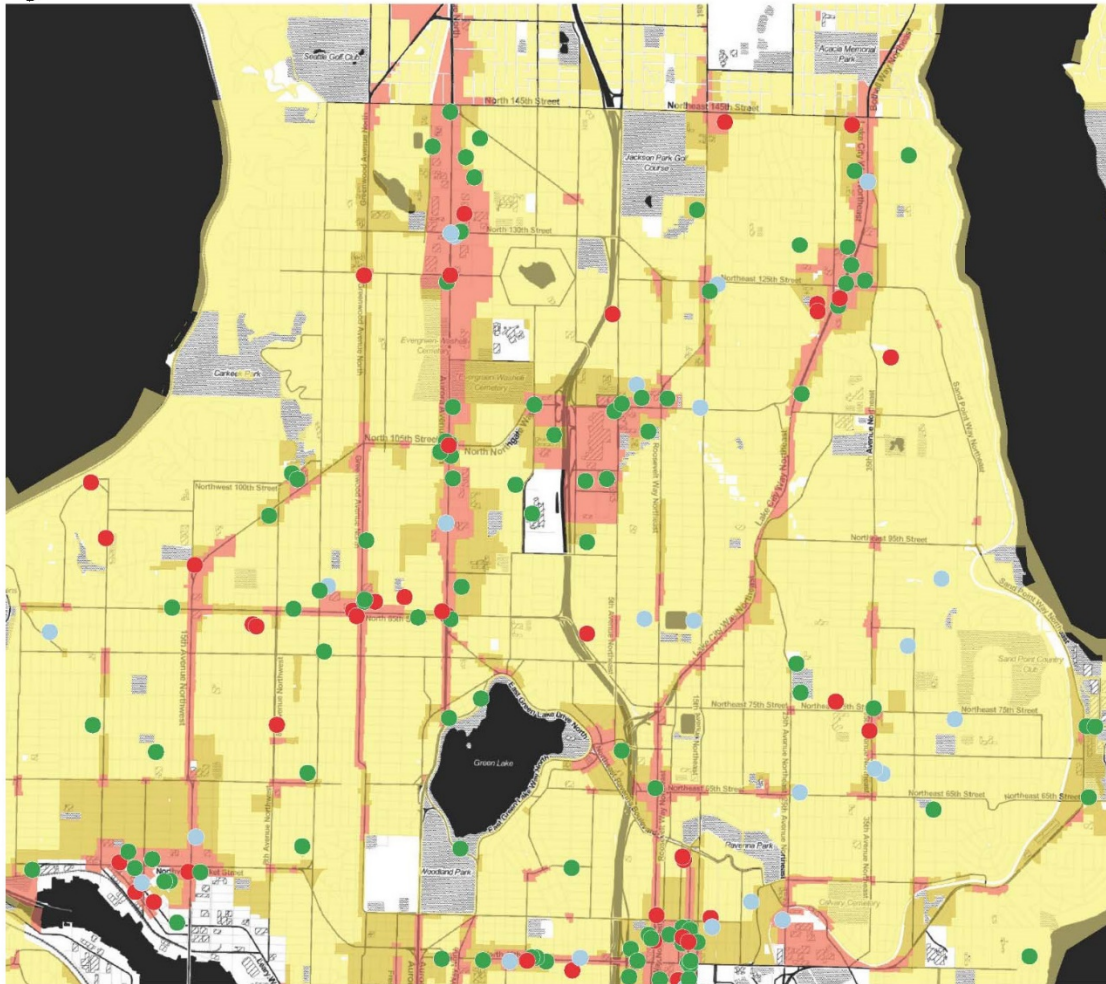
Just south and north of the ship canal, most hate crimes also occur in general mixed use areas surrounded by multi-family residential zoned areas. In this area, hate crime clustering occurs within Ballard and the U-District, areas that feature higher pedestrian traffic, visiting commercial businesses and restaurants/bars, in addition to the University of Washington's student population.
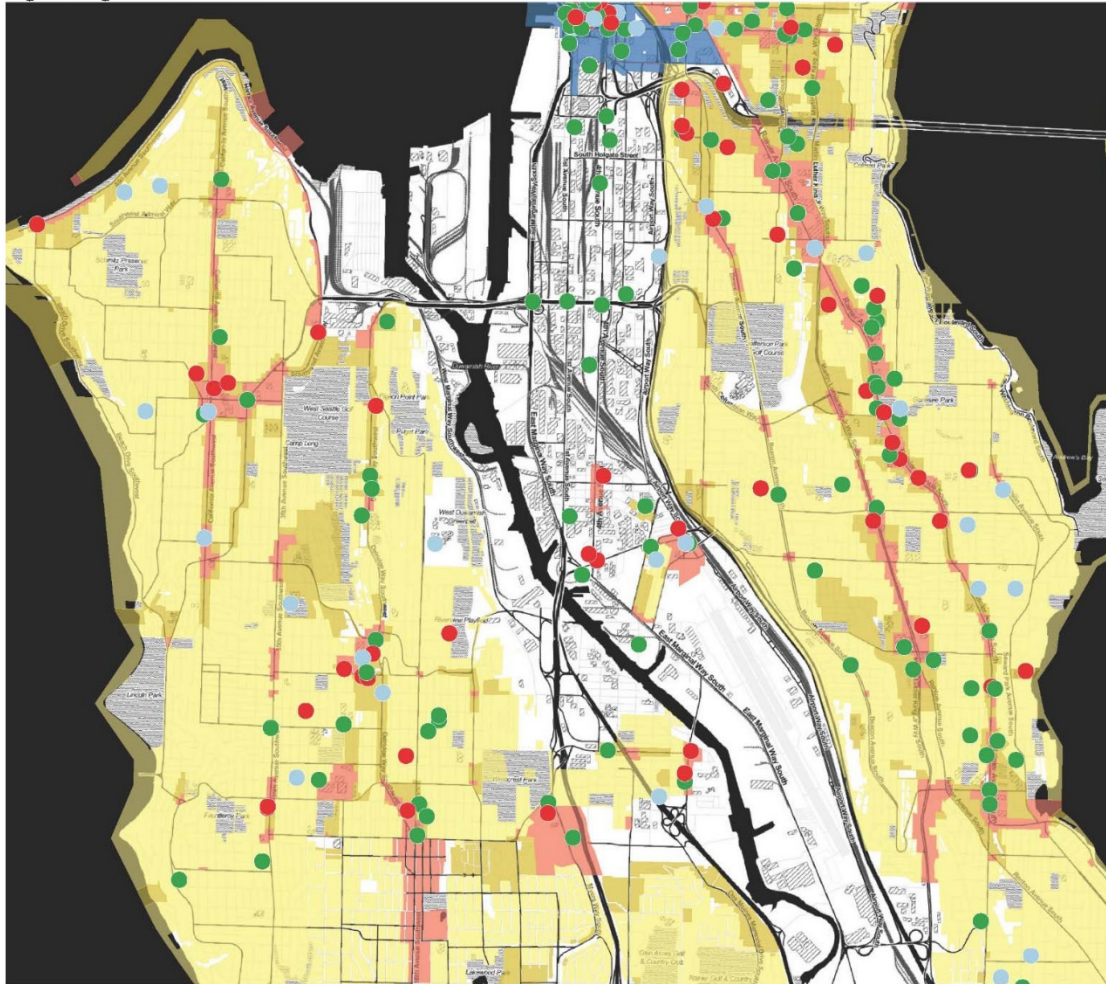
Figure 3.e: Ballard, Fremont, and the University District

Hate Crimes
- Other
- Race & Ethnicity
- Sexual Orientation

Land Use Zones
- Central Business District
- General Mixed Use
- Multi-Family Residential
- Single-Family Residential

Page 9 of 20
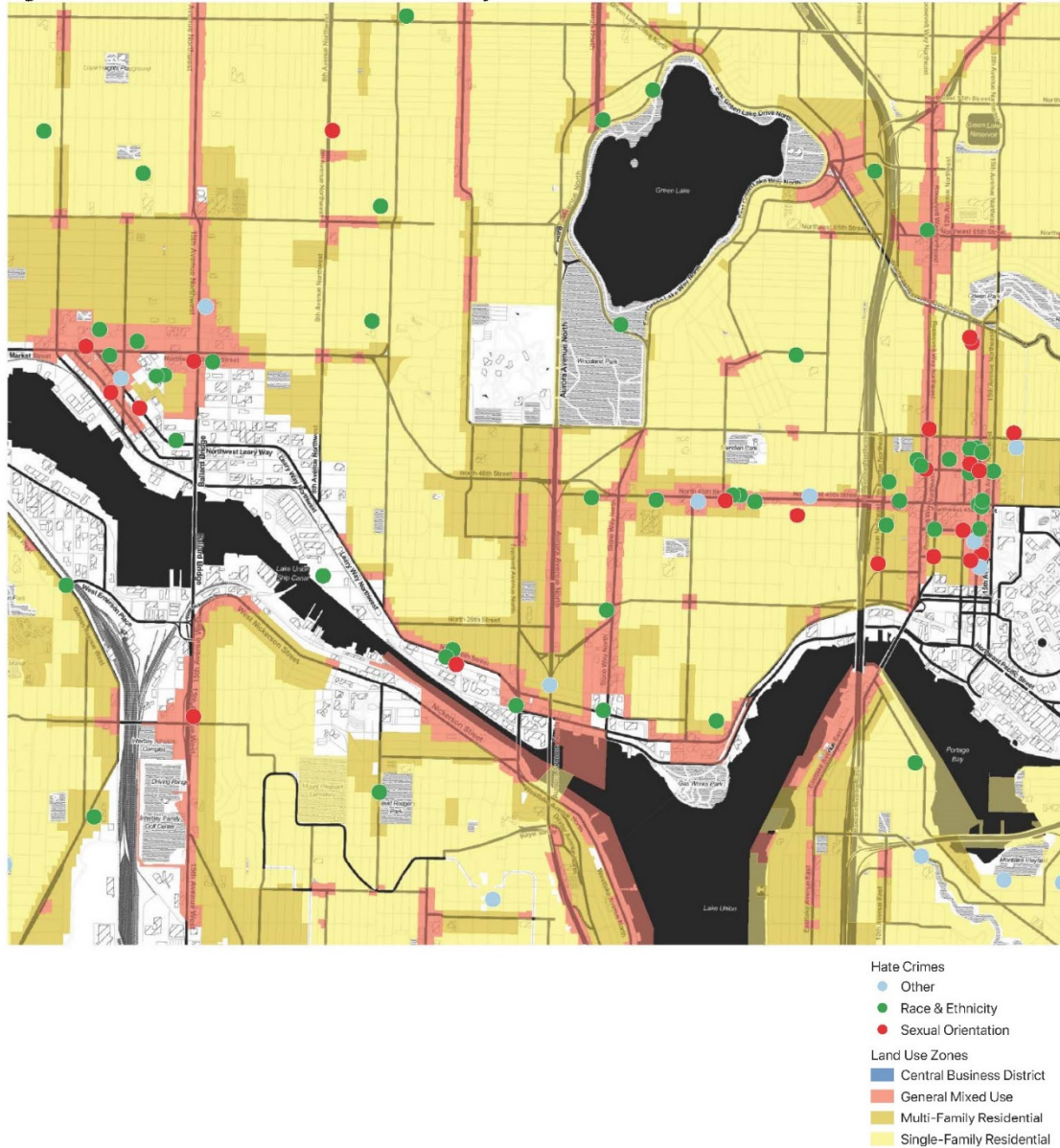
In central Seattle, the city's highest concentrations of hate crimes occur in Downtown's business district (with predominantly race and ethnicity hate crimes) and Capitol Hill (more sexual orientation hate crimes). Downtown attracts the most diverse demographic and socio-economic groups in the city given the intersection of commercial and professional businesses, human services, and public transportation transfer stations. This provides a higher likelihood for different groups to converge and interact. Capitol Hill has high population turnover, but also a historically high LGBTQ density, which may explain more sexual orientation victimization given the high number of persons of that targeted group.

Figure 3.f: Central Seattle
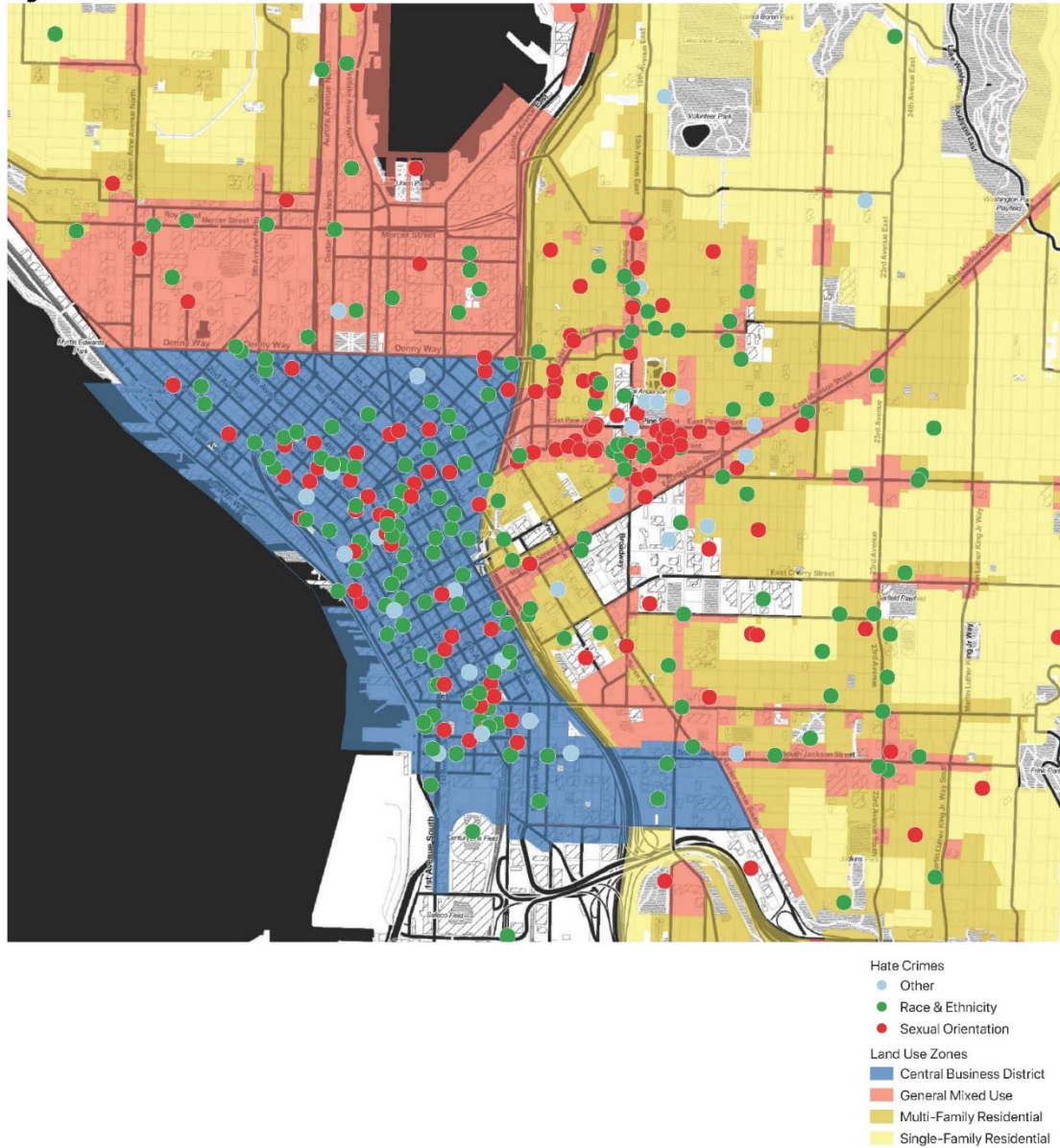
In South Seattle, most hate crimes occur in general mixed use zones in both West Seattle and the Rainier Valley, with a large number occurring along Rainier Avenue. The Rainier Valley area has a much larger non-white population and higher likelihood for race and ethnicity hate crimes given the diversity of the area.

Figure 3.g: South Seattle

Hate Crimes
- Other
- Race & Ethnicity
- Sexual Orientation

Land Use Zones
- Central Business District
- General Mixed Use
- Multi-Family Residential
- Single-Family Residential

Page 11 of 20

4. Spatial Distribution of Hate Graffiti

Hate graffiti refers to obscenities, gang references, or hate speech painted on visible surfaces across Seattle. The data for this analysis was pulled from SPU's 1257 unconfirmed, user-reported instances related to hate graffiti between 2013 and 2017. After data cleaning and geocoding using Google's geocoding API,[9] the final count of graffiti incidents is 946. Unfortunately, information on the content or references of the hate graffiti are sparse. Therefore, this section only provides the location and block-group dynamics related to hate graffiti.[10]

The majority of hate graffiti reports seem to appear in mostly White, White-Asian, and three group neighborhoods. These three neighborhood types make up a large proportion of Seattle's neighborhoods, which may explain the high count in these areas. However, an additional explanation may be that residents in these high-count areas may have less tolerance for graffiti and, therefore, are more prone to reporting on these types of graffiti. In other words, the high counts in these neighborhoods may be related to the fact that there is more reporting in these areas rather than more physical graffiti.

Households in more advantaged neighborhoods tend to feel more empowered to protect their spaces for social and economic reasons. They may hold a positive affinity towards civic institutions (e.g., law enforcement) and believe these institutions will respond swiftly to their calls, leading to more reports in these areas. Residents in more disadvantaged neighborhoods may feel estranged from civic institutions and may be less likely to report graffiti (e.g., the lower reporting count in neighborhoods with a higher proportion of People of Color). A diverse and representative survey of residents would help explain this trend.

Figure 4.a: Hate Graffiti Reports and Neighborhood Racial Typology, 2013-2017
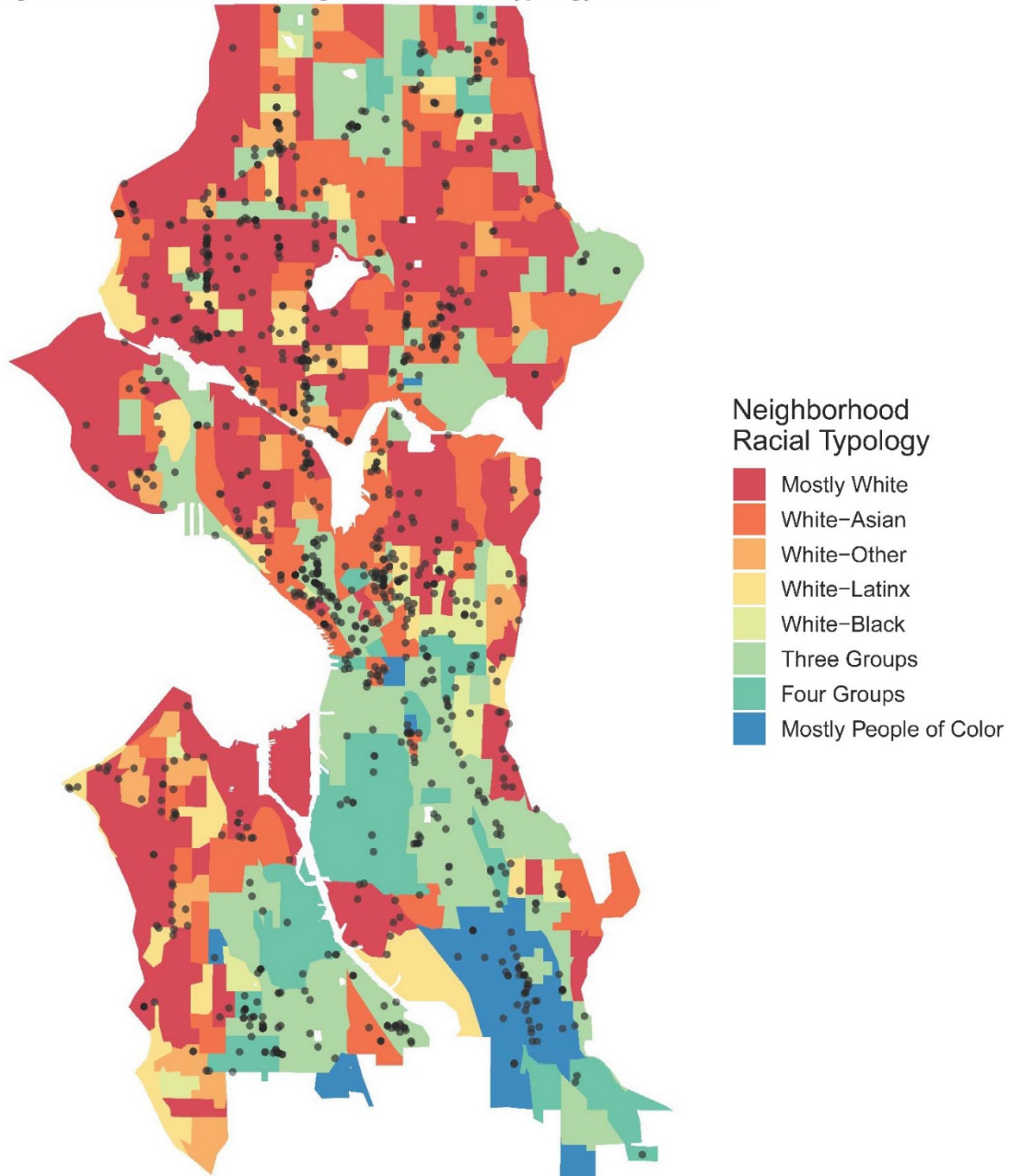

---
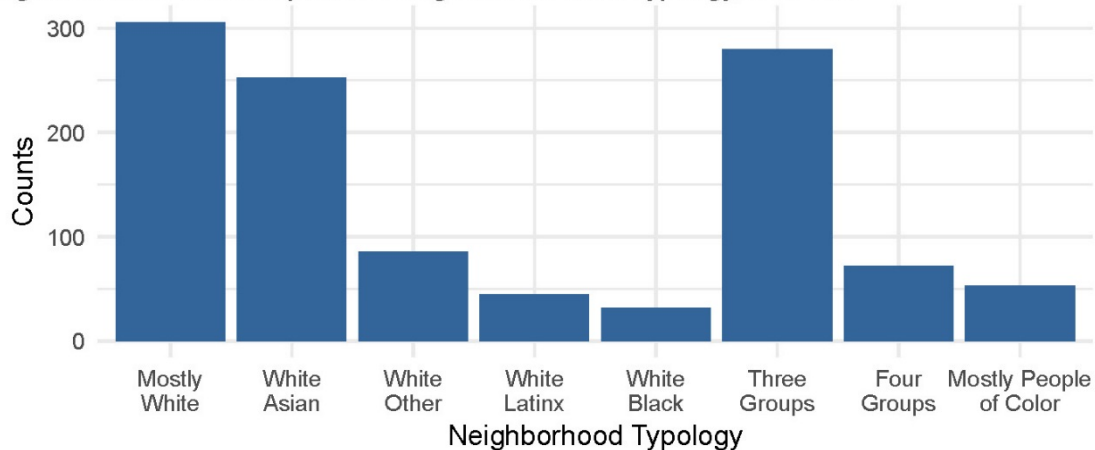
[9] Application Program Interface – tools and protocols for extracting data and building software from the given provider.
[10] An assessment of socio-demographic variables was assessed, however, there is no noticeable difference in the socio-demographic box-plot distributions between graffiti and hate crimes. The only exception is the percent of homeownership where there is more hate graffiti in areas with more homeowners as compared to hate crimes. Still, the proportion of renters is higher where hate crimes and graffiti occur.

The geographic distribution of hate graffiti is spread across the city more than hate crimes. Also, it shows that graffiti tends to fall along major throughways where there is higher traffic as well as more accessible spaces to put graffiti on commercial buildings and infrastructure.

Figure 4.b: Hate Graffiti and Neighborhood Racial Typology, 2013-2017

Neighborhood
Racial Typology

- Mostly White
- White−Asian
- White−Other
- White−Latinx
- White−Black
- Three Groups
- Four Groups
- Mostly People of Color

Graffiti is more commonly reported in general mixed use, multi-family, and single-family residential zones. General mixed use zones have more accessible spaces for graffiti and higher traffic where visual blight may receive more attention from motivated reporters. The high number of reports in the residential zones may reflect the earlier theory on maintaining social order and economic value.

Figure 4.c: Hate Graffiti Reports by Land Use Zone, 2013-2017
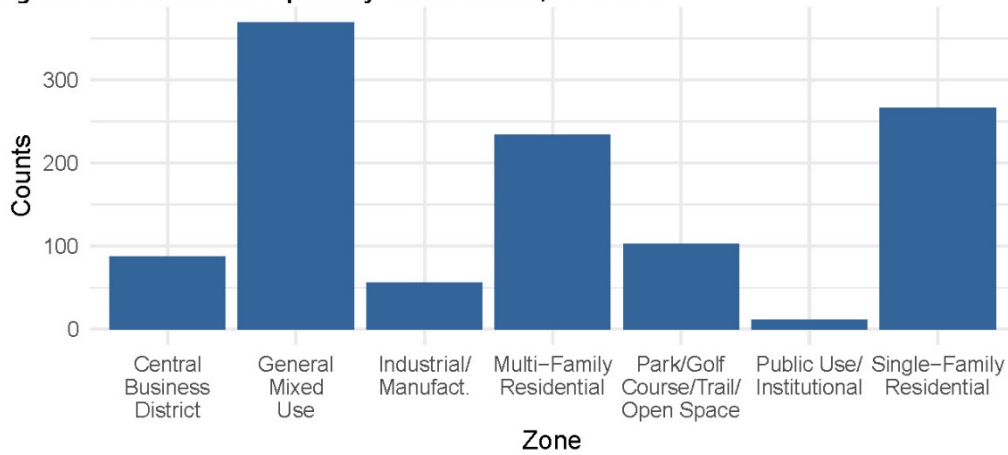
Summary of Findings

High Traffic Areas and Transit

Most incidents occur in areas zoned as general mixed use (37%), downtown's business corridor (22%), multi-family residential areas (16%), and single-family residential areas (15%). Multi-family zoned areas tend to surround, or are located near, general mixed use areas where the combined number of hate crimes within these two zones accounts for over half (53%) of hate crimes in the city. This helps explain why hate crimes occur in neighborhoods with more renters. More importantly, mixed use zones fall along major thoroughfares and bus transfer locations, meaning they have a high number of commuters moving through the area. This results in more interactions between strangers of different backgrounds and beliefs that may lead to more hate crimes. This high-traffic hypothesis helps explain the high number of hate crimes in Downtown and destination neighborhoods like Capitol Hill, Ballard, and the U-District as well as along Rainier Avenue and pockets of North Seattle.

Areas of Dense Diversity

Second, research shows that areas with a higher density of People of Color and/or LGBTQ individuals tend to see higher related hate crimes in those areas.[11] Furthermore, studies have found a positive relationship between liberal views, such as support for gay and racial civil rights, and higher rates of hate crimes.[12] Downtown and Capitol Hill, in particular, has a legacy of pro-LGBTQ support.[13] Likewise, Central and South Seattle has a rich history of promoting racial and ethnic rights.[14] The intersecting features of diversity and liberal views within Seattle's most diverse neighborhoods may explain the high level of LGBTQ hate crimes in Capitol Hill and race and ethnicity hate crimes in diverse neighborhoods given the high density of targeted groups in these neighborhoods. Intersecting this with the high levels of stranger interactions and a high density of targeted groups helps explain the types of hate crimes in these areas.

Borders of Mostly White and Racially Diverse Block-Groups

While less frequent, hate crimes in less dense areas like North and West Seattle occur along the borders of mostly White and racially diverse block-groups. In other words, hate crimes rarely occur in the center of mostly white neighborhoods, but along the edges of racially diverse areas where different groups may be more likely to interact. While many of these borders are major thoroughfares and mixed use zones, this observation suggests possible racial tensions at play and may be a sign of reinforcing hegemony of dominate White group values in mostly White portions of the city.[15] This feature requires a deeper analysis to fully understand the complexity of this effect.

Hate Graffiti

The hate graffiti analysis shows that graffiti occurs in high-traffic areas and seems to be reported more frequently in mostly White, White-Asian, and three groups block-groups. However, it is difficult to distinguish whether these counts are due to more graffiti or whether the residents are more

---

[11] Green, D. P., Strolovitch, D. Z., Wong, J. S., & Bailey, R. W. (2001). Measuring gay populations and antigay hate crime. Social Science Quarterly, 82(2), 281–296.

[12] Alden, H. L., & Parker, K. F. (2005). Gender role ideology, homophobia and hate crime: Linking attitudes to macro-level anti-gay and lesbian hate crimes. Deviant Behavior, 26(4), 321–343.

[13] Seattle Civil Rights & Labor History Project. (2015). *LGBTQ Activism in Seattle History Project*. Retrieved from http://depts.washington.edu/civilr/lgbtq_intro.htm.

[14] Taylor, Q. (2011). *The Forging of a Black Community: Seattle's Central district from 1870 through the Civil Rights Era*. University of Washington Press.

[15] Alden, H. L., & Parker, K. F. (2005). Gender role ideology, homophobia and hate crime: Linking attitudes to macro-level anti-gay and lesbian hate crimes. Deviant Behavior, 26(4), 321–343.

empowered/motivated to report blight. Theories on social organization suggest that more advantaged neighborhoods may be more likely to report blight so they can maintain social order and property values.
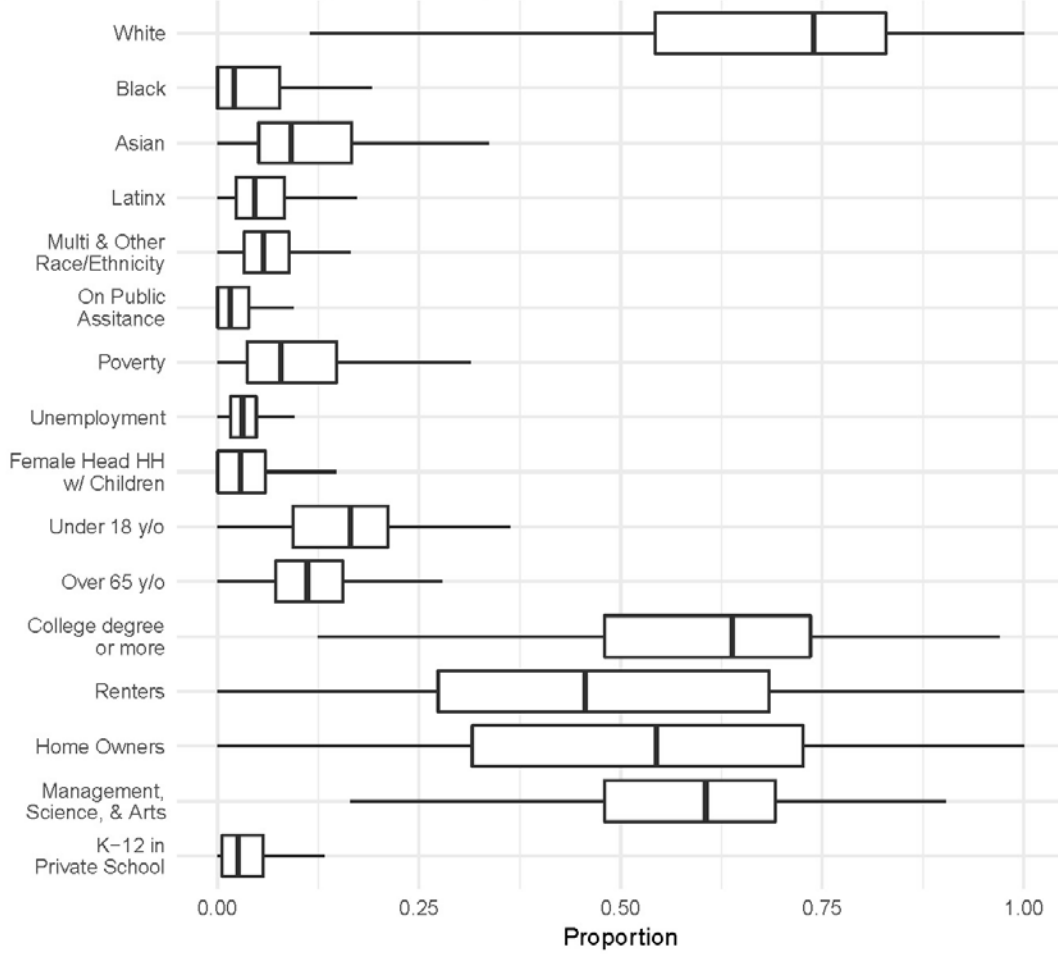
Appendix

Appendix A. shows the distribution of block-group level characteristics relating to where hate crimes occur in Seattle using box-plots (i.e., the most common block-group values where hate crimes occur).[16]

Appendix A.: Socio-Demographic Proportions Where Hate Crimes Occur, 2012-2016


---
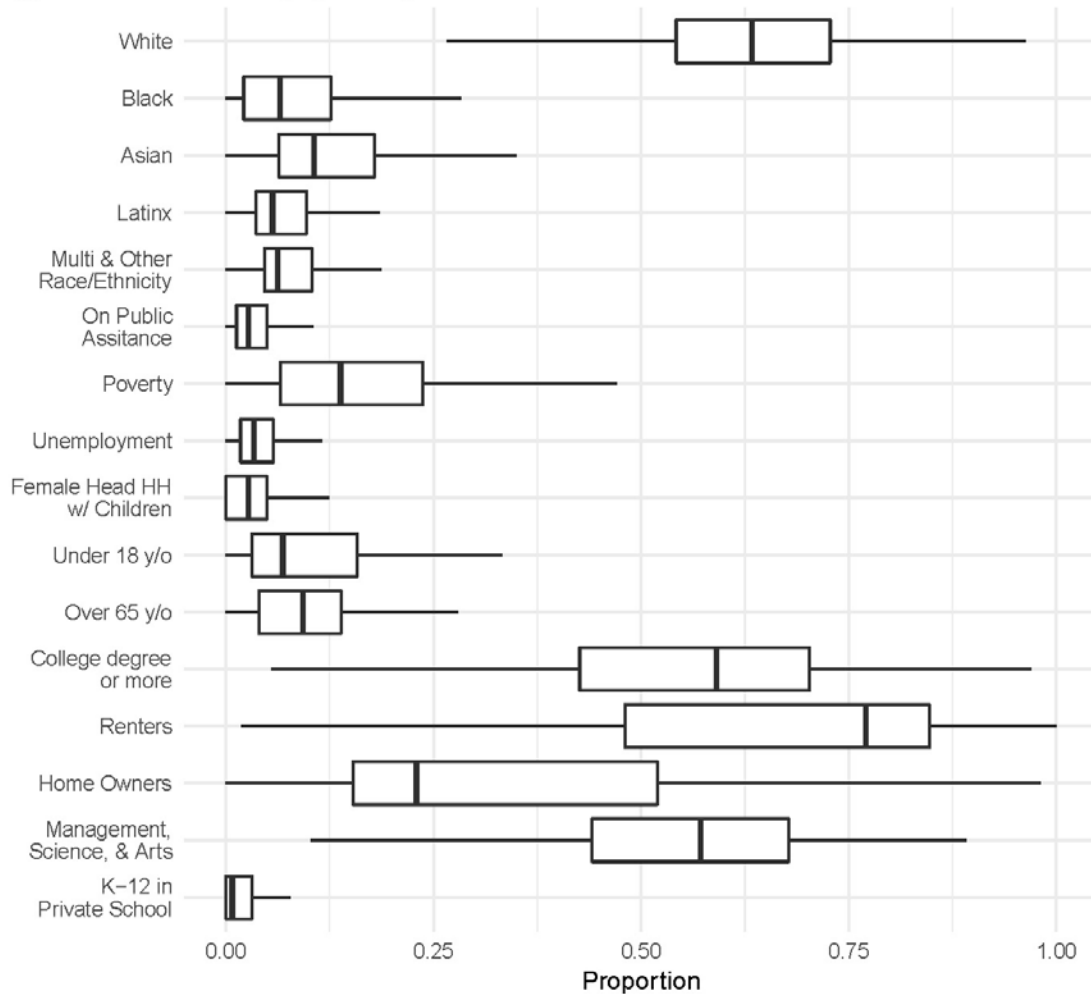
[16] The box shows 50% of the distribution of the given characteristic. The middle line that divides the box shows the middle of the distribution of all neighborhood values (the median neighborhood value). For example, the median for the proportion of Whites where hate crimes occur is in neighborhoods with about .64 where 50% of hate crimes occur in neighborhoods that have a proportion white between about 0.53 and .73. The whiskers on each end are the lower and upper quartiles of the distribution.
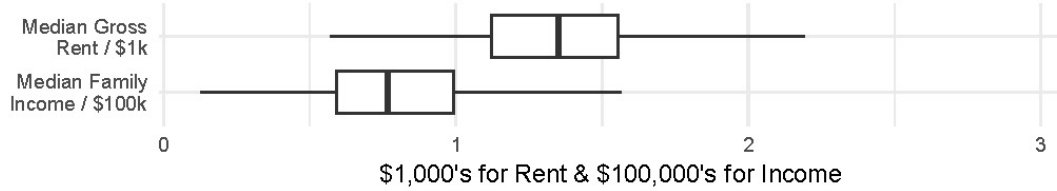
Appendix B. Seattle's Block-Group Socio-Demographic Proportions, 2012-2016

Appendix C. Block-Group Median Rent and Family Income Where Hate Crimes Occur, 2012-2016
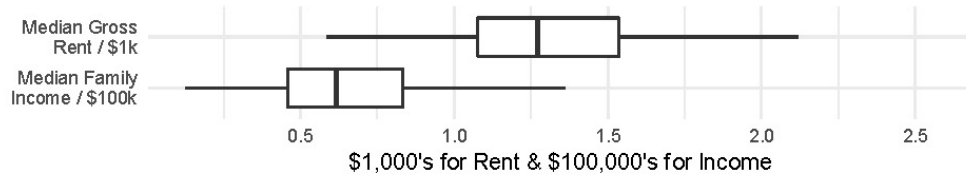
Appendix D. Seattle Block-Group Median Rent and Family Income, 2012-2016

Appendix Table A. Racial Neighborhood Typology and Hate Crime Counts, 2012-2016

Neighborhood Racial Typology	Race & Ethnicity	Sexual Orientation	Other	Total
Mostly White	57 (7.1%)	33 (4.1%)	34 (4.2%)	124
White-Asian	96 (11.9%)	67 (8.3%)	25 (3.1%)	188
White-Other	14 (1.7%)	7 (0.9%)	2 (0.2%)	23
White-Latinx	17 (2.1%)	17 (2.1%)	6 (0.7%)	40
White-Black	43 (5.3%)	37 (4.6%)	3 (0.4%)	83
Three Groups	154 (19.1%)	74 (9.2%)	28 (3.5%)	256
Four Groups	41 (5.1%)	22 (2.7%)	7 (0.9%)	70
Mostly People of Color	14 (1.7%)	5 (0.6%)	5 (0.6%)	24
Total	436	262	110	808

Proportions in parentheses are the relative overall proportion of the given hate crime.

Appendix Table B. Land Use Zones and Hate Crime Counts, 2012-2016

Land Use Zone	Race & Ethnicity	Sexual Orientation	Other	Total
Central Business District	103 (12.7%)	61 (7.5%)	17 (2.1%)	181
General Mixed Use	162 (20.0%)	111 (13.7%)	29 (3.6%)	302
Industrial/Manufacturing	20 (2.5%)	5 (0.6%)	1 (0.1%)	26
Multi-Family Residential	76 (9.4%)	36 (4.5%)	15 (1.9%)	127
Park/Golf Course/Trail/Open Space	15 (1.9%)	9 (1.1%)	6 (0.7%)	30
Public Use/Institutional	12 (1.5%)	8 (1.0%)	4 (0.5%)	24
Single-Family Residential	48 (5.9%)	32 (4.0%)	38 (4.7%)	118
Total	436	262	110	808

Proportions in parentheses are the relative overall proportion of the given hate crime.

APPENDIX H

Seattle Office of City Auditor Mission, Background, and Quality Assurance

Our Mission:

To help the City of Seattle achieve honest, efficient management and full accountability throughout City government. We serve the public interest by providing the City Council, Mayor and City department heads with accurate information, unbiased analysis, and objective recommendations on how best to use public resources in support of the well-being of Seattle residents.

Background:

Seattle voters established our office by a 1991 amendment to the City Charter. The office is an independent department within the legislative branch of City government. The City Auditor reports to the City Council, and has a four-year term to ensure her/his independence in deciding what work the office should perform and reporting the results of this work. The Office of City Auditor conducts performance audits and non-audit projects covering City of Seattle programs, departments, grants, and contracts. The City Auditor's goal is to ensure that the City of Seattle is run as effectively, efficiently, and equitably as possible in compliance with applicable laws and regulations.

How We Ensure Quality:

The office's work is performed in accordance with the Government Auditing Standards issued by the Comptroller General of the United States. These standards provide guidelines for audit planning, fieldwork, quality control systems, staff training, and reporting of results. In addition, the standards require that external auditors periodically review our office's policies, procedures, and activities to ensure that we adhere to these professional standards.

Seattle Office of City Auditor
700 Fifth Avenue, Suite 2410
Seattle WA 98124-4729
Ph: 206-233-3801
www.seattle.gov/cityauditor