

SUPPORTING STATEMENT
1110-0015
HATE CRIME INCIDENT REPORT/QUARTERLY HATE CRIME REPORT

A. Justification.

1. Necessity of Information Collection

Under the Hate Crime Statistics Act of 1990 under the authority of Title 28, Section 534, U.S. Code, *Acquisition, Preservation, and Exchange of Identification Records; Appointment of Officials*, April 23, 1990, this collection requires the Attorney General to establish guidelines and collect, as part of the Uniform Crime Reporting (UCR) Program, data about crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, or ethnicity, including where appropriate the crimes of murder, nonnegligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property by city, county, state, federal, and tribal law enforcement agencies throughout the country in order to generate reliable information on crime(s) motivated from a person's bias(es). In September 1994, the Violent Crime Control and Law Enforcement Act amended the Hate Crime Statistics Act to add disabilities, both physical and mental, as factors that could be considered a basis for hate crimes.

The 1-699 *Hate Crime Incident Report* form supplies the national UCR Program with information about each hate crime incident including the offense classification and its respective bias motivation, the number and type of victims, the location of the incident, the number of suspected offenders, and the suspected offender's race. The 1-700 *Quarterly Hate Crime Report* was developed in order to acquire/collect/count the total number of reported bias-motivated incidents for the calendar quarter, and to delete any incidents previously reported that have been determined during the reporting period not to have been motivated by bias. Additionally, law enforcement agencies submit the *Quarterly Hate Crime Report* to report zero hate crime incidents. Forms 1-699 and 1-700 are received from city, county, state, federal, and tribal law enforcement agencies throughout the country.

A revision of this currently approved collection is requested in addition to a 3-year extension.

In order to comply with the Office of Management and Budget (OMB) race/ethnicity categories the forms had to be revised. The changes include the following:

1. Change revision date to 07-15-10 and remove expiration date from hard copy form.
2. On the back of the form under HATE CRIME INCIDENT REPORT remove 3rd sentence. Fourth sentence should read as, Provide the Agency Name, Originating Agency Identifier (ORI), and date of incident.
3. Under UCR OFFENSE, delete the 3rd sentence.

4. Change RACE OF OFFENDER(S) to RACE/ETHNICITY OF OFFENDER(S) AS A GROUP. First sentence should read as, Provide the race/ethnicity of the offender(s) as a group. Delete 2nd sentence. Add /ethnicity to race in the 3rd sentence.

Changes to Form 1-699 included 1-4 above and the following;

1. Remove Initial and Adjustment check boxes and insert Agency Name.
2. Remove page [] of [] of same incident
3. Under Location, insert new location codes 37-42 and 44-56.
4. Under Bias Motivation Race after Black insert, or African American; delete slash after American Indian and insert, or; delete n from Alaskan; delete /Pacific Islander from Asian; and insert code 16 Anti-Native Hawaiian or Other Pacific Islander.
5. Under Bias Motivation Ethnicity delete, /National Origin; after Hispanic, insert or Latino; Delete, Other Ethnicity/ National Origin, and insert Not Hispanic or Latino.
6. The last title on the page should read as, Race/ethnicity of Offender(s) as a group (Check one race and one ethnicity.)
7. Insert Race header; after Black insert, or African American; delete slash after American Indian and insert, or; delete n from Alaskan; delete /Pacific Islander from Asian; and insert code 7 Anti-Native Hawaiian or Other Pacific Islander.
8. Insert Ethnicity header; insert check boxes H [] Hispanic or Latino; N [] Not Hispanic or Latino; M [] Multiple Ethnicity's, group; and U [] Unknown.

2. Needs and Uses

The 1-699 and 1-700 are necessary in order for law enforcement agencies to submit hate crime on hard copy. Quarterly hate crime data are used for research or statistical purposes; The national UCR Program is able to generate reliable information on crime(s) motivated from a person's bias(es). The hate crime data serve as a valuable resource to city, county, state, federal, and tribal law enforcement agencies, as well as Academe, other government agencies, public, and media. These hate crime data are of invaluable use for research and statistical analysis. Examples of other agencies uses are:

- a. Centralized state UCR Programs and those states without a central repository obtain data files of their agencies' reported annual data.
- b. State and national legislators, Congress, and the White House request hate crime data.

- a. Human Interest Groups, (Anti-Defamation League), citizens, social scientists, and the media request hate crime data.
- b. Annual UCR data are requested by the Inter-University Consortium for Political and Social Research. This central repository serves as a single facility from which colleges/universities can obtain social science data.

3. Use of Information Technology

Currently, 73 percent of participating law enforcement agencies submit these forms electronically. Electronic submissions are received via magnetic media and/or Law Enforcement Online (LEO) email <ucrstat@leo.gov>. The UCR Program made these forms available as a PDF printable form on the Internet at www.fbi.gov/hq/cjisd/formssummary.htm.

4. Efforts to Identify Duplication

This information collection was authorized in direct response to the enactment of Title 28, Section 534, U.S. Code and the Hate Crime Statistics Act of 1990. The FBI is the only agency collecting extensive data on hate crime.

5. Minimizing Burden on Small Businesses

This information will have no significant impact on small entities. No small business will be affected by this collection.

6. Consequences of Not Conducting or less frequent Collection

The primary emphasis in developing an approach for collecting national hate crime statistics was to avoid placing major new reporting burdens on law enforcement agencies contributing data to the UCR Program. Because hate crime is not a separate, distinct crime but rather traditional offenses motivated by the offender's bias, it can be collected by merely capturing additional information about offenses already being reported to UCR. Agencies are required to submit hate crime statistics quarterly, although agencies submitting via NIBRS submit hate crime incidents monthly due to the inclusion of a Bias Motivation Data Element.

The law enforcement community has an ever-increasing need for timely and accurate data. Obtaining quarterly statistics enables law enforcement to develop effective measures to combat bias-motivated crime and supply to the community an accounting of public safety.

7. Special Circumstances

All hate crime data are collected/received from UCR Program participants on a quarterly basis

and/or incident-based data are collected/received on a monthly basis. The FBI's UCR Program has established various time frames and deadlines for acquiring the data. Quarterly reports/submissions should be received by the FBI by the fifteenth day after the close of each quarter. Annual deadlines are also designated in order to collect/assess receipt of quarterly submissions. There are times when special circumstances may cause an agency to request an extension. The FBI's UCR Program has the authority to grant these extensions. Participation in the national UCR Program is voluntary. Tabulations are inclusive of only those agencies' hate crime counts received.

8. Public Comments and Consultations

No public comments received.

9. Provision of Payments or Gifts to Respondents

The FBI's UCR Program does not provide any payment or gift to respondents.

10. Assurance of Confidentiality

All FBI UCR Program information collections are held confidential in accordance with Title 42, U.S. Code, Section 3789(g). Even though this information collection does not contain personal identifier information that may reveal the identity of an individual it is obtained from public agencies and are, therefore, in the public domain.

11. Justification for Sensitive Questions

The information collection does not collect information of a sensitive nature.

12. Estimate of Respondent's Burden

The estimated cost of the respondent's burden for this data collection as follows:

Number of respondents	13,242
Frequency of responses	4 times per year
Total annual responses	52,968
Minutes per response	9 minutes
Annual hour burden	7,945 hours

Total number of agencies reporting 13,242

Total annual responses $13,242 \times 4 = 52,968$

Total Annual hour burden $13,242 \times 4 \times 9 / 60 = 7,945$

13. Estimate of Cost Burden

There are no direct costs to law enforcement to participate in the UCR Program other than their time to respond. Respondents are not expected to incur any capital, start-up, or system maintenance costs associated with this information collection. A few years back a cost was calculated for the cost burden and ROCUS has an estimate of 651,109. This was done in error and needs to be removed from the system. There is no cost to law enforcement agencies to participate in the UCR Program.

14. Cost to Federal Government

It is difficult to estimate the annual cost to the federal government under the clearance request. The following are generalized projections based upon prior collection activity as well as activities anticipated over the next 3 years.

Hate Crime Data Collection and Processing Costs

\$934,934.51

This figure is a detailed cost projection provided by CJIS Financial Management Unit

15. Reason for Change in Burden

There is no change in burden on the individual respondents.

16. Anticipated Publication Plan and Schedule

Published data are derived from data submissions furnished to the FBI from local, county, state, federal, and tribal law enforcement agencies throughout the country.

Request missing data from agencies	February-March
Deadline to submit data	mid-March
Data Processing/Analysis	July-May
	Publication of data
	November of
	following year/ <i>Hate Crime</i>
	<i>Statistics</i>

17. Display of Expiration Date

The FBI UCR Program is requesting OMB to not display an expiration date on the hard copy form. The program mails this form to twenty thousand individual law enforcement agencies, 49 state programs, and an undetermined number of individuals. Administratively, it would be

extremely difficult to remove all of the old forms. In addition, some individuals may obtain copies of the form and wait an extensive period of time before submitting the form to us . It would be impossible to know which individuals may possess an older form. Therefore, it would not be practical for a date to be displayed. This would also alleviate the disposal of tens of thousands of expired forms when the form itself is not changed during the renewal process.

18. Exception to the Certification Statement

The FBI's CJIS Division does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

The CJIS Division does not employ statistical methods when collecting this information.