

**SUPPORTING STATEMENT**  
**1110-0015**  
***HATE CRIME INCIDENT REPORT***

The Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program requests a three-year extension of this currently-approved collection for the purpose of receiving updates from law enforcement agencies (LEAs).

**A. Justification**

1. Necessity of Information Collection

Under the authority of Title 28, United States Code (U.S.C.), Section (§) 534; the Hate Crime Statistics Act, 34 U.S.C. § 41305, modified by the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act (2009), Public Law § 4708; and the Uniform Federal Crime Reporting Act (UFCRA) of 1988, 34 U.S.C. § 41303, the FBI was designated by the Attorney General to collect, classify, and preserve data from federal, state, local, and tribal LEAs throughout the country in order to generate reliable information on bias-motivated offenses.

The 1-699 *Hate Crime Incident Report* collection instrument supplies the FBI UCR Program with information about offenses motivated by bias against race, religion, ethnicity, sexual orientation, disability, gender, and gender identity. The offenses collected in the Hate Crime Data Collection are murder and nonnegligent manslaughter; rape; robbery; aggravated assault; burglary; larceny; motor vehicle theft; arson; simple assault; intimidation; and destruction, damage, or vandalism of property. Also included are the location type; type of victim(s); number and age when the victim type is Individual; and, when known, the age, race, ethnicity, and number of suspected offenders. In addition, the 1-699 is used to delete any previously-reported incidents later determined not to have been motivated by bias.

2. Needs and Uses

Prior to January 1, 2021, the Microsoft Excel Summary Workbook provided by the FBI, the Hate Crime Technical Specification, and the Extensible Markup Language (XML) were required to provide LEAs with a mechanism to report hate crime incident data to the FBI UCR Program.

The submissions of hate crime data permitted the FBI UCR Program to generate reliable information on crime(s) motivated by a person's bias(es) and have been published annually since 1992. The publication is a statistical tool providing information regarding crimes motivated by bias, allowing those interested in hate crime occurrences to better understand the scope of this societal problem.

The data collected and disseminated by the FBI UCR Program's Hate Crime Data Collection provide a valuable resource to federal, state, local, and tribal LEAs. The statistics can be used for tracking crime; administration, operation, and management purposes (e.g., budget formulation, planning, and resource allocation); assessment of police operations; effectively positioning task forces and officers; and determining the effectiveness of various law enforcement programs to address the crime problem at multiple levels. Agencies can use the data to justify staffing levels and officer counts. Although cautioned, some agencies may compare their crime statistics with those of other LEAs to justify an increase in funding for additional staff or equipment.

In addition, chambers of commerce and tourism agencies examine the data to determine the impact of the crimes within a particular geographic jurisdiction. Criminal justice researchers and statistical analysts, as well as academia, study the nature, cause, and movement of crime over time. Legislators draft anti-crime measures using research findings along with recommendations from law enforcement administrators, planners, and others concerned with the problem of crime. The news media use crime statistics provided by the FBI UCR Program to inform the public about the state of crime.

### 3. Use of Information Technology

Hate crime data collection begins at the local agency level when law enforcement officers submit administrative and operational data to their record management personnel from hard copy or electronic incident reports. The local agency record managers then compile the data and submit the information to their state UCR programs (if applicable). Many state UCR programs have a centralized repository and have established electronic communications with LEAs throughout their state, as well as the FBI UCR Program. This allows for information technology interaction within the required electronic data submission formats. All FBI UCR Program participants submit data electronically via e-mail at [ucrstat@leo.gov](mailto:ucrstat@leo.gov).

It should be noted that the FBI transitioned to the National Incident-Based Reporting System (NIBRS) on January 1, 2021. Therefore, the three submission methods used for collecting hate crime data in the Summary Reporting System (SRS) (i.e., the Microsoft Excel Summary Workbook; the Hate Crime Technical Specification; and XML) can now only be used to submit updates to incidents previously reported to the FBI UCR Program. The updated information will be ingested into the existing Hate Crime database for historical purposes.

### 4. Efforts to Identify Duplication

The FBI transitioned to a NIBRS-only data collection on January 1, 2021. Since NIBRS collects information associated with bias-motivated incidents, SRS agencies may no longer submit new hate crime incidents to UCR.

The Bureau of Justice Statistics administers its own statistical collection, the National Crime Victimization Survey (NCVS), which also measures the magnitude, nature, and

impact of crime in the nation, including hate crime. Although there are similarities between the two crime measures, the objective, collection methodology, and presentation of NCVS data differ from those of the FBI UCR Program. The FBI UCR Program's primary objective is to provide a reliable set of criminal justice statistics for law enforcement administration, operation, and management. NCVS was established to provide previously unavailable information about crimes (including those not reported to law enforcement), victims, and offenders.

The two collections measure a similar subset of serious crimes; however, the FBI UCR Program and NCVS definitions of some crimes differ based on the methodologies employed by each agency. The FBI UCR Program reports the number of crimes reported by LEAs throughout the country, while the NCVS provides the number of crimes experienced by individuals and households, including both those reported and not reported to law enforcement. In addition, the NCVS excludes homicide, arson, commercial crimes, and crimes against children under age 12, all of which are captured in the UCR Hate Crime Data Collection.

Different bases are used when rates are calculated within each collection. The FBI UCR Program uses the population as a base and presents rates as the number of crimes per 100,000 inhabitants. The NCVS uses households as the base and reports rates as the number of crimes per 1,000 households.

Both programs make it possible to achieve a greater understanding of crime trends and the nature of crime in the United States.

##### 5. Minimizing Burden on Small LEAs

The NIBRS-only data collection began on January 1, 2021; therefore, the FBI UCR Program will not accept hate crime incident submissions from SRS agencies occurring after that date. Any updates to previously-submitted incidents will have no significant burden on small LEAs.

##### 6. Consequences of Not Conducting, or Less Frequent, Collection

As of January 1, 2021, information regarding new hate crime incidents will be collected under NIBRS. However, SRS agencies may provide updates to bias-motivated incidents submitted prior to that date.

Without up-to-date information, hate crime data users would lose the ability to analyze the data and provide an accurate report on any findings. In addition, inaccurate data may negatively impact law enforcement programs aimed at fighting bias-motivated crime.

The FBI UCR Program's data can be used for tracking crime; administration, operation, and management purposes (e.g., budget formulation and resource allocation); assessment of police operations; effectively positioning task forces and officers; and determining the

effectiveness of various law enforcement programs to address the crime problem at various levels. Agencies can justify staffing levels and officer counts based on the data. Although cautioned, some agencies may compare their crime statistics with those of other LEAs to justify an increase in funding for additional staff or equipment.

7. Special Circumstances

The FBI transitioned to a NIBRS-only data collection on January 1, 2021. NIBRS collects data on bias-motivated incidents. SRS agencies may provide updates to bias-motivated incidents submitted prior to that date.

8. Public Comments and Consultations

No public comments were received after the 60- and 30-day notices were submitted to, and published in, the *Federal Register*.

9. Provision of Payments or Gifts to Respondents

The FBI UCR Program does not provide any payment or gifts to respondents.

10. Assurance of Confidentiality

The FBI UCR Program does not ensure confidentiality. However, statistics from the Hate Crime Data Collection do not contain personally-identifiable information which may reveal the identity of an individual. In addition, hate crime data is obtained from public agencies and submitted to the FBI with the expectation that it will be made publicly available.

The location of an incident is noted in the Hate Crime Data Collection; however, it is not the home address of each victim. The location is reported as a general site (e.g., residence, park, community center, school, grocery store).

11. Justification for Sensitive Questions

Information collected via the Hate Crime Data Collection is not sensitive in nature.

12. Estimate of Respondents' Burden

The tables below show the burden hours associated with submitting hate crime data in SRS. After January 1, 2021, SRS agencies are only permitted to submit updates to incidents previously reported to the FBI UCR Program. An additional 300 burden hours were added for LEA outreach.

SRS				
<b>Data Submitted*</b>	<b>Number of Agencies</b>	<b>Number of Responses</b>	<b>Burden (Minutes)</b>	<b>Burden (Hours)</b>
(A)	(B)	(C)	(D)	(E)
1 quarter	431	431	3,017	50.3
2 quarters	647	1,294	9,058	151.0
3 quarters	1,605	4,815	33,705	561.8
4 quarters	4,953	19,812	138,684	2,311.4
<b>Total</b>	<b>7,636</b>	<b>26,352</b>	<b>184,464</b>	<b>3,074.4**</b>

\*Although some LEAs do not report quarterly, all output reports were developed to present data by quarter.

\*\*Due to rounding, the values do not add to total.

**Total Number of Non-Responding Agencies:** 1,240 agencies

**Total Number of Responding Agencies:** 7,636 agencies

**Total Number of SRS Agencies:** 8,876 agencies (Non-Responding Agencies + Responding Agencies)

**Total Number of Annual Responses:** 26,352 responses (Column C = Column A x Column B)

**Total Form Completion Burden (Minutes):** 184,464 minutes (Column D = Column C x 7 minutes per response)

**Total Form Completion Burden (Hours):** 3,074 hours (Column E = Column D/60 minutes per hour)

**LEA Outreach**

<b>Number of Respondents:</b>	100 respondents
<b>Frequency of Responses:</b>	Varies
<b>Time per Response:</b>	180 minutes
<b>Annual Burden:</b>	300 hours

Total Annual Burden: 3,374 hours (3,074 hours + 300 hours)

13. Estimate of Cost Burden

Currently, LEAs incur no direct costs by participating in the FBI UCR Program. Agencies providing updates to incidents occurring before January 1, 2021, are not expected to incur any capital, start-up, or system maintenance costs. Costs to agency records management systems are very difficult to obtain. Vendors do not divulge costs because charges differ from agency to agency and many costs are built into vendors' contracts. Depending on the contract, charges mandated by law may be included with no other additional costs. However, an estimate has been projected that agencies pay a \$107,000 maintenance fee every year for system maintenance costs.

#### 14. Cost to the Federal Government

The information presented in the following table is a fiscal year (FY) 2019 cost model provided by the FBI Criminal Justice Information Services (CJIS) Division, Resources Management Section, Fee Programs Unit, for the entire FBI UCR Program. The FY2019 annualized cost and full-time equivalent (FTE) are included. These are projections based on prior collection activity, as well as activities anticipated over the next three years. This cost model does not separate the costs between the systems used to collect FBI UCR Program data.

##### **Data Collection and Processing Costs**

<b>Activity</b>	<b>FY2019 Annualized Cost</b>	<b>FY2019 Annualized FTE</b>
Administrative	\$39,044.92	0.20
Administrative and Human Resource	\$416,793.71	3.46
Assessments/Analysis – External Customers	\$63,363.71	0.40
Budget Activities, Strategic Planning, and Program Control	\$557,140.57	3.76
Conduct Audits	\$106,545.90	2.00
Conduct UCR Audits	\$80,268.18	1.04
Curriculum Design – External Customers	\$166,386.43	1.11
Direct and Interpret Statistical Methodologies	\$46,984.00	0.60
Editing	\$120,701.94	1.70
Graphics	\$37,986.43	0.50
Liaison, Education, and Promotion	\$982,682.24	7.21
New UCR and Crime Data Explorer (CDE) Operations and Maintenance (O&M)	\$62,865.06	0.31
New UCR and CDE O&M	\$320,556.22	1.97
New UCR Metrics and Reporting	\$20,955.02	0.10
New UCR O&M	\$1,039,673.00	6.22
NIBRS Transition Support to States/Secured File Transfer Protocol (SFTP) and Web Services	\$15,914.12	0.10
Police Use of Force (UoF)	\$9,267.53	0.06
Policy, Development, and Management	\$407,638.57	2.77
Program Management	\$17,381.31	0.15
Project and Program Management	\$84,213.69	1.05
Provide Training Instruction – External Customers	\$229,750.16	1.52
Publication	\$24,056.71	0.30
Research and Analysis	\$206,846.02	1.70
Temporary Duty Crime Data Program	\$92,004.08	1.00
UCR Business Management Support	\$298,661.67	1.80
UCR Data Collection and Public Distribution	\$1,038,030.43	9.55
UCR Data Requests and Analysis	\$691,632.75	6.16
UCR Development/Operations (UCR-Technical Refresh, CDE, UoF)	\$801,010.71	6.05

**Data Collection and Processing Costs—continued**

UCR Life Cycle Support	\$70,139.67	0.40
UCR Security	\$9,869.80	0.05
UoF	\$193,430.33	1.04
Video Production	\$9,050.94	0.12
Writing Services/Support	\$85,237.45	1.20
<b>Total</b>	<b>\$8,346,083.27</b>	<b>65.60</b>

**15. Reason for Change in Burden**

For this extension, the respondents' annual burden was calculated using the actual number of quarters (1-4) for which the respondents submitted data. (See the table under 12. Estimate of Respondents' Burden for specific calculations.) An additional 300 burden hours were added for LEA outreach.

<b>Total Annual Responses:</b>	7,636 respondents x 1-4 months of data submitted = 26,352
<b>Time per Response:</b>	7 minutes
<b>Annual Burden:</b>	3,074 hours

The annual burden hours show a decrease over those presented in the previous extension. The FBI transitioned to a NIBRS-only data collection on January 1, 2021. Therefore, SRS agencies are no longer permitted to submit new hate crime incidents, but only updates to those from prior years.

Total Annual Burden: 3,374 hours (3,074 hours + 300 hours)



16. Anticipated Publication Plan and Schedule

Published data are derived from those submitted to the FBI UCR Program by federal, state, local, and tribal LEAs throughout the country. Historically, data have been published annually. However, the transition to NIBRS and quarterly publication of statistics have begun and may require modifications to the schedule shown below.

<b>Publication Plan and Schedule</b>	
<b>Activity</b>	<b>Time Period</b>
Request for missing January-June data	August and September, current year
Request for missing 12 month data	February-March, following year
Deadline to submit data	End of March
Data processing and analysis	July (current year)-April (following year)
Publication data	September, following year - <i>Crime in the United States</i> December, following year - <i>NIBRS</i>

17. Display of Expiration Date

Any updates collected under this clearance will display the Office of Management and Budget Clearance Number and Expiration Date on the Microsoft Excel Summary Workbook if that is the method of submission.

18. Exception to the Certification Statement

The FBI CJIS Division is not requesting an exception to the certification of this information collection.