

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

A. Justification.

1. Necessity of Information Collection

On April 23, 1990, Congress enacted 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*. The Act 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. 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; that is, no hate crime incidents occurred in their jurisdiction that quarter. Forms 1-699

and 1-700 are received from city, county, state, federal, and tribal law enforcement agencies throughout the country.

Since the passing of the Hate Crime Statistics Act in 1990, the FBI has maintained a database and serves as the national clearinghouse for hate crime statistics; since 1991, the FBI has compiled and disseminated statistics on offenses determined by law enforcement to have been driven by bias against race, religion, ethnicity, sexual orientation, and disability. Collection of data on these forms allows for quality control measures to be applied uniformly, ultimately resulting in the release of data by agency, state, and the Nation in the annual publications *Crime in the United States (CIUS)* and *Hate Crime Statistics*.

The following serve in an advisory capacity to the FBI's UCR Program: Criminal Justice Information Systems Committee, International Association of Chiefs of Police (IACP); Criminal Justice Information Services Committee, National Sheriffs' Association; and Criminal Justice Information Services Advisory Policy Board. A revision of this currently approved collection is requested in addition to a 3-year extension.

The revisions on the existing form are:

Form 1-699

On top header, revision date should be 1-699 (Rev. 05-07-09)

Form 1-700

On top header, revision date should be 1-700 (Rev. 05-07-09)

Under Name and Title of Preparer insert a line for E-mail Address of Preparer

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. Dissemination of hate crime data are provided in the annual publications *CIUS*, and *Hate Crime Statistics*, or when requested, supplied on hard copy printout or magnetic 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.
- c. Human Interest Groups, (Anti-Defamation League), citizens, social scientists, and the media request hate crime data.
- d. 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 forms 1-699 and 1-700 electronically. Electronic submissions are received via magnetic media and/or Law Enforcement Online (LEO) email at ucrstat@leo.gov. The ability of agency participants (state UCR

Programs/Direct Contributors) to transmit quarterly data via the LEO has eliminated the need for participants to process then mail magnetic media or hard copy to the FBI. The UCR Program made these forms available as pdf printable documents 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's UCR Program is the only agency collecting extensive data on hate crime in the United States.

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. The UCR Program continually strives to supply valid, up to date information on crimes motivated by

bias so that those interested in these occurrences will have current data to better understand the scope of this societal problem and educate others of the seriousness of hate crimes and present possible solutions to limit or deter future acts. 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

This information collection, as part of the FBI's UCR Program, has been endorsed by the International Association of Chiefs of Police, the National Sheriffs' Association, the Criminal Justice Information Services Advisory Policy Board, the International Association of Directors of Law Enforcement Standards and Training, and the Association of State Uniform Crime Reporting Programs. These organizations represent the information collection's respondents and provide valuable feedback on the UCR data collection, usage, and UCR policy. These

organizations foster widespread use of uniform crime statistics and lend assistance to contributors when needed. The 60 and 30 day notices have been published in the federal register and no comments were 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

Forms 1-699 and 1-700 do not contain personal identifier information that may reveal the identity

of an individual. The data is obtained from public agencies and are, therefore, in the public domain. The FBI UCR Program does not assure confidentiality.

11. Justification for Sensitive Questions

The 1-699 and 1-700 forms do not collect information of a sensitive nature.

12. Estimate of Respondent's Burden

We estimated 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 hate crime 13,242

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

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. With the renewal of this form, there are no revisions of a technical nature; therefore, respondents are not expected to incur any capital, start-up, or system maintenance costs associated with this information collection.

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 increase in burden on the individual respondents; however, the overall annual burden hours have increased due to the increase in the number of respondents reporting quarterly statistics on hard copy.

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. Hate Crime data are published in the annual edition of *CIUS* and *Hate Crime Statistics*. Although, to be included in these publications, law enforcement agencies must have submitted data for at least one month of the calendar year.

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

17. Display of Expiration Date

All information collected under this clearance will display the OMB Clearance Number and Expiration Date.

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.