

*Our Vision:*

*A respectful  
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*Our Mission:*

*To create a  
forum that  
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prevention,  
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# 2012 AUSTIN/TRAVIS COUNTY HATE CRIMES REPORT

**PREPARED BY:**

**AUSTIN/TRAVIS COUNTY  
HATE CRIMES TASK FORCE**

**OCTOBER 2013**

*(INITIAL RELEASE)*

REVISED NOVEMBER 26<sup>TH</sup>, 2013

# AUSTIN/TRAVIS COUNTY HATE CRIMES TASK FORCE

The Austin/Travis County Hate Crimes Task Force (HCTF) was formally launched in December of 2010. The Task Force is comprised of over fifty organizations representing a cross section of stakeholders including business leaders, community advocates, non-profits, higher education, law enforcement (local and federal), local elected officials, prosecution (local and federal), secondary schools and youth. The task force established its vision and mission in April 2011:

**Vision:** A respectful community free of hate

**Mission:** To create a forum that fosters open dialogue about hate and discrimination and strengthens the bonds of our community through prevention, response and restoration

*Adopted 04-14-11*

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*I have decided to stick with love. Hate is too great a burden to bear.*

*~Martin Luther King, Jr.*

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## REPORT ACKNOWLEDGEMENTS

Many persons and organizations provided information to help compile this report as well as provide an analysis of what we learned including highlights, key findings and recommendations for enhancing our ability to identify and effectively respond to hate crimes/incidents. However, the following persons played a significant role in providing data and informing the analysis found in this report:

Austin Independent School District Police:	Chief Eric Mendez
Austin Police Department:	Kachina Clark, <i>Victim Services Manager</i> ; Betty Hitchcock, <i>Central Records Manager</i> ; Officer Steven McCormick, <i>Training Division</i>
Manor Police Department:	Captain Ralph Fisher
Travis County Attorney's Office:	Carla Cook, <i>Assistant County Attorney</i>
Travis County District Attorney's Office:	Darla Gay, <i>Planner</i> ; Andrea Austin and Beth Payan, <i>Assistant District Attorneys</i>
Travis County Juvenile Probation:	David Hensley
Travis County Sheriff's Office:	Commander Phyllis Clair, Amy Durall, <i>Victim Services Director</i> ;
University of Texas at Austin Police:	Roxanne Hall, <i>Central Records Manager</i>

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# AUSTIN/TRAVIS COUNTY 2012 HATE CRIMES REPORT

## Purpose of Report:

The Austin/Travis County Hate Crimes Task produces this annual report to help document our efforts to prevent, detect, report, investigate, prosecute and respond to hate crimes and incidents in our community.

## Why do we care about hate incidents/crimes?

All crimes impact victims and neighborhoods in varying degrees, however, hate crimes and hate incidents have a widely disparate impact unlike other crimes. There is never just one victim of a hate crime or incident. That victim represents a larger group and every member of that group has a reason to fear. Hate crimes or incidents challenge our community's mutual respect for each other and often can create deeper divisions in our diverse community.

## What is a hate crime?

The Texas Hate Crimes Act, Chapter 411.046 of the Texas Government Code, defines hate crimes as crimes that are motivated by prejudice, hatred, or advocacy of violence including, but not limited to, incidents for which statistics are or were kept under Public Law 101-275 (the Federal Hate Crimes statistics Act). The federal law further defines hate crimes as crimes that manifest evidence of prejudice based on race, color, religion, sexual orientation, or ethnicity, and added in 1997, disability.<sup>1</sup>

Texas has adopted a penalty-enhancement model hate crime statute<sup>2</sup>. Under this type of law, a prosecutor must prove two things: 1) that the perpetrator committed the crime he is charged with and 2) that he or she committed the crime because of the victim's race, color, disability, religion, national origin or ancestry, age, gender, or sexual preference.

The Federal Hate Crime Statistics Act<sup>3</sup> mandates that the FBI collect data from all law enforcement agencies regarding the number of hate crimes reported and to produce an annual report. The FBI sets out the official reporting guidelines for that reporting.

## What is a hate incident?

The A/TC Hate Crimes Task Force acknowledges that incidents frequently occur that the victim or others perceive was motivated by bias or hate but does not rise up to the level of formally being classified as a hate crime under the law or the reporting guidelines of the FBI. For many, the impact of that incident is just as real as if it was classified as a hate crime. The HCTF is committed to developing strategies that will allow us to systemically identify those crimes and incidents that are perceived as or have components of hate, bias or prejudice in order to respond more appropriately to victims and the communities impacted just as if the incident had been reported formally as a hate crime.

### **Texas Code of Criminal Procedure Article 42.014 Finding That Offense Was Committed Because of Bias or Prejudice**

*In the trial of an offense under Title 5, Penal Code, or Section 28.02, 28.03, or 28.08, Penal Code, the judge shall make an affirmative finding of fact and enter the affirmative finding in the judgment of the case if at the guilt or innocence phase of the trial, the judge or the jury, whichever is the trier of fact, determines beyond a reasonable doubt that the defendant intentionally selected the person against whom the offense was committed or intentionally selected property damaged or affected as a result of the offense because of the defendant's bias or prejudice against a group identified by race, color, disability, religion, national origin or ancestry, age, gender, or sexual preference.*

<sup>1</sup> Texas Department of Public Safety Annual Hate Crime Report

[www.txdps.state.tx.us/administration/crime\\_records/pages/crimestatistics.htm](http://www.txdps.state.tx.us/administration/crime_records/pages/crimestatistics.htm)

<sup>2</sup> Texas Code of Criminal Procedure Article 42.014 [www.statutes.legis.state.tx.us/?link=CR](http://www.statutes.legis.state.tx.us/?link=CR)

<sup>3</sup> 18 U.S.C. 534 [www.fbi.gov/about-us/cjis/ucr/hate-crime/2010/resources/hate-crime-2010-hate-crime-statistics-act](http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2010/resources/hate-crime-2010-hate-crime-statistics-act) ; the law was updated in 2009 with the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act which expanded federal law on hate crimes to include crimes motivated by a victim's gender, sexual orientation, or disability.

## Understanding Bias Indicators for Reporting<sup>4</sup>

The FBI collects hate crime data regarding criminal offenses motivated, ***in whole or in part***, by the offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. Due to the difficulty of ascertaining the offender's subjective motivation, bias is to be reported *only if* investigation reveals sufficient objective facts to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

An important distinction must be made when reporting a hate crime. The mere fact the offender is biased against the victim's actual or perceived race, religion, disability, sexual orientation, ethnicity, gender, and/or gender identity does not mean that a hate crime was involved. Rather, the offender's criminal act must have been motivated, in whole or in part, by his or her bias.

**...before an incident can be reported to the FBI as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, *in whole or in part*, by bias.**

Motivation is subjective, therefore, it is difficult to know with certainty whether a crime was the result of the offender's bias. For that reason, before an incident can be reported as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias. While no single fact may be conclusive, facts such as the following, particularly when combined, are supportive of a finding of bias:

1. The offender and the victim were of a different race, religion, disability, sexual orientation, ethnicity, gender, and/or gender identity. For example, the victim was African American and the offender was white.
2. Bias-related oral comments, written statements, or gestures were made by the offender which indicates the offender's bias. For example, the offender shouted a racial epithet at the victim.
3. Bias-related drawings, markings, symbols, or graffiti were left at the crime scene. For example, a swastika was painted on the door of a synagogue, mosque, or LGBT Center.
4. Certain objects, items, or things which indicate bias were used. For example, the offenders wore white sheets with hoods covering their faces or a burning cross was left in front of the victim's residence.
5. The victim is a member of a specific group which is overwhelmingly outnumbered by other residents in the neighborhood where the victim lives and the incident took place.
6. The victim was visiting a neighborhood where previous hate crimes had been committed because of race, religion, disability, sexual orientation, ethnicity, gender, or gender identity and where tensions remained high against the victim's group.
7. Several incidents occurred in the same locality, at or about the same time, and the victims were all of the same race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.
8. A substantial portion of the community where the crime occurred perceived that the incident was motivated by bias.
9. The victim was engaged in activities related to his or her race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. For example, the victim was a member of the National Association for the Advancement of Colored People (NAACP) or participated in an LGBT Pride celebration.
10. The incident coincided with a holiday or a date of particular significance relating to a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity, e.g., Martin Luther King Day, Rosh Hashanah, or the Transgender Day of Remembrance (November 20).
11. The offender was previously involved in a similar hate crime or is a hate group member.
12. There were indications that a hate group was involved. For example, a hate group claimed responsibility for the crime or was active in the neighborhood.
13. A historically-established animosity existed between the victim's and the offender's groups.

### Examples of Evidence of Bias Motivation:

- Racial, ethnic, gender and cultural differences
- Comments, written statements, gestures
- Drawings, markings, symbols, graffiti
- Previous existence of bias crime (same place, same time, same bias, etc.)
- Representation of organized hate group (or claims responsibility)
- Victim/witness perceptions
- Lack of other motives

<sup>4</sup> U.S. Department of Justice Criminal Justice Information Services Division, Uniform Crime Reporting Program. <http://www.fbi.gov/about-us/cjis/ucr/data-collection-manual>

14. The victim, although not a member of the targeted racial, religious, disability, sexual orientation, ethnicity, gender, or gender identity group, was a member of an advocacy group supporting the victim group.

Note that these guidelines are used by law enforcement agencies to determine if a crime should be reported to the FBI as a hate crime. The decision to add the hate crime allegation to a criminal complaint (after an arrest) is handled by the prosecutor's office and has no impact on whether law enforcement reports the crime as a hate crime (to the FBI).

#### Hate Crime Reporting for FBI UCR Reporting vs. Prosecution Decision Differences:

....these guidelines are used by law enforcement agencies to determine if a crime should be reported to the FBI as a hate crime. The decision to add the hate crime allegation to a criminal complaint (after an arrest) is handled by the prosecutor's office and has no impact on whether law enforcement reports the crime as a hate crime (to the FBI).

## Why are hate crimes underreported?

Reasons for not reporting the offense by victims include:

- Unsure or unclear that the incident or offense would be considered a hate crime.
- Lack of knowledge or understanding or distrust of the criminal justice system.
- Fear of retaliation by the perpetrator.
- Feelings of distrust of police in general and/or fear they will receive insensitive treatment.
- They found other ways to handle the incident or reported it to a non-police entity for action.

In March 2013, the U.S. Department of Justice Bureau of Justice Statistics released a special report on hate crime victimization comparing data gathered from the annual National Crime Statistic Survey (NCVS) from 2003-2006 with data collected from the survey between 2007-2011.<sup>5</sup> They found that the percentage of hate crimes reported to police has declined from 46% in 2003-06 to 36% in 2007-2011. The top two reasons given by victims for not reporting a hate crime between 2007-2011 was believing that the police could not or would not help them (24%) or they dealt with the matter another way (23%).

In addition, we have learned more about reasons why law enforcement agencies may be underreporting hate crimes including:

- Hate crimes are not always given a high priority.
- Lack of or limited formal hate crime policies, training or practices that help police spot and identify when there are elements involved that indicate the offense was motivated in whole or in part by hate, prejudice or bias.
- Crimes can frequently involve multiple motivations for occurrence such as large brawls or gang related incidents.
- The investigation and gathering of evidence to prove that an offense was motivated by prejudice, hate or bias can be burdensome and time consuming.
- There is sometimes confusion about whether to report or flag an offense as a hate crime if the prosecution entity does not pursue or allege the hate crime element during the court process.
- At some stage of an investigation, from initial police response to investigation, a police officer must identify the offense as a hate crime or possible hate crime before the person or unit responsible for reporting that data to Texas DPS and the FBI can review that offense. Large police departments rely on computer technology for that identification (they cannot feasibly review every offense or incident report written) in order for the offense/incident to be reviewed and then reported as a hate crime.
- Final determinations of reporting an offense as a hate crime within police agencies are frequently left to one individual and that person's interpretation of the offense.

The Austin/Hate Crimes Task Force is developing strategies to help us address each of these possible causes or reasons for underreporting in an effort to get a full assessment of how hate, prejudice or bias is resulting in criminal

<sup>5</sup> *Hate Crime Victimization, 2003-2011*, U.S. Department of Justice Office of Justice Programs, Bureau of Justice Statistics, March 2013, <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4614>

actions. The Task Force is committed to ensuring that all members of our community in every jurisdiction feel safe and secure in their community and that we remain one of the safest cities in America who values and respects all persons.

### **Methodology for this Report:**

Because the final hate crime reports are not available from the Texas Department of Public Safety or the FBI until the fall each year, the Hate Crimes Review Team contacts local law enforcement agencies directly for information on all incidents that they reported as hate crimes in calendar year 2012. Each agency provided information about their hate incidents/crimes to the Task Force via the Hate Crimes Review Team by June 2013. Data was then entered into a spreadsheet for each offense report. Each reporting agency was provided the spreadsheet for review/inspection to ensure that data was entered appropriately. Additionally, we gathered data related to disposition of all reported hate crimes including disposition if an arrest was made and/or it was referred for prosecution.

A preliminary data report was created and reviewed by the Hate Crimes Review Team (06-20-13). Key highlights and findings were shared with the Hate Crimes Task Force (09-12-13). The Hate Crimes Review Team reviewed the updated report on 11-06-12 and final recommendations were made that will enhance our ability to prevent, detect, report, investigate, prosecute and respond to hate crimes and incidents in our community.

In late November 2013, the Texas Department of Public Safety issued their annual crime report, including the annual hate crime report<sup>8</sup> and the FBI Hate Crime Report was issued on November 25<sup>th</sup>, 2013.<sup>9</sup> The Hate Crimes Review Team and Task Force are currently reviewing these reports for reporting accuracy.



***Hate crime is like a pebble dropped in a stream...it doesn't end with the crime or the investigation... It reverberates throughout the community and the victim's life.***

<sup>8</sup> Texas Department of Public Safety 2012 Hate Crime Report: <http://www.txdps.state.tx.us/crimereports/12/citCh6.pdf>

<sup>9</sup> 2012 FBI Hate Crime Report: <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012>

# Highlights of the Austin/Travis County 2012 Hate Crimes Data<sup>10</sup>

Hate Crimes In Travis County 2007-2012

	2007	2008	2009	2010	2011	2012
AISD PD	1	1	0	0	0	0
Austin PD	6	19	11	5	5	7*
Travis County SO	0	0	0	1	0	4**
UTPD at Austin	2	3	1	1	2	1***
West Lake Hills	0	0	0	0	2	0
<b>Travis County Total:</b>	<b>9</b>	<b>23</b>	<b>12</b>	<b>7</b>	<b>9</b>	<b>12</b>

- Overall Reported Hate Crimes:

- **Five of the 12 hate crime incidents were identified by two departments after the deadline for FBI reporting.** In addition, one hate crime was reported in 2012 that actually occurred in 2011 (but was also identified after the FBI reporting deadline).

\*APD: One hate crime in 2012 was identified by prosecutors (indicted with a hate allegation) but discovered after the January 31<sup>st</sup>, 2013 deadline for law enforcement to amend their 2012 report. After APD reviewed the report, they identified that this offense would have been reported as a hate crime under their new process for review.

\*\* TCSO: Formally, TCSO reported to the FBI no hate crimes in 2012; however, upon further review, they identified four hate crimes that met FBI reporting standards but due to the discovery after January 31<sup>st</sup>, 2012, they were unable to amend their FBI reporting number. We have included these four offenses in this annual report to help identify any trends or key findings for 2012.

\*\*\*UTPD: UTPD identified a hate crime that occurred in December of 2011 after the January 31<sup>st</sup>, 2012 deadline for amending the 2011 FBI report. They are reporting that offense using the date that the incident was reviewed for FBI reporting in 2012 (March). This number will be reflected in the final FBI/DPS Hate Crime reports as well as this annual report.

- Bias Motivation:

- **Anti-racial** (3 anti-Black and 2 anti-Asian) and **Anti-Sexual Orientation** (4 anti-male and 1 anti-female) comprised 83% of the 12 offenses.

Bias Nature	2010		2011		2012	
	# of:	% of:	# of:	% of:	# of:	% of:
<b>Racial:</b>	2	28.6%	4	44.4%	5	41.6%
<b>Sexual Orientation:</b>	3	42.8%	1	11.1%	5	41.6%
<b>Ethnicity/ National Origin:</b>	1	14.3%	1	11.1%	0	0.0%
<b>Religious:</b>	1	14.3%	3	33.3%	2	16.6%
<b>Disability:</b>	0	0.0%	0	0.0%	0	0.0%

- Victims:

- **19 victims:** Mostly male (74%); 8 were age 21 or under (with 3 of them 17 or under); Average age: 27.4

- Suspects:

- **12 suspects:** Mostly male (73%); Average age: 23.1; 7 were identified in 6 offenses with 3 arrested/prosecuted (all males)

<sup>10</sup> For the October 2012 report, data was reported directly to the HCTF from local law enforcement and prosecution entities. The Texas DPS 2012 Hate Crime report was issued in November 2013 that included the seven formally reported hate crimes. The FBI 2012 Hate Crime Report was issued on 11-25-13 but no data for Travis County was included. We are currently working with Texas DPS on the reporting discrepancy.

**Victim/Suspect by Race**

	2010		2011		2012	
	Victims	Suspects	Victims	Suspects	Victims	Suspects
Asian	0	0	4	0	2	0
Black	1	3	2	0	4	1
Hispanic	0	1	2	2	1	4
Middle Eastern	1	0	0	0	0	0
White	5	3	1	10	11	7
Unknown	2	1	0	1	1	3
Business	0	na	2	na	1	na

- Type of Offenses:**

- o 59% of offenses were assaultive in nature.

- Location of Offenses:**

- o Although more spread out across the county, 33% of the offenses happened downtown/UT area and 33% occurred in the unincorporated area of the county in the Manor/Pflugerville area.

Type of Offense:	2010	2011	2012
Aggravated Assault	2	0	3
Assault by Contact-C	1	0	2
Assault w/Injury--Class A	2	6	2
Bomb Threat	1	0	0
Criminal Mischief--Class B	1	2	4
Criminal Mischief--Felony	1	1	1

- Disposition of Cases:**

- o In 2012, the two felony aggravated assaults were indicted with a hate crime allegation. One of these cases resulted in a plea of guilty and a 7 year sentence to TDC (prison).
- o One 2011 case was disposed of in 2012 (statute of limitations expired when victim was uncooperative in the prosecution).

2011-2012 Offenses Referred for Prosecution--Dispositions as of 10-21-13									
Type of Offense:	Entity:	Victim		Offender:		Bias:	Prosecution Entity:	Hate Crime Alleged:	Disposition:
		Race/Sex	Age:	Race/Sex	Age:				
<b>2011</b>									
Assault w/Injury A	UTPD	A/M	19	W/M	20	Anti-Asian	County Atty	No	Pled guilty; 2 days in jail
Assault w/Injury A	UTPD	B/M	24	W/M	28	Anti-Black	County Atty	No	Statute of limitations expired; victim uncooperative
Assault w/Injury A	APD	B/M	19	W/M	28	Anti-Arab	County Atty	No	Pled guilty; 270 days in jail
Aggravated Assault*	APD	B/M	64	W/M	26	Anti-Arab	Dist Atty	Yes	09-26-13: Hung jury; 10-02-13 case dismissed
<b>2012</b>									
Aggravated Assault w/ Deadly Weapon	APD	B/M	27	W/M	42	Anti-Black	Dist Atty	Yes	Pled guilty; 7 yrs TDCJ
		B/M	41						
Assault w/Injury A	APD	B/M	44	W/M	22	Anti-Black	County Atty	No	Pending in court
Aggravated Assault w/Deadly Weapon**	APD	H/F	19	H/M	42	Anti-Homosexual Female	Dist Atty	Yes	Pending in court

\*This offense was not reported to the FBI as a hate crime. We have added it to the 2012 hate crime report for disposition reporting only.

\*\*This offense was not reported to the FBI as a hate crime but the offense was included in the 2012 hate crime data analysis.



# Key Findings of the Analysis of the 2012 Reported Hate Crimes

While reviewing the incident reports for the 2012 reported hate crimes, there were several key issues identified including:

## Identifying and Reporting Hate Crimes:

There continues to be issues related to how hate crimes are flagged/identified and reported by police but there are local strategies that are working:

- Travis County Sheriff's Office:** The director of TCSO's Victim Services Division began screening all offenses in 2012 for cases that had evidence of bias motivation as a strategy to ensure that victims of these types of offenses received victim services. She identified 12 cases in 2012 with some indication of bias; however, TCSO officially reported no hate crimes in 2012. Once this information was learned, TCSO convened a team to review the 12 cases flagged and reported that if they had been reviewed in 2012, 4 of the 12 cases would have been reported as a hate crime to the FBI. Those four offenses were included in this report.
- Austin Police Department:** One hate crime offense (an aggravated assault) was indicted in 2012 with a hate crime allegation but that offense was not reported to DPS/FBI as a hate crime in 2012. After reviewing the offense (after the deadline for reporting to the FBI 01-31-12), APD advised that they would have reported the incident as a hate crime in 2012. The offense was included in this report.
- UTPD:** UTPD also identified one hate crime offense that occurred in December 2011

IDENTIFYING AND REPORTING HATE CRIMES:	
Local Effective Practices/Strategies:	Local Challenges:
<ul style="list-style-type: none"> <li>The TCSO Victim Services Director began screening all offenses reported in 2012 for evidence of bias motivation.</li> <li>TCSO and APD have launched internal hate crime review teams to review incidents with possible bias motivation to make final determination if they will be reported to the FBI. (UTPD also uses this strategy).</li> <li>A local Hate Crimes Review Team was launched in 2012 which allows for more real time discussion about hate crimes/incidents.</li> <li>ADL and the Austin Police Department provided a 4-hour training in 2013 for not only APD staff but included other policing entities as well as staff from prosecution offices.</li> <li>Both the county and district attorney's office have hate crimes liaison who are helping spot hate crimes filled in their courts.</li> </ul>	<ul style="list-style-type: none"> <li>Of the 12 hate crime offenses included in this report, five were not reported to the FBI (for various reasons).</li> <li>Policing agencies rely on reporting officer or investigating detective to identify/flag hate crime cases leaving the determination to varied interpretations of what is a hate crime with limited training on FBI reporting criteria.</li> <li>Hate crimes are reported monthly or quarterly to DPS/FBI; however, if a case is flagged later during the investigation and within a different reporting period, it is possible for a hate crime to go unreported.</li> <li>An offense was indicted in 2012 with a hate crime allegation but the offense was not reported to the FBI/DPS as a hate crime.</li> </ul>

but their review team did not identify it until March 2012 which was after the deadline for reporting. UTPD decided to report the hate crime in 2012 using the date that they reviewed it (to meet expectations set by the Clery Act<sup>11</sup>).

- One local school district contracts for school-based resource officer services from a local constable office (within Travis County). Constable offices generally do not report any uniform crime reports to the FBI; therefore, if a hate crime or incident happens at this school, this data would not be reported to the FBI.
- Initial responding officers have a heavy burden for flagging hate crime cases and if they do not, there are few strategies to catch offenses for further review that might be missed with current practices for reporting. For instance, at the Travis County Sheriff's Office, the initial responding officer must manually complete a separate form that is then sent to central records.<sup>12</sup>
- Typically, the identification and reporting of hate crimes to the FBI mostly is the responsibility of one person within a department. However, in 2013, both the Austin Police Department and the Travis County Sheriff's Office have launched internal hate crime review teams to review and make final determination which offenses will be formally reported to the FBI. (UTPD at Austin already has such a review process).
- Each department reports hate crime numbers/data on either a monthly or quarterly basis to DPS. If a case occurs within the previous reporting period but is flagged later in the investigation as a hate crime, there is a high likelihood that the offense will go unreported to DPS since the searches are for the current reporting period. This resulted in one offense that occurred in 2011 to be reported in 2012.
- The Anti-Defamation League in partnership with the Austin Police Department has provided four-hour hate crime training for APD patrol officers, investigators and supervisors. In 2012, two trainings were held for APD personnel. In August 2013, a collaborative hate crime training was held that included other law enforcement entities as well as prosecutor offices and victim service representatives.
- The Travis County District Attorney's Office identified a hate crime and did indict it as a felony aggravated assault in 2012 and alleged that the offense was driven in whole or in part by bias or prejudice. However, the law enforcement entity did not identify that offense in their 2012 reporting and because it was identified after the deadline for revising the report (January 31<sup>st</sup> of each year), the offense was not formally reported as a hate crime.

### **Responding to Victims Effectively:**

Since launching the Hate Crimes Task Force, we have focused attention on our response to victims at the time of offense, during follow up investigation, as well as during the prosecution stages. Victim-centered responses remain an important part of our work.

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<sup>11</sup> The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education both public and private. For more information, see: <http://clerycenter.org/summary-jeanne-clery-act> .

<sup>12</sup> However, TCSO has a computer system that allows them to do key word searches within narratives of reports for quality control. Their central records division does do routine key word searches around hate crimes.

- TCSO's victim services director reviews all offense reports written that involve a victim of any level of assault. In 2012, the director identified 12 offenses where bias motivation appeared to be involved and all 12 victims received follow up outreach for victim services. APD is unable to do this level of screening due to the volume of reports written. APD victim services responds to the scene if requested by the officer (crisis team services) and automatically receives offense reports that have victims of family violence or any aggravated felony offense.

RESPONDING TO VICTIMS:	
Local Effective Practices/Strategies:	Local Challenges:
<ul style="list-style-type: none"> <li>• TCSO's victim services director reviews all offense reports involving victims of any level of assault and is able to do timely outreach to those victims.</li> <li>• The Clery Act requires that universities and colleges collect information about hate crimes through sources other than police reports (i.e., use of campus health or mental health care services) and to ensure that services are offered to those victims. Locally, UTPD has a national trainer on Clery on staff who is also participating in the Hate Crimes Review Team.</li> <li>• The DA's Office has concentrated more victim attention on felony offenses that are prosecuted including more contact with them as the case unfolds in the system.</li> </ul>	<ul style="list-style-type: none"> <li>• Due to the volume of misdemeanor assaults, APD victim services is not able to review these types of cases and must rely on referrals by reporting or investigating officers for a victim of a misdemeanor hate crime assault.</li> <li>• There appears to be opportunity to do more outreach and training with school based resource officers to help them identify hate crimes as well as refer victims to appropriate services.</li> </ul>

- Three victims in 2012 were under the age of 17. They were involved in two separate incidents (both reported by TCSO) with one offense occurring on school property. Victim service resources were offered/provided to the victims and their families.

- The district and county attorney offices are doing more victim outreach during the prosecution stage including support during the grand jury phase of the process.

**That night in 1998—the night my father died—changed my life and the lives of my family members forever. It forever changed Jasper, Texas and that city's reputation. And it changed hate crime laws in the state of Texas and in all across the United States.**

*Jamie Byrd, daughter of James Byrd*  
 Comments made at Anti-Defamation League's  
 Austin 100<sup>th</sup> Centennial Hate Crimes Conference,  
 Austin, Texas, September 17th, 2013

**Prosecution issues/challenges:**

- The County Attorney's Office has implemented a process where any offense that appears to have a bias motivation is now moved off of the expedited docket for further review. They will staff the case with a team to determine if a hate allegation will be alleged.
- One offense was indicted with a hate allegation and found guilty of that offense in 2012. However, it was later determined that the final disposition did not include the hate allegation which appears to be a court-related process that is now being examined.
- There are two hate crime cases still pending in courts (one each in the county and district courts) after several months. Prosecutors may benefit from other sentencing strategies and tools to help

effectively resolve cases and ensure that victims and communities feel that a just outcome was attained.

- Local justice systems partners use a variety of restorative/reparative justice tools designed to help resolve cases that engage victims and offenders effectively. Travis County Juvenile Probation utilizes victim impact panels as well as victim-offender mediation as tools while the Travis County District Attorney’s Office has utilized victim-offender dialogue as well as circle sentencing strategies. In 2013, a victim of hate incidents agreed to join a rotation of speakers for the Travis County Juvenile Probation Victim Impact Panels.

PROSECUTION:	
Local Effective Practices/Strategies:	Local Challenges:
<ul style="list-style-type: none"> <li>Local prosecutor offices have developed strategies to ensure that appropriate prosecution attention is given to possible hate crimes including victim support.</li> <li>Travis County Juvenile Probation added a victim of hate incidents to a rotation on their Victim Impact Panels (for juvenile offenders).</li> </ul>	<ul style="list-style-type: none"> <li>Local prosecution information systems do not currently flag cases that are being prosecuted with a hate crime allegation (for status and disposition data collection purposes). Using restorative justice type tools for cases involving violence and/or injury are difficult to use due to the emotions and impacts that a hate crimes create.</li> </ul>

# Update on 2012 Key Recommendations for Enhancing Our Response to Hate Crimes/Incidents

In the 2012 Hate Crime report, key recommendations made for enhancing our response to hate crimes and incidents in our community included:

## 2012 Key Recommendations for Enhancing Our Response to Hate Crimes/Incidents

- Creation of a local Criminal Justice Hate Crime Review Team
- Develop strategies to connect victims of hate crimes/incidents to victim support-type services
- Develop additional prosecution or sentencing tools to ensure victim needs are met and justice is served
- Formalize annual hate crime report

The Hate Crimes Review Team reviewed the progress made around each of these recommendations and then issued new recommendations

### 2012 Recommendation—Create a Hate Crime Review Team:

- ***A Travis County Criminal Justice Hate Crime Review Team including law enforcement, prosecutors, victim services, and adult and juvenile probation department personnel should be created to discuss and examine hate crime incidents and offenses on a recurring basis in an effort to:***
  - Help enhance identification and response to these offenses/incidents;
  - Ensure a dialogue is open between police and prosecutors regarding effective prosecution strategies;
  - Provide opportunity to share information across jurisdictional lines about trends for hate crimes/incidents;
  - Develop strategies to enhance how we are identifying, reporting, responding and disposing of hate crimes offenses/incidents; and
  - Identify training/cross-training opportunities as well as sharing of information about policies and practices enhancements to help better identify and report hate crime offenses.

### 2013 Update—Hate Crime Review Team:

- ✓ A local Hate Crimes Review Team was launched in January 2013. They met four times during 2013 (Jan. 18<sup>th</sup>, Feb. 27<sup>th</sup>, June 20<sup>th</sup> and Nov. 6<sup>th</sup>).
- ✓ The Review Team includes all policing agencies in the county (including AISD Police, and local universities) as well as prosecutors, probation officials and criminal justice victim service providers.
- ✓ On August 27<sup>th</sup>, 2013, a collaborative hate crimes training was held.
- ✓ TCSO and APD created internal hate crime review teams (UTPD at Austin already had this in place) to collaboratively review and reach consensus on which cases met the FBI reporting guidelines for hate crimes.

## **2012 Recommendation—Connect victims to services:**

- **Develop strategies to more effectively connect victims of hate crimes/incidents to victim services as soon as possible after the incident, particularly utilizing existing victim service divisions.**
  - Law enforcement agencies should develop strategies and processes to ensure that all juvenile victims of hate crimes/incidents, regardless of the type or level of offense, receive support as soon as practical after the incident.
  - Law enforcement agencies should develop strategies and processes to ensure that all victims of hate crimes who receive any type of injury or who inquire about or request for services receive service outreach as soon as possible after the incident. If street crisis victim teams are available, they should be utilized during the on-scene investigation.

### **2013 Update—Connecting Victims to Services:**

- ✓ In 2013, the Travis County Sheriff's Office Victim Services director began reviewing all offense reports with victims for bias motivation. She identified 12 cases that had some elements of bias motivation and assigned a victim services counselor for outreach and referral for services to these victims. The impact of this new practice was the ability of TCSO to review these cases to determine how many would have met the FBI reporting guidelines in 2012.
- ✓ APD as well as TCSO's Victim Services directors participate in their agency's internal hate crime review teams.
- ✓ The District Attorney's Office ensured that victims of hate crimes or incidents received enhanced victim services and case preparation attention including inviting some victims to testify in grand jury proceedings.
- ✓ A victim of hate incidents was connected to Travis County Juvenile Probation to begin participating in their Victim Impact Panels for juvenile offenders.

## **2012 Recommendation—Enhance prosecution/sentencing tools:**

- **Work with prosecutors to identify additional prosecution/sentencing tools they could use to ensure that that victim needs are met and justice is served by:**
  - *Examining how we currently use tools such as victim impact statements, victim impact panels, victim-offender mediation, circle sentencing or other reparative or restorative justice like strategies and determining our existing capacity for using them.*
  - *Identifying additional strategies that may impact future hate or bias-related behavior by offenders.*

### **2013 Update—Enhance Prosecution/Sentencing Tools:**

- ✓ County Attorney's Office has a flagging system in place that allows for cases to receive more dedicated attention and internal dialogue regarding final prosecution strategies.
- ✓ District Attorney's Office offered victims of hate incidents/crimes the opportunity to testify during grand jury proceedings which helped victims feel empowered.
- ✓ A victim of hate incidents was connected to Travis County Juvenile Probation to begin participating in their Victim Impact Panels for juvenile offenders.

### **2012 Recommendation—Formalize hate crime reporting:**

- *Formalize an annual reporting process that engages all criminal justice entities to ensure that the reporting becomes systematic and institutionalized.*

### **2013 Update—Formalize Hate Crime Reporting:**

- ✓ 2012 hate crime data was collected and analyzed and a preliminary report issued in September 2013.
- ✓ Tracked prosecution status of all hate crimes filed in court.

# 2013 Key Recommendations for Enhancing Our Response to Hate Crimes/Incidents in Austin/Travis County, Texas

After analyzing the 2012 hate crime data as well as status of recommendations made in our 2012 hate crime report, the following key recommendations are made to continue enhancing our identification and response to hate crimes and incidents in our community:

## 2013 Key Recommendations for Enhancing Our Response to Hate Crimes/Incidents

- Continue the criminal justice Hate Crime Review Team:
  - Expand/enhance team participation
  - Host at least one collaborative hate crime training
  - Continue finding ways to enhance identification and reporting of hate crimes
- Develop strategies to enhance victim support-type services to victims of hate crimes/incidents:
  - Enhance process for prosecution decisions and victim support
  - Create relationships with advocacy/community service providers
- Develop additional prosecution or sentencing tools to ensure victim needs are met and justice is served
- Formalize annual hate crime report processes to allow for preliminary reporting in May of each year.

### **2013 Recommendation—Continue/expand local Hate Crime Review Team:**

The local Hate Crime Review Team is effective at allowing for cross system and cross jurisdictional sharing of information regarding hate crimes and incidents. They have collaboratively identified gaps and strategies for enhancing our identification and reporting of hate crimes in our community. The Team would like to expand the membership to include constable offices (particularly those who are providing school-based resource officers) as well as staff from our local county jail, the Texas Department of Criminal Justice and the Federal Bureau of Prisons who may be able to inform more about current trends and conditions related to hate groups in those facilities as well as develop strategies when members of hate groups are being released back into our community.

### **2013 Recommendation— Enhance victim-support services:**

Although progress has been made for helping victims get connected to victim services through outreach from local police department victim services as soon as practical after reporting, there appears to be more that we can do. During interviews and focus groups held with victim service providers within the criminal



justice system, counselors advised that the victims are impacted by the length of time between charges being filed and final decision regarding whether a hate allegation will be part of the prosecution strategy. In order to maintain trust with victims, they felt that it would be very beneficial to develop strategies to reduce the amount of time it takes to make that decision. It was noted that the amount of attention that prosecutors themselves provided in working with victims enhanced victim satisfaction as well as enhancing victim's effectiveness as a witness.

In addition, the Review Team feels it is important to develop relationships with key advocacy/community providers where victims can also outreach for additional support and services. They are also interested in exploring how other jurisdictions may be using these advocacy groups/common outreach for support as well as reporting of hate crimes (to allow victims to receive services where they are comfortable). For example, the Los Angeles Police Department includes a link on their website to a page specific to hate crimes and includes phone numbers for "additional organizations" that may help victims of hate crimes/incidents.<sup>15</sup> This relationship building with advocacy groups should help us develop more trust with victims and/or create a way for victims to report hate incidents/crimes.

### **2013 Recommendation—Enhance sentencing/prosecution tools:**

Because prosecution of hate crime cases can be difficult and challenging, we recommend examining how to expand our use of restorative justice type tools for sentencing including use of victim-offender mediation, victim impact panels, or community restitution services that assist with offender sensitivity training. These tools could be used as pre-sentence as well as post sentence. In addition, we will examine what type of services are or could be offered to a defendant post-sentence while they are on probation are in jail or prison.

### **2013 Recommendation—Issue preliminary local hate crime report in May:**

Currently, hate crimes are reported monthly or quarterly by police departments to Texas DPS. The reports can be amended up to January 31<sup>st</sup> of the year after the reporting year. The Review Team would like to move up their preliminary report from September to May of each year (or to coincide with the spring meeting of the Hate Crimes Task Force). We can continue doing updates to our annual report through the year particularly at the end of the year when Texas DPS and the FBI issue their final reports. By moving the preliminary report to May, we can make final recommendations for enhancing our work by the final report deadline.

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<sup>15</sup> See [http://www.lapdonline.org/get\\_informed/content\\_basic\\_view/8808](http://www.lapdonline.org/get_informed/content_basic_view/8808) .

# **A P P E N D I X**

## **AUSTIN/TRAVIS COUNTY HATE CRIMES TASK FORCE**

### **2012 HATE CRIME DATA IN TRAVIS COUNTY OCTOBER 2013**

## AUSTIN/TRAVIS COUNTY HATE CRIMES TASK FORCE

### 2012 HATE CRIMES IN TRAVIS COUNTY October 2013

#### Reported Hate Crimes in Travis County 1999-2012

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
AISD PD	0	0	3	1	2	0	1	1	1	1	0	0	0	0
Austin PD	18	26	25	15	6	6	20	13	6	19	11	5	5	7*
Travis County SO	3	1	2	1	1	0	0	2	0	0	0	1	0	4**
UTPD at Austin	5	5	2	1	0	0	2	3	2	3	1	1	2	1***
West Lake Hills PD	0	0	0	0	0	0	0	0	0	0	0	0	2	0
<b>Travis County Total:</b>	<b>26</b>	<b>32</b>	<b>32</b>	<b>18</b>	<b>9</b>	<b>6</b>	<b>23</b>	<b>19</b>	<b>9</b>	<b>23</b>	<b>12</b>	<b>7</b>	<b>9</b>	<b>12</b>

#### 2012 Notes:

\*APD: One hate crime in 2012 was identified by prosecutors (indicted with a hate allegation) but discovered after the January 31<sup>st</sup>, 2013 deadline for law enforcement to amend their 2012 report. After APD reviewed the report, they identified that this offense would have been reported as a hate crime under their new process for review.

\*\* TCSO: Formally, TCSO reported to the FBI no hate crimes; however, upon further review, they identified four hate crimes that met the FBI reporting standards but due to the discovery after January 31<sup>st</sup>, 2012, they were unable to amend their FBI reporting number. We have included these four offenses in this annual report to help identify any trends or key findings for 2012.

\*\*\*UTPD: UTPD identified a hate crime that occurred in December of 2011 after the January 31<sup>st</sup>, 2012 deadline for amending the 2011 FBI report. They are reporting that offense using the date that the incident was reviewed for FBI reporting in 2012 (March). This number will be reflected in the final FBI/DPS Hate Crime reports as well as this annual report.

Hate Crimes	2010	2011	2012
Reported Incidents	7	9	12
Reported Victims	9	11	19
Reported Offenders	8	13	12
Reported Offenses	7	9	12*

\*Only 7 offenses were reported to the FBI.

### Type of Hate Crime Offenses

Type of Offense:	2010		2011		2012	
	# of Offenses:	# of Suspects:	# of Offenses:	# of Suspects:	# of Offenses	# of Suspects
Agg. Assault	2	2	0	0	3	2 known 3 unknown
Assault by Contact/Threat-C	1	1	0	0	2	2 unknown
Assault w/Injury--Class A	2	1	6	13	2	2 known
Bomb Threat	1	unk	0	0	0	0
Criminal Mischief--Misd	1	unk	2	unk	4	3 known 2 unknown
Criminal Mischief--Felony	1	unk	1	unk	1	1 unknown

## LOCATION OF HATE CRIMES

Area of Town	2010	2011	2012
Downtown	1	3	2
Northwest	0	1	0
North Central	0	0	1
South Central	0	1	1
Central East	0	0	1
Southeast Austin	3	0	1
West of Mopac	1	2	0
T Campus Area	2	2	2
Pflugerville Area	0	0	1
East Travis County/Manor	0	0	3

Type of Location:	2010 # of Offenses:	2011 # of Offenses:	2012 # of Offenses:
Bar/Night Club	1	1	
Church	1	1	
Hotel	1	0	
Parking Lot/Garage	0	2	3
Residence	1	1	4
Street	2	4	2
Park/Jogging Path	0	0	1
School	0	0	2

## Nature of Bias

Bias Nature	2010		2011		2012	
	# of:	% of:	# of:	% of:	# of:	% of:
<b>Racial:</b>	2	28.6%	4	44.4%	5	41.6%
<b>Sexual Orientation:</b>	3	42.8%	1	11.1%	5	41.6%
<b>Ethnicity/ National Origin:</b>	1	14.3%	1	11.1%	0	0.0%
<b>Religious:</b>	1	14.3%	3	33.3%	2	16.6%
<b>Disability:</b>	0	0.0%	0	0.0%	0	0.0%

Bias Nature # of Offenses:	2010	2011	2012
<b>Racial:</b>	2	4	5
<b>Sexual Orientation:</b>	3	1	5
<b>Ethnicity/ National Origin:</b>	1	1	0
<b>Religious:</b>	1	3	2
<b>Disability:</b>	0	0	0

### Type of Bias Breakdown

Bias Nature	Bias Type:	2010	2011	2012
<b>Racial:</b>	Anti-White			
	Anti-Black	2	2	3
	Anti-Asian		2	2
	Anti-Multi Racial			
<b>Sexual Orientation</b>	Anti-Male Homosexual			4
	Anti-Female Homosexual			1
	Anti-Homosexual	3	1	
	Anti-Bi-Sexual			
<b>Ethnicity/ National Origin:</b>	Anti-Arab	1		
	Anti-Hispanic		1	
	Anti-Other			
<b>Religious:</b>	Anti-Jewish		1	2
	Anti-Protestant			
	Anti-Islamic			
	Anti-Catholic		2	
	Anti-Other Religion			
	Anti-Multi-Religion	1		
<b>Disability:</b>	Anti-Physical			
	Anti-Mental			

## When Hate Crimes Occurred

Day/Time of Incident							
Day of Week:	# of Incidents:			Time of Day:	# of Incidents:		
	2010	2011	2012		2010	2011	2012
Mon		2	1	9am-6p	1	0	3
Tues	1	0		6p-8p	0	1	2
Tues-Wed (overnight)	0	1	1	8p-10p	1	0	2
Wednesday	0	1	1	10p-12a	0	1	1
Thursday	0	1	2	12a-2a	2	0	2
Friday	1	2	2	2a-5a	2	4	1
Saturday	2	2	3	Unk*	1	3	1
Sunday	3	0	2	<b>TOTAL:</b>	<b>7</b>	<b>9</b>	<b>12</b>

\*Includes over a 24 hr time period.

### 2010-2012 Hate Crimes by Month

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total:
2010	1	1			1	1			1			2	7
2011		1	1	2			1		1			1	7
2012		1	1						1	5	1	3	12

## Victim Information

2012 Victim Information											
<b>Race/Ethnicity:</b>	Asian	2	10%	<b>Sex:</b>	Male:	14	74%	<b>Age:</b>	17 or under:	3	17%
	Black	4	21%		Female:	4	21%		18-21:	5	28%
	Hispanic	1	.05%		NA:	1	10%		22-29:	3	17%
	Middle Eastern		0%						30-40:	4	22%
	Unknown		0%						40-50:	3	17%
	White	11	58%						Over 50:	0	0%
	<i>Business</i>	1	10%						<b>Avg age:*</b>	<b>27.4</b>	

\*Only known ages (18 victims) were used for average.

2011 Victim Information											
<b>Race/Ethnicity:</b>	Asian	4	36.3%	<b>Sex:</b>	Male:	8	89%	<b>Age:</b>	17 or under:	1	9.0%
	Black	2	18.1%		Female:	1	11%		18-21:	3	27.2%
	Hispanic	2	18.1%						21-24:	4	36.3%
	White	1	9.0%						Unk/NA	3	27.2%
	<i>Business</i>	2	18.1%						<b>Avg age:*</b>	<b>20.6</b>	

\*Only known ages were used for average.

2010 Victim Information											
<b>Race/Ethnicity:</b>	Asian	0		<b>Sex:</b>	Male:	7	77.70%	<b>Age:</b>	17 or under:	0	
	Black	1	11.0%		Female:	1	11.00%		18-21:	2	22.00%
	Hispanic	0			NA:	1	11.00%		22-29:	2	22.00%
	Middle Eastern	1	11.0%						30-40:	2	22.00%
	Unknown	2	22.2%						Over 50:	2	22.00%
	White	5	55.5%						Unk:	1	11.00%
									<b>Avg age:*</b>	<b>34.1</b>	

\*Only known ages were used for average.

## Suspect Information

2012 Suspect Information											
<b>Race/Ethnicity:</b>	Asian	0	0%	<b>Sex:</b>	Male:	11	73%	<b>Age:</b>	17 or Under:	4	27%
	Black	1	6%		Female:	1	6%		18-21:	0	0%
	Hispanic	4	27%		Unk:	3	20%		22-29:	4	27%
	White	7	47%				40-45:		2	13%	
	Unk	3	20%				Unk:		5	33%	
						<b>Avg age:*</b>	<b>23.0</b>				

\*Only known ages were included (7 suspects).

2011 Suspect Information											
<b>Race/Ethnicity:</b>	Asian	0		<b>Sex:</b>	Male:	10	76.9%	<b>Age:</b>	17 or under:	0	
	Black	0			Female:	2	15.3%		18-21:	2	15.4%
	Hispanic	2	15.3%		Unk:	1	7.6%		21-24:	3	23.0%
	White	10	76.9%				25-28:		3	23.0%	
	Unk	1	7.6%				Unk:		4	30.8%	
						<b>Avg age:*</b>	<b>23.1</b>				

\*Only known ages were included.

2010 Suspect Information											
<b>Race/Ethnicity:</b>	Asian	0		<b>Sex:</b>	Male:	7	87.50%	<b>Age:</b>	17 or under:	0	
	Black	3	37.50%		Female:	0			18-21:	1	12.50%
	Hispanic	1	12.50%		Unk:	1	12.50%		22-29:	3	37.50%
	White	3	37.50%				Unk:		4	50.00%	
	Unk	1	12.50%				<b>Avg age:*</b>		<b>Unk</b>		

\*Specific ages were not collected.



## Dispositions

2012 Suspect Information and Status of Investigation						
	# of Suspects:	# of Offenses:	# of Suspects Arrested/ # of Incidents:	Prosecuted:	# of Offenses Still Under Investigation/ # of Suspects:	Victim Did Not Want to File Charges
No suspect info:	3*	3				
Suspect/s observed/heard but not identified:	5	3				
Suspect's identified:	7	6	3	3	1	2
<b>Totals:</b>	<b>12</b>	<b>12</b>				

\*Reflects 3 offense reports with no suspects; not included in total number of suspects.

2011 Suspect Information and Status of Investigation					
	# of Suspects:	# of Offenses:	# of Suspects Arrested/ # of Incidents:	Prosecuted:	# of Offenses Still Under Investigation/ # of Suspects:
No suspect info:	0	3			
Suspect/s observed/heard but not identified:	5	3			
Suspect's identified:	7	6	3	3	1
<b>Totals:</b>	<b>13</b>	<b>12</b>	<b>3</b>	<b>3</b>	<b>0</b>

2010 Suspect Information and Status of Investigation					
	# of Suspects:	# of Offenses:	# of Suspects Arrested/ # of Incidents:	Prosecuted:	# of Offenses Still Under Investigation/ # of Suspects:
No suspect info:	1	1			
Suspect/s observed/heard but not identified:	5	5			
Suspect's identified:	1	1	0	0	0
<b>Totals:</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>

2011-2012 Offenses Referred for Prosecution--Dispositions as of 10-21-13									
Type of Offense:	Entity:	Victim		Offender:		Bias:	Prosecution Entity:	Hate Crime Alleged:	Disposition:
		Race/Sex	Age:	Race/Sex	Age:				
<b>2011</b>									
Assault w/Injury A	UTPD	A/M	19	W/M	20	Anti-Asian	County Atty	No	Pled guilty; 2 days in jail
Assault w/Injury A	UTPD	B/M	24	W/M	28	Anti-Black	County Atty	No	Statute of limitations expired; victim uncooperative
Assault w/Injury A	APD	B/M	19	W/M	28	Anti-Arab	County Atty	No	Pled guilty; 270 days in jail
Agg. Assault*	APD	B/M	64	W/M	26	Anti-Arab	Dist Atty	Yes	09-26-13: Hung jury 10-01-13: Dismissed
<b>2012</b>									
Agg. Assault w/ Deadly Weapon	APD	B/M	27	W/M	42	Anti-Black	Dist Atty	Yes	Pled guilty; 7 yrs TDCJ
		B/M	41						
Assault w/Injury A	APD	B/M	44	W/M	22	Anti-Black	County Atty	No	Pending in court
Agg. Assault w/Deadly Weapon**	APD	H/F	19	H/M	42	Anti-Homosexual Female	Dist Atty	Yes	Pending in court

\*This offense was not reported to the FBI as a hate crime. We have added it to the 2012 hate crime report for disposition reporting

\*\*This offense was not reported to the FBI as a hate crime but the offense was included in the 2012 hate crime data analysis.