Bias Crimes (2023) Report
Per Senate Bill 577 (2019)

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Oregon Criminal Justice Commission

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The mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

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Executive Summary

During the 2019 legislative session, the legislature passed, and the Governor signed Senate Bill 577. Section 9 of this bill requires the Oregon Criminal Justice Commission (CJC) to review all data pertaining to bias crimes and non-criminal bias incidents and to report the results annually on July 1. This is the fifth annual report and covers data on bias crimes and non-criminal bias incidents that occurred in Oregon during calendar years 2020 through 2023. Anyone interested in viewing the report in its entirety may do so by requesting a copy from the CJC at 503-378-4830 or by accessing this link: https://www.oregon.gov/cjc/CJC%20Document%20Library/SB577ReportJuly2024.pdf. General inquiries regarding this report should be directed to the CJC at 503-378-4830. Specific questions regarding the contents of this report can be directed to Ken Sanchagrin, the Director of the CJC, at 971-719-6000 or ken.sanchagrin@cjc.oregon.gov.

The full report displays summary data and empirical analysis of bias crimes and non-criminal bias incidents from several data sources including the Bias Response Hotline (referred to as the *BRH* or *Hotline* in this report) established by the Oregon Department of Justice (DOJ) dedicated to assisting victims, witnesses, and other reporters of bias crimes and non-criminal bias incidents. In addition, the report displays data on bias-related criminal offenses taken from Oregon's National Incident Based Reporting System (NIBRS) housed within the Oregon State Police (OSP), data on the prosecution of bias crimes from 34 district attorneys' offices,[1] arrest data taken from the national Law Enforcement Data System (LEDS), court data for bias crimes taken from Oregon's Odyssey data system, and conviction and sentencing data for bias crimes from Oregon's Department of Corrections (DOC). Results for the Department of Justice (Hotline) Data reference initial bias crimes and bias incident reports, referred to collectively as *bias-motivated reports*.[2]

Key Findings
- Reports to the Hotline increased yearly during the 4-year period 2020 through 2023, with an overall increase of 229% from 1,101 in 2020 to 3,623 in 2023 (see Figure 1 and Table A1 in Appendix A).
- Bias-motivated reports (i.e., bias crimes and bias incidents) increased yearly between 2020 and 2023, with an overall increase of 222% in this period, from 910 in 2020 to 2,932 in 2023. These yearly increases did not affect all racial groups equally:
  o Bias-motivated reports with Asian victims peaked in 2021 at 183.
  o Reports with Hispanic/Latino victims peaked in 2022 at 430.
  o Reports with victims of another race peaked in 2023 at 420.
  o However, Black/African American individuals are consistently at the highest risk, at more than 500 reports yearly (see Table 2 and Tables A8-A9 in Appendix A for victim demographics).
- Motivation for bias crimes and bias incidents differed by victim demographics:
  o Females and individuals with undisclosed gender were primarily targeted due to anti- race, national origin, and religion (primarily Jewish) and anti-color bias, while males were targeted due to anti- race, national origin, and anti-color bias.
  o White victims and those with undisclosed race were primarily targeted because of sexual orientation or gender identity bias.
  o BIPOC victims were targeted primarily based on race: 95% Black/African American, 76% Asian, 63% Hispanic, and 59% AI/AN were targeted due to anti-race bias.
  o Individuals of another race were primarily targeted due to anti-religion bias, namely anti-Jewish bias (81%).

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[1] Data was not received from 2 counties: Columbia and Umatilla.
[2] The Hotline data discussed in this report focuses on initial bias-motivated reports, i.e., bias incidents and bias crimes. *Repeat Report, Bias/Hate Criteria Not Met, Bias Against Non-Protected Class, and Unable to Determine* reports are discussed in Table 1, Figures 1-3, and Tables A1-A7 in Appendix A and defined in Determining Bias.

- All age groups were primarily targeted due to anti-race bias, except for individuals 60 or older, who were primarily targeted for disability and religion bias (see Table 3 for bias motivation).
- Bias-motivated reports in schools declined in 2023 after the 2022 peak of 444. Younger persons remain at risk however, as almost 300 reports in 2023 occurred in a school incident setting type (see Figure 9 and Tables A23 and A24 in Appendix A). *Note*, actual rate of bias in schools is unknown.
- LEAs submitted more than 600 reports of bias crimes and bias incidents to the BRH in 2020 through 2023 (see Table 4 and Table A22 in Appendix A). *Note*, the BRH contacts victims only if requested.
- Underreporting of bias crimes to LE is extensive. In 2022 and 2023, the BRH data contained more than twice the number of victims as found in NIBRS (see Figure 10). Underreporting differs by victim demographics: white persons and males tend to report to LE, while BIPOC individuals, females and gender non-conforming bias crime victims tend to report their experiences to the BRH.
- Of the 155 bias crime cases in the 2023 DA data, 19% were declined/no-filed and 129 or 83% were filed either as a bias (68%) or non-bias case (15%).
  - Out of the 129 filed cases, 36% returned a conviction on at least one bias or non-bias charge (i.e., pled guilty, convicted by jury or bench trial, or plea deal), 58% are open, and all charges were dismissed for 6% of cases (for county specific data, see Table 16). The conviction rate for cases filed in 2023 is expected to increase in the upcoming months as open cases are disposed.
- Prosecuted/filed cases with a bias crime charge between 2000 and 2022 are more likely to result in a conviction on at least one charge (72% overall; 57%-91% yearly), compared to a comparison group of common co-occurring charges (64% overall; 53%-72% yearly see Figure 16).[3]
- The 2023 combined LEDS, DA and Odyssey data contained 231 defendants (see Table 22):
  - Of these, 138 defendants had a LEDS arrest, 160 were in the DA data (all cases per defendant were counted in the merged file), and 129 had an Odyssey bias crime case.
- Data gaps remain. Almost a third (n = 71; 31%) of defendants in the combined data were not in the DA data: 28 were identified from Odyssey and 43 from LEDS – likely representing suspended LE investigations that were not referred to DAs for prosecution (see Table 22).

CJC's Recommendations
1. Capacity permitting, LEAs should start/continue referring all bias crime and bias incident victims to the BRH, start/continue the current practice of submitting reports to the BRH – and expand the inclusion criteria to all reported bias crimes and incidents, indicate whether the case was referred to the county DA office, and provide an explanation if the case was not. Referred charges and the justification should also be communicated to victims, e.g., charge(s) likely to result in a conviction was filed, while the bias charge likely to be dismissed was declined/no complaint by the DA.
2. The ODOJ should continue its media outreach and LE/DA training. The observed increases in bias crimes reported to the BRH and justice system is likely due to a combination of an increase in bias-motivated behavior, public awareness of the resources available to them, and LE and DA training to identify and prosecute bias crimes. Inclusion of peer- LE and DA trainings should be considered.
3. The ODOJ has policies in place to ensure Hotline advocates' safety and mental health. These policies should be conceptualized as polices that can, and should, be amended based on changing circumstances. Given the increases in perpetrator reporter status, i.e., bias perpetrated on the Hotline, the ODOJ should consider revising their polices to safeguard staff as needed – after appropriate consultations with staff and a review of state and federal agencies policies for case workers and investigators who routinely deal with crimes known to trigger intense feelings (e.g., bias crimes, sex crimes, domestic violence, and child abuse).

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[3] Includes the following charges: Assault II-IV and attempts, Any Criminal Mischief (I-III), Criminal Trespass II, Disorderly Conduct II, Harassment/Agg Harassment, Interfere with a Peace Officer, Menacing, Carry/Discharge Firearm in City, Felon in Possession of a Firearm, Interfering with Public Transport, Interfering With Public, Transportation, Recklessly Endanger Another, Resisting Arrest, Restricted Weapon/ex-convict Possession, Robbery III and Weapon Use Unlawful.

Background: Senate Bill (SB) 577

In 2019, the Oregon Legislature passed and Governor Kate Brown signed Senate Bill (SB) 577. Section 9 of this bill, now codified in ORS 137.678, requires the Oregon Criminal Justice Commission (CJC) to review all data pertaining to bias crimes and non-criminal bias incidents – collectively referred to as *bias-motivated* reports/acts/conduct in this report – and to report the results annually on July 1. This is the fifth annual report. *Note*, bias-motivated acts include terrorism, bias crimes, bias incidents, and discrimination. This report's findings discuss bias crimes and bias incidents and references literature related to domestic terrorism, bias crimes, bias incidents, and discrimination.

One of the main achievements of the legislation defines the work of the Oregon Department of Justice's (ODOJ) Bias Response Hotline (referred to as the *BRH* or *Hotline* in this report). Section 8 of the bill, now codified under ORS 147.380, identifies a new legal term called a *bias incident*, defined as a hostile expression of animus targeting a person due to their actual or perceived protected class where law enforcement (LE) does not establish probable cause of the commission of a crime.[4] Importantly, this statute required the ODOJ to establish a staffed hate crimes telephone hotline dedicated to assisting victims, witnesses, and other reporters of bias-motivated conduct. The hotline opened on January 2, 2020, and provides a resource to victims of bias-motivated conduct by responding to all reports received; providing assistance, support, and next step options; assisting with safety planning; and coordinating with organizations to provide support services. The bill also requires ODOJ to provide data on reported bias-motivated conduct to the CJC for reporting purposes.[5] In its efforts to improve civil rights and social justice outcomes in the state of Oregon, the ODOJ trains community members on identifying bias-motivated behaviors and conducts outreach to increase community awareness of services available for persons impacted by bias. In 2023, the ODOJ held or attended 282 community or training events, conducted over 618 hours of outreach, and provided information and training to 51,243 community members. The ODOJ, in collaboration with the FBI and U.S. Attorneys' Offices, also provides investigations and prosecution training to LE and district attorneys (DAs) and deputy district attorneys (DDAs) to improve bias crime reporting and prosecution rates.

The introduction of the term bias incident as a legal term is not just a semantic change. It is the single most consequential change in the way in which experiences of harm related to bias and hate become visible to systems. Consistently since the Hotline opened, almost 60% of reports to the Hotline are classified as bias incidents. The introduction of the term allows the Hotline and therefore CJC to document what was long experienced and felt by members of protected classes, and allows systems, leadership, and communities to see and pay attention to the extent of the harm and the amount of support needed because of bias and hate occurring in communities. It also helps explain how institutional trust was compromised for members of protected classes because experiences of hate and bias occurring on a regular basis were made invisible by systems that did not recognize or acknowledge harmful bias incidents.

SB 577 also led to significant changes in the way that the State of Oregon classifies crimes motivated by bias as well as to the manner in which data concerning bias crimes are collected across the state. Section 1 of SB 577 modified ORS 166.155, changing the name of the crime from "intimidation in the second degree" to "bias crime in the second degree." Similarly, Section 2 modified ORS 166.165, changing the name of the crime from "intimidation in the first degree" to "bias crime in the first degree."

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[4] Some LEAs track bias incidents; however, these are not systematically collected statewide. The ODOJ complies the reports submitted to them by LEAs, and forwards these data to the CJC (see Table 1). However, data gaps remain as LEAs submits slightly over 100 reports yearly to the BRH.

[5] The ODOJ voluntarily provides excerpts of procedure materials and extensive editorial advice and feedback on reports related to SB 577, and responds to queries about its data.

In addition to changing the names of both first and second degree bias crimes, SB 577 brought about significant changes to what types of behavior fall into these two classifications. Before July 2019, the determining factor in whether criminal behavior motivated by bias was classified as a first or second degree offense – felony or misdemeanor charges, respectively – was whether the act constituting a bias crime was committed by an individual alone or by two or more individuals. If criminal behavior motivated by bias was committed by a single individual, then it qualified as intimidation in the second degree, a misdemeanor, regardless of how violent the conduct. Alternatively, if criminal behavior motivated by bias was committed by two or more individuals, then it qualified as intimidation in the first degree, a felony.

Under the new elements ushered in by SB 577, the nature of the harm to a victim now determines the seriousness of the charge. As such, a first degree bias crime is now warranted when an individual, motivated in part or in whole by bias, engages in physical violence or the threat[6] of physical violence against another person. Property damage, vandalism, harassment, and other similar behaviors, however, are now classified as second degree bias crimes. Finally, for both first and second degree bias crimes, SB 577 added gender identity as a distinct protected class identity separate from sexual orientation in the definition of the crime, creating seven total protected classes under these statutes: race, color, national origin, sexual orientation, gender identity, religion, and disability.

Beyond the substantive changes to what constitutes a bias crime, SB 577 also ushered in several new requirements concerning the collection and reporting of data on bias crimes. Section 3 of the bill modified ORS 181A.225, which requires law enforcement agencies (LEAs) to submit data on reported crime information motivated by bias against a victim's actual or perceived protected class to the Oregon State Police (OSP). Section 3 added gender identity as a bias motivation for reported crime data and added a requirement that OSP continually, and at least yearly, provide incident data concerning crimes motivated by bias against a victim's actual or perceived protected class to the CJC for reporting purposes. OSP also collects information on gender bias motivation based on the federal reporting requirements, which is not a protected class under SB 577.

Section 5 of the bill created a collection process for data on prosecution of bias crimes. Three district attorneys' offices served as pilot counties, and started data collection on July 1, 2020, recording data on the prosecutions and case resolutions for cases that include bias crimes. The three pilot counties were Multnomah, Benton, and Lane Counties. The bill now requires all other district attorneys' offices to collect data starting on July 1, 2022, and submit this information annually to CJC. This is the first yearly report with an entire calendar year of county DA data – except for Columbia and Umatilla counties.

Post-SB 577 Legislative Updates[7]
In 2021, the Oregon legislature passed House Bill (HB) 3041, which clarified existing anti-discrimination protections by adding "gender identity" to all Oregon laws that used "sexual orientation" in the text of the law. Under the updated laws, gender identity is now listed as a distinct protected class in Oregon's housing, employment, public accommodations, education, health care and law enforcement profiling laws. The same year, the Legislature also passed SB 398, now codified under ORS 163.191, called Intimidation by Display of a Noose. This is a criminal law that makes it unlawful at the A misdemeanor level to knowingly place a noose on public or private property intending to cause fear of imminent bodily harm to another person.

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[6] According to the Portland Police Bureau (PPB), the statue used in Oregon for "[t]hreats" is Menacing which has a bar of "imminent threat of serious physical injury" and Bias II lowers that threshold making the law more usable in more situations for police when addressing these issues (email correspondence, June 11, 2024).
[7] This section was prepared by the BRH Coordinator and edited by CJC.

In 2023, the Oregon legislature passed [HB 3443](#), which further updated Oregon's hate, bias, and discrimination laws, expanding protections and legal options for bias crime and bias incident victims to be on par with legal protections already afforded to other vulnerable victim populations, including domestic violence, sexual violence, stalking, and trafficking victims. In brief, starting January 1, 2024:

- Bias crime victims have additional protections in housing, including protections against housing discrimination under [ORS 90.449](#), and eligibility to break a lease without penalty to seek safety under [ORS 90.453](#).
- Victims of bias crimes have expanded protections at work, including protected leave under [ORS 659A.272](#) and reasonable safety accommodations while on the job under [ORS 659A.290](#), and eligibility for Paid Leave Oregon to seek safety under [ORS 657B.010(22)](#) and [ORS 659A.283](#).
- Victims of charged felony Bias Crime cases can request to consult with prosecutors regarding plea negotiations under [ORS 147.512](#).
- Release assistance officers and courts are required to include no contact orders for bias crime defendants while in custody under [ORS 135.247](#).
- Bias crime and bias incident victims are eligible for the state's Address Confidentiality Program under [ORS 192.820](#).
- Training improvements for those who assist victims of bias crimes during a criminal prosecution, under [ORS 147.385](#).

The following terms are used in this report. The phrases "bias crime" and "hate crime" are interchangeable in terms of meaning; this report uses the former terminology, which is consistent with the SB 577 language. For consistency purposes, the term "defendant" is used to refer to the individual(s) accused of committing a bias crime or bias incident for all data sources, including the Hotline, NIBRS, LEDS, Odyssey, county DA offices, and DOC data. The words "BRH" and "Hotline" are used interchangeably in this report to refer to the Department of Justice statewide Bias Response Hotline. "Hotline report" refers to all incidents reported to the Hotline, while "bias-motivated report" collectively references a subsection of hotline reports – bias crimes and bias incidents (about 80% of reports yearly).

Causes and Effects of Bias-Motivated Conduct

> *Hate crime … involves acts of violence and intimidation, usually directed towards already stigmatized and marginalized groups. As such, it is a mechanism of power and oppression, intended to reaffirm the precarious hierarchies that characterize a given social order. It attempts to re-create simultaneously the threatened (real or imagined) hegemony of the [defendant's] group and the 'appropriate' subordinate identity of the victim's group. It is a means of marking both the Self and the Other in such a way as to re-establish their 'proper' relative positions, as given and reproduced by broader ideologies and patterns of social and political inequality… Oftentimes, the specific victim is almost immaterial. The victims are interchangeable…hate crimes are symbolic acts aimed at the people "watching".*[8]

Defendants' motivation(s), target selection and behavior are complex, varied and changing.

Unlike typical violent crimes that tend to be committed by solitary defendants, historically, bias crimes were committed either by a solitary defendant in a situation where they *believe* others support their beliefs or by multiple defendants, who are unlikely to engage in similar acts in a solitary setting where diffusion

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[8] Perry, B. (2001: 10). In the Name of Hate: Understanding Hate Crimes. London: Routledge.

of responsibility and social acceptance of their aggressive behavior is not possible.[9] With the increasing popularity of leaderless resistance and lone wolf activism,[10] bolstered by an online ecosystem with an abundance of strategies and tactics to ensure maximum damage,[11] and the mainstreaming of extremist ideologies,[12] the pattern has since changed (and will continue to evolve). Currently, bias-motivated acts are committed almost equally by extremist group members or associates, and non-members affected by mainstreamed extremist beliefs.[13] SB 577 was responsive to this change: Oregon's bias crime law was amended to no longer require multiple defendants for a bias in the first degree charge and the nature of the harm, whether committed by a solitary actor or several individuals determines the charge severity. Discrimination, bias incidents, and bias crimes tend to increase when extremist groups[14] and rhetoric increase, and social mores weaken.[15] Consequently, increases in antisemitic, anti-sexual orientation, and anti-gender identity bias-motivated reports, i.e., bias crimes and bias incidents, were expected in the 2022 data, along with increases in reports in schools, as children are not immune to adult conflicts, while increases in anti-Jewish, -Israel, and -Muslim bias-motivated reports were expected in 2023.

Rather than being acts committed by individuals due to a disdain of differences, bias acts are influenced by defendants' real and *perceived* access to resources in that specific situation, the location of the event, the presence of real and *perceived* sympathetic witnesses/collaborators to reduce stigma of the act, and a target who is vulnerable in that situation.[16] Accordingly, vulnerability is situational and victimization

[9] Craig, K.M. (2002). Examining hate-motivated aggression: A review of the social psychological literature on hate crimes as a distinct form of aggression. Aggression and Violent Behavior, 7, 85-101; Klein, B.R., & Allison, K. (2018). Accomplishing Difference: How Do Anti-race/Ethnicity Bias Homicides Compare to Average Homicides in the United States? Justice Quarterly, 35(6), 977–1003. https://doi.org/10.1080/07418825.2017.1351576.

[10] Joosse, P. (2015). Leaderless Resistance and the Loneliness of Lone Wolves: Exploring the Rhetorical Dynamics of Lone Actor Violence. Terrorism and Political Violence, 29(1), 52–78. https://doi.org/10.1080/09546553.2014.987866; Michael, G. (2012). Lone Wolf Terror and the Rise of Leaderless Resistance. Vanderbilt University Press. https://doi.org/10.2307/j.ctv1675b2v.

[11] Online extremism is complicated, see: Binder, J. F., & Kenyon, J. (2022). Terrorism and the internet: How dangerous is online radicalization?. Frontiers in Psychology, 13, 997390. https://doi.org/10.3389/fpsyg.2022.997390; and National Institute of Justice. (2023, December 18). Five Things About the Role of the Internet and Social Media in Domestic Radicalization. National Institute of Justice (ojp.gov). https://nij.ojp.gov/topics/articles/five-things-about-role-internet-and-social-media-domestic-radicalization.

[12] Peucker, M., & Fisher, T. J. (2023). Mainstream media use for far-right mobilisation on the alt-tech online platform Gab. Media, Culture & Society, 45(2), 354-372. https://doi.org/10.1177/01634437221111943.

[13] The Ant-Defamation League & GLAAD. (June 22, 2023). Year in Review: Anti-LGBTQ+ Hate & Extremism Incidents, 2022 – 2023. Anti-Defamation League. https://www.adl.org/resources/report/year-review-anti-lgbtq-hate-extremism-incidents-2022-2023?ftag=MSF0951a18.

[14] Mulholland, S.E. (2013). White supremacist groups and hate crime. Public Choice, 157, 91–113 DOI 10.1007/s11127-012-0045-7

[15] Felsinger, J., Fyfe, C.M, & Smith, D. (2017). Working with hate crime perpetrators: The ADAPT programme. Probation Journal, 64(4), 413-421.

[16] An actor does not need to actually have power and support in a situation for a bias incident or crime to occur. Non-action by observers, along with intense feelings of shame and anger in the absence of a non-deviant support system, may be sufficient. See: Bell, J.G., & Perry, B. (2015). Outside Looking In: The Community Impacts of Anti-Lesbian, they may not be official members of extremist groups, but may hold extremist views. See: Munn, L. (3 June 2019). Alt-right pipeline: Individual journeys to extremism online. First Monday, 24(6). https://journals.uic.edu/ojs/index.php/fm/article/download/10108/7920. doi: http://dx.doi.org/10.5210/fm.v24i6.10108. Also see: O'Callaghan, D., Greene, D., Conway, M., Carthy, J., & Cunningham, P. (2015). Down the (White) Rabbit Hole: The Extreme Right and Online Recommender Systems. Social Science Computer Review, 33(4), 459–478. https://doi.org/10.1177/0894439314555329.

patterns changes as groups' relative access to social, political, and economic resources shifts.[17] In addition to one or more bias motives, bias crime defendants may be personally motivated by different goals, e.g.:[18]

1. Thrill seeking with an inflated sense of their own importance: these individuals will co-offend with like-minded others and seek out suitable victims on the victims' home turf.
2. Defensive: motivated by the perspective that their previously homogenous neighborhood is being invaded or under attack by another racial or ethnic group.[19] Accordingly, attacks are committed by a group of defendants on the defendants' real or perceived turf.
3. Retaliatory: engaging in an act of vengeance in retaliation for a real or perceived initial slight, usually on the victim's turf. This cycle is difficult to end when the media becomes involved.
4. A mission to rid the world of the "evil" caused by the outgroup.[20] They may operate alone[21] or join an organized hate group and are the most committed to extremism.[22]

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[17] Bias motivations, targets and defendant demographics will therefore change with time and jurisdiction, i.e., UK, Australian, Canadian and Caribbean patterns of bias crime differ from US patterns; homogenous suburbs will have different patterns from diverse cities and rural areas in the same US state; and patterns will change within the same state over time.

[18] This is not an exhaustive list; findings are inconsistent in follow-up studies where only one defendant typology is tested, or suitable data are unavailable. Category/typology 1 is the most frequent bias crime defendant, and also the least committed to extremism; categories 2 and 3 are moderately committed to extremism; category 4 is the most committed, but also the least frequent offending type. McDevitt et al. (2002).

[19] This includes Maurice Barres's Great Replacement Theory, a European Far-Right extremist conspiracy theory popularized by Renaud Camus, which argues that native white Europeans are systematically being replaced by non-white immigrants, thereby leading to the extinction of the white race. Great replacement theory, otherwise known as replacement theory, has since been integrated into the American Far-Right movement and mainstream discourse, where the underlying fear is that minorities will treat white supremacists in a similar and reciprocal manner when BIPOC are no longer numeric "minorities" and have the greater share of political and financial resources. Consequently, the only logical solution according to this school of thought, is to circumvent BIPOC's political and financial resources. https://www.adl.org/resources/backgrounders/the-great-replacement-an-explainer?msclkid=8357184ed07a11ecbeaacbfceeb8b800. Also see: Defended Neighborhood hypothesis in: Greene, D. P., Glaser, J., & Rich, A. (1998). From lynching to gay bashing: The elusive connection between economic conditions and hate crime. Journal of Personality and Social Psychology,75, 82–92.

[20] For example, the May 14, 2022, Buffalo shooting by a white supremacist. Such events frequently result in copycat active shooter incidents.

[21] According to Luke Munn (2019), recruitment of young persons into the alt-right starts with ironic memes and jokes, which allows for plausible deniability, while also normalizing hate. Racism becomes the default in the second phase, acclimation. Dehumanization is the third cognitive phase, when violence against the "other" becomes a logical step. This is done via a network of social media platforms – social media, gaming, and message boards – controlled by recommender systems, trained by the user's ideological interests (e.g., Islamophobia, involuntary celibate/misogyny, immigration, minority crime rates, etc.). Consequently, with recommender systems, individuals who are interested or curious about any extremist stance, can be pulled into a quagmire or linked extremist beliefs: they may not be official members of extremist groups, but may hold extremist views. See: Munn, L. (3 June 2019). Alt-right pipeline: Individual journeys to extremism online. First Monday, 24(6). https://journals.uic.edu/ojs/index.php/fm/article/download/10108/7920. doi: http://dx.doi.org/10.5210/fm.v24i6.10108. Also see: O'Callaghan, D., Greene, D., Conway, M., Carthy, J., & Cunningham, P. (2015). Down the (White) Rabbit Hole: The Extreme Right and Online Recommender Systems. Social Science Computer Review, 33(4), 459–478. https://doi.org/10.1177/0894439314555329

[22] Extremism is identified as a pivot away from mainstream, moderate beliefs. Subscribing to extremist beliefs and believing violence is an appropriate means of achieving one's extremist worldview is not sufficient for one to be termed an "extremist." An extremist must hold at least one extremist belief and be willing to use violence and/or other criminal behaviors to make that belief a reality. Far-right violence measured in terms of homicide generally exceeded far-left homicides between 1990 and 2021, the period for which systematic data is available (except for 2017, when there was a far-left reaction to far-right extremism). See: Duran, C. (2021). Far-left versus Far-right Fatal Violence: An Empirical Assessment of the Prevalence of Ideologically Motivated Homicides in the United States. Criminology, Criminal Justice, Law & Society, 22(2), 33-49.

Results from the Bias Crime Supplemental Report (2024), a pre-post SB 577 case outcome evaluation, identified a possible fifth category of defendants who engage in bias-motivated conduct: those with a combination of complex mental health needs, untreated addiction, and housing insecurity.[23, 24] Additional research is required to verify offender types, as the McDevitt et al. (2002) study that outlined categories 1 through 4 was conducted more than twenty years ago.

Effects of Bias-Motivated Conduct on People, Families and Communities
Bias crimes and incidents cause intense, deep, and lasting harm to people who are targeted based on immutable, often visible identities, including their race, color, national origin, sexual orientation, gender identity, religion, and disability.[25] The word bias itself is a euphemism, attempting to reduce the impact for the user – in actuality, we are talking about hate: racism, discrimination, homophobia, transphobia, anti-Semitism, Islamophobia, colorism, ableism, xenophobia, casteism, linguisticism, and audism. The intent of hate and bias is to degrade, embarrass, dehumanize, alienate, silence, scare, and make people feel unwelcome.[26] Bias incidents and crimes commonly target individuals[27] with certain visible traits and this targeting often cause ripples of harm, violating an entire group or community's sense of safety and belonging.[28] New forms of targeting include flyering campaigns,[29] and online hate and harassment.[30]

Targeted individuals change their routines, change jobs, drop out of school, relocate to other neighborhoods and even out of state, or begin to self-isolate,[31] harming their ability to access resources

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[23] Indeed, about half of bias crime arrestees in New York City have a similar high-needs profile. See: Feldman, A.E. (2022, May 3). Half of people arrested in connection with a hate crime are mentally ill, NYPD officials say. NY1, Spectrum News. https://ny1.com/nyc/all-boroughs/news/2022/05/03/half-of-people-arrested-in-connection-with-a-hate-crime-are-mentally-ill--nypd-officials-say. See also: Smith, A.G. (2018, June). Risk Factors and Indicators Associated With Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us. National Institute of Justice. https://www.ojp.gov/pdffiles1/nij/251789.pdf.

[24] Most people with untreated mental health needs do not engage in criminal behaviors or commit bias crimes. However, a subset of the population diagnosed with very specific mental health conditions (PTSD; schizophrenia with persecutory delusions and command hallucinations; grandiosity, grandiose delusions, and mania; and antisocial personality traits), along with other co-occurring risk factors (e.g., treatment non-compliance, financial insecurity, co-occurring unmet substance use treatment needs) may constitute a lesser studied at-risk category. Additional research with LE, DDAs, bias victimization service providers, and educators is crucial to teasing out the complex needs-bias crime perpetration connection.

[25] Bell & Perry (2015).

[26] Boeckmann, R.J., & Turpin-Petrosino, C. (2002). Understanding the Harm of Hate Crime. Journal of Social Issues, 58(2), 207-225.

[27] Bystanders who attempt to intervene may also become victims of bias-motivated acts, but these a difficult to identify without case details, e.g., a white victim in an anti-Black/African American bias crime could have been perceived as Black/African American or a bystander/friend/relative who attempted to interrupt the act of bias.

[28] Benier, K. (2017). The harms of hate: Comparing the neighbouring practices and interactions of hate crime victims, non-hate crime victims and non-victims. International Review of Victimology, 23(2), 179-201.

[29] See: SPLC (n.d.) Map of Hate Group Flyering in the U.S.. The Southern Poverty Law Center. https://www.splcenter.org/flyering-map. See also: July 1, 2023 Bias Crime Report.

[30] ADL. (2023). Online Hate and Harassment: The American Experience. Anti-Defamation League Center for Technology and Society. https://extremismterms.adl.org/sites/default/files/pdfs/2023-12/Online-Hate-and-Harassmen-2023_0_0.pdf; Laub, Z. (2019). Hate Speech on Social Media: Global Comparisons. Council on Foreign Relations. https://www.cfr.org/backgrounder/hate-speech-social-media-global-comparisons; and U.S. GAO (2024, January). Online Extremism, GAO-24-105553. United States Government Accountability Office. https://www.gao.gov/assets/d24105553.pdf.

[31] The Oregon Values and Beliefs Center (OVBC) conducted an online, statewide survey of 1,403 people in Oregon ages 18 and older between October 8-18, 2021, and again in March 2022 to track changes from the original sample. Results were weighted to produce a representative sample, with a margin of error ±1.6%. BIPOC residents' opinions

promoting resiliency. Furthermore, the effects of bias result in lasting emotional and psychological distress.[32] Indeed, bias crimes are recognized as a public health issue.[33] Bias crimes and incidents erode our common humanity and society's civility standards; when we hear biased language or see such conduct occur uninterrupted, the bar for our treatment of each other is lowered.[34] Hate and bias threaten the promise of safe, healthy, livable towns and cities, strip decency and certainly kindness from the places where we live, work, and attend school, and destroy our unity of purpose necessary for our families, children, loved ones, and friends to grow and thrive.

Examples of Bias-Motivated Conduct in Oregon

Bias crimes and incidents reported to the Hotline in the past four years included almost 10,000 reports of:[35]

- People experiencing or witnessing hateful slurs.
- Violent threats online and in person, including threats to rape or kill young children.
- Hate-raiding on online gaming and social media platforms, driving people away from remote connections.
- Assaults, stalking, doxing, swatting and spitting on people.
- Grocery stores and restaurants refusing to serve people and intentionally poisoning their food.
- Runners and dog walkers chased and shoved to the ground in parks; campers driven out of campsites.
- People's cars and property painted with swastikas and other universal symbols of hate; weapons such as pipes and knives wielded to scare and utilized to crush skulls and bones and strike flesh.
- Pride flags torn down and burned; neighbors and landlords driving out neighbors who don't look like, pray like, or live like they do.
- Nooses left on doorsteps and in school yards.
- Zoom-bombing in our children's school classrooms and our professional meeting spaces; animal carcasses left on lawns near signs of affirmation.
- Employers and schools requiring employees and students to use alternate entrances and materials from colleagues and peers.
- School boards banning Pride flags in schools as "political" indoctrination; radicalized county and city councils spewing anti-Jewish tropes in local newspapers and during public meetings.
- Books by Black, Brown, and queer authors banned and defaced; coordinated campaigns to remove affirming books and literature from public and school libraries.
- Law enforcement flashing known hate symbols while on duty.
- Local government approving hate groups to adopt a highway.
- Death threats and thousands of targeted, biased propaganda flyers received by mail, delivered to homes and workplaces, and even handed out at youth centers.
- Elected officials shutting down book clubs in public libraries.

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were compared to white residents and disaggregated as appropriate. For a report summary, see: OVBC. (May 4, 2022). Asian Oregonians and the Impact of Race-Based Incidents. OVBC. https://oregonvbc.org/asian-oregonians-and-the-impact-of-race-based-incidents/. Additional survey findings are available in the download link at the bottom of the page.

[32] Bell & Perry (2015); Benier (2017); and Craig (2002). See also: Fetzer, M.D., & Pezella, F.S. (2019). The Nature of Bias Crime Injuries: A Comparative Analysis of Physical and Psychological Victimization Effects. Journal of Interpersonal Violence, 34(18) 3864–3887; Mellgren, C., Andreson, M., & Ivert., A. (2017). For Whom Does Hate Crime Hurt More? A Comparison of Consequences of Victimization Across Motives and Crime Types. Journal of Interpersonal Violence, 00(0), 1–25; and OVBC (May 4, 2022).

[33] Shultz, J.M., Zakrison, T.L., & Galea, S. (2019). Hate and the Health of Populations. The Milbank Quarterly, 97(1), 11-15.

[34] McDevitt et al. (2002).

[35] De-identified examples were provided by the BRH.

- Neo-Nazi sieg heil salutes in public places, captured on video, and shared proudly on social media channels.
- Sacred houses of worship and religious artifacts damaged, defaced, and burned; nooses, hate symbols, and flags flown freely from cars and in public spaces.
- Employees outed and scapegoated by colleagues or employers.
- Online "journalists" recording private conversations to out, dox, intimidate, and silence those engaged in equity work; doxing and incessant harassment of public employees and elected officials, especially those who are women, LGBTQIA2S+, or people of color.
- Doxing and incessant harassment of public employees and elected officials.
- Efforts to defund city diversity initiatives.
- Pride celebrations and coordinators threatened, and events canceled.
- Students forced to use dead names in yearbook photos.
- Families forced to flee their homes, towns, and this state as race-based refugees in present-day America.
- Race-based homicide.

These reports are not investigated by the Hotline, which instead focuses on providing trauma-informed and culturally responsive emotional support and next step options to victims and witnesses. This model was modified from domestic and sexual violence response agencies' best-practices (see Response Procedure in Appendix B).

Estimated Rates of Bias-Motivated Conduct

Estimates of bias crimes and bias incidents range broadly. Differences between these estimates may be due to changes in bias crime victimization patterns after 2019; differences in reporting rates by race and type of crime based on trust of government, systems, and law enforcement; differences in how bias crime vs. bias incident are operationalized/defined in surveys, and state and federal laws; and/or differences in response rates. All surveys described below were representative samples; estimates are outdated but are the most recent reliable estimates.

- The National Crime Victimization (NCVS) survey for 2015-2019: 1 in 1,000 persons ages 12 and older were victimized in a bias crime yearly; about 60% of bias crimes were motivated by race/ethnicity/national origin, 26% were motivated by gender, close to 20% were motivated by sexual orientation, and almost 15% each were motivated by disability and religion bias. Gender identity was not specified as a protected class. Almost 20% of bias crime victims were ages 12-17.[36]
- The Oregon Criminal Victimization Survey (OCVS) 2021: there were 1,307,674 incidents motivated by bias, prejudice or hate (i.e., bias crimes and bias incidents) in Oregon in 2019 or an estimated 7.9% of people in Oregon are victims of bias-motivated conduct yearly. Rates are higher for Black/African Americans (28.8%), American Indian/Alaska Natives (28.6%), Asian (17.4%), and Hispanic individuals (10.4%); persons ages 18-24 (18.3%), and those who identify as non-binary (28.3%), gay or lesbian (25.8%) or bisexual (19.9%).[37]
- The Oregon Values and Beliefs Center (OVBC) surveys: 18% of BIPOC people in Oregon surveyed in 2021 personally experienced or witnessed a family member being a victim of a race-motivated assault, and a quarter of people in Oregon have experienced or witnessed race-motivated harassment (i.e., bias incident). About 20% of victims reported their experiences to law enforcement, and Asian

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[36] For the most recent BJS publications on national hate crime victimization, see: Kena, G., & Thompson, A. (2021). National Hate Crime Victimization, 2005–2019. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/hcv0519_1.pdf.

[37] Weinerman, M., & Officer, K. (2024). Oregon Crime Victimization Survey. Chapter 1: Overall Trends Updated – May 2024. Oregon Criminal Justice Commission, Statistical Analysis Center. OCVS - chapter 1 - Overall Trends.pdf (oregon.gov).

reporting rates are even lower. In a follow-up survey in January 2022, 8% of Asian individuals in Oregon experienced or witnessed a family member experiencing a race-motivated assault, 19% personally experienced race-motivated threat of personal or property or witnessed this happening to a family member and 49% heard someone use racially degrading language against themselves or a family member.[38]

Note, it is most useful to think of rates of bias as a range, with the NCVS figures as the lower limit and local, representative samples as the upper limit (e.g., the OCVS and OVBC), and the actual rate of bias-motivated acts experienced by Oregonians falling within this range.

<u>Underreporting</u>
Given these estimates of bias crimes and bias incidents, it is apparent that underreporting is extensive.[39] Reporting rates differs by victim and community factors, such as language barriers, cultural barriers, fear of (personal or family members') deportation, fear of stigmatization, shame, mobility barriers by disabled persons, distrust in the police, fear of further victimization in the reporting and case processing process, and fear that LE would sympathize with defendants.[40, 41] LEA policies may also influence victim reporting behavior: agencies without a dedicated bias crime officer or unit, clearly defined bias crime polices known to officers, an established review process for each report and active outreach with local community-based organizations and advocacy groups (including houses of worship) tend to have lower reporting rates.[42]

LEAs' polices can improve bias crime reporting; however, LEA policies cannot, and should not be expected, to obtain 100% bias crime reporting, as victims (1) request help when/if they're ready,[43] and (2) some victims may not define or interpret their experience(s) as bias-motivated.[44] Data gaps between the

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[38] See: OVBC (May 4, 2022). The survey was re-run in March 2022, but without the Asian supplement in the January 2022 survey. The survey results are available via a officeapps.live.com download link.

[39] Also see: Pezzella, F.S., Fetzer, M.D., Keller, T. (2019). The Dark Figure of Hate Crime Underreporting. American Behavioral Scientist. doi:10.1177/0002764218823844.

[40] Immigrants and men are more likely to report hate crime victimization, see: Cuevas, C.A., Farrell, A., McDevitt, J., Zhang, S., Temple, J., Robles, J., & Lockwood, S. (2019). Understanding and Measuring Bias Victimization Against Latinos, Document Number: 253430. Office of Justice Programs' National Criminal Justice Reference Service. Understanding and Measuring Bias Victimization Against Latinos (ojp.gov); Cuevas, C.A., Farrell, A., McDevitt, J., Zhang, S., Temple, J., Sabina, C., Lockwood, S. & Robles, J. (2021). Longitudinal Examination of Victimization Experiences of Latinos (LEVEL): Extending the Bias Victimization Study, Document Number: 301673. Office of Justice Programs' National Criminal Justice Reference Service. Longitudinal Examination of Victimization Experiences of Latinos (LEVEL): Extending the Bias Victimization Study (ojp.gov)

[41] See also: Davis, R.L., & O'Neill, P. (2016, May). The Hate Crimes Reporting Gap: Low Numbers Keep Tensions High. The Police Chief, 83 (web-only article). https://www.policechiefmagazine.org/the-hate-crimes/; Pezzella, F.S., Fetzer, M.D., & Keller, T. (2019). The Dark Figure of Hate Crime Underreporting. American Behavioral Scientist, 0(0). https://doi.org/10.1177/0002764218823844; Stening, T. (2021, August 23). Why hate crimes are underreported–and what police departments have to do with it. Northeastern Global News. Why hate crimes are underreported–and what police departments have to do with it - Northeastern Global News; and U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative. (2020). Improving the Identification, Investigation, and Reporting of Hate Crimes. Washington, DC: Office of Community Oriented Policing Services. https://portal.cops.usdoj.gov/resourcecenter/content.ashx?cops-w0895-pub.pdf.

[42] See: Jones, L.M, Mitchell, K.J., & Turner, H. A. (2022). U.S. Hate Crime Investigation Rates and Characteristics: Findings from the National Hate Crime Investigations Study NHCIS), Document Number: 304531. Office of Justice Programs' National Criminal Justice Reference Service. https://www.ojp.gov/pdffiles1/nij/grants/304531.pdf.

[43] See: Cuevas et al, (2019); and Cuevas et al (2021).

[44] Peucker, M., Clark, T., & Claridge, H. (2023). Mapping the Journey of (non-) Reporting in Response to Racism: A Change-oriented Approach to Reporting Barriers, Motives and Support Needs. Journal of Intercultural Studies, 1–21. https://doi.org/10.1080/07256868.2023.2296026

BRH and NIBRS also exist because law enforcement may not recognize reported bias crimes as such, especially when the report contains multiple motives (i.e., bias plus other motivation).[45] Nonetheless, it is important for the state to collect and analyze quantitative data to understand an issue. This report will provide the quantitative data required for an initial assessment. Despite these quantitative data, we cannot lose sight of the qualitative information that individuals share on the Hotline and to law enforcement, which speaks to the human lives targeted and the impact of hate and bias. Future publication from the BRH, with CJC assistance, is forthcoming regarding qualitative data on the effects of bias-motivated conduct on victims, families, and communities in Oregon.

Department of Justice (Hotline) Data

Section 8 of SB 577, now ORS 147.380 (3), requires the ODOJ to establish a staffed bias crimes telephone Hotline (Bias Response Hotline, or BRH) dedicated to assisting victims, witnesses, and other reporters of bias crimes and non-criminal bias incidents. The ODOJ opened the BRH on January 2, 2020 with multiple avenues – web portal,[46] phone (1-844-924-BIAS (2427)), chat (started April 2023)[47] and Relay calls[48] – for anyone to report hate and bias, obtain immediate crisis support, and obtain information on available services and referrals to those services. On the Hotline, reporters speak to an individual ODOJ Hotline staff,[49] volunteer or intern. Hotline staff continue to connect with culturally specific organizations around the state to connect victims to localized resources and to promote and offer the Hotline as a point of support for bias victims.

Reports to the Hotline continue to increase yearly but remain under-reported.

Currently, there is no single data source that amalgamates statewide bias crime and bias incident reports. The BRH is one avenue for people in Oregon to access services after experiencing a bias incident or bias crime.[50] Other bias response methods in the state include Lines for Life's Racial Equity Support Line, Stop AAPI Hate, Oregon Coalition Against Hate Crimes, NAACP, and Salem Human Rights Commission. Some community-based organizations (CBOs) serving culturally- and population-specific communities also have bias crime and bias incident support programs. The Safe Oregon Tipline is available for students, parents, and school staff to report threats to student safety, including bias incidents and crimes. Reports may be duplicated in these sources, as victims seek services and legal assistance;

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[45] For a discussion of a law enforcement focus group on issues associated with classifying bias crimes in NIBRS, see: Nolan, J.J., Haas, S.M., Turley, E., Stump, J., & LaValle, C.R. (2015). Assessing the "Statistical Accuracy" of the National Incident-Based Reporting System Hate Crime Data. American Behavioral Scientist, 59(12) 1562–1587. See also: Sill, K., & Haskins, P.A. (2023). Using Research to Improve Hate Crime Reporting and Identification. National Institute of Justice. nij.ojp.gov: https://nij.ojp.gov/topics/articles/using-research-improve-hate-crime-reporting-and-identification.

[46] Online reports made via the web portal can be placed in nine languages.

[47] The Hotline phone and chat are staffed by bi- or multi-lingual advocates utilizing the services of Language Link, IRCO's International Language Bank, and Collective of Indigenous Interpreters of Oregon, with access to interpretation in over 240 languages.

[48] For people who are Deaf, Blind, Hard of Hearing, or have a speech disability, the BRH utilizes Telecommunications Relay Services, including Text-to-Voice TTY, Voice Carry Over, Speech-to-Speech Relay Service, Captioned Telephone Service, Internet Protocol Relay Service, IP Captioned Telephone Service, and Video Relay Service.

[49] This work was moved from the DOJ Office of the Attorney General to Crime Victim and Survivor Services Division (CVSSD) in March 2022.

[50] The City of Eugene no longer maintains a bias crime and incident portal; their website now links directly to the BRH, and reporters can choose to contact the Hotline directly.

however, bias incidents and crimes remain vastly under-reported, and the data presented in this report is a fraction of bias incidents and bias crimes.[51]

An understanding of the scope of the issue is necessary to ensure sufficient capacity, resources, procedures, and policies are in place to address the needs of victims, families, and communities affected by bias. The BRH has relationships with many CBOs, state organizations and LEAs that work with victims of bias-motivated conduct. The BRH solicits data sharing transfers from partner agencies, both to improve data collection and respond to the needs of victims currently and in the future. Data gaps are decreasing but continue to exist. These gaps may be reduced as the ODOJ continues its extensive media outreach campaigns and if peer-LE and -DA/DDA training is integrated into the current investigations and prosecution training in collaboration with the FBI and U.S. Attorneys' Offices (see recommendations 5 and 6 in the Conclusion).

Figure 1 illustrates reporting trends to the Hotline for 2020 through 2023. Reports to the Hotline continue to increase yearly. Reports increased by 53% from 1,101 in 2020, to 1,683 in 2021; there was a further 72% increase in 2022 with 2,887 reports; and a 25% increase in 2023 with 3,623 reports. In 2020 and 2021, during the COVID lockdowns, reports were highest in August. The pattern changed and stabilized in 2022 through 2023, with monthly dips in January, February, and November (see Table A1 in Appendix A for counts). *Note*, Figure 1 does not reflect victimization trends, as victims/reporters may wait more than a year before seeking assistance (see Table A2 in Appendix A for the time to reporting distribution for 2020 through 2023).

Figure 1. Department of Justice Hotline 2020-2023 Reports by Month
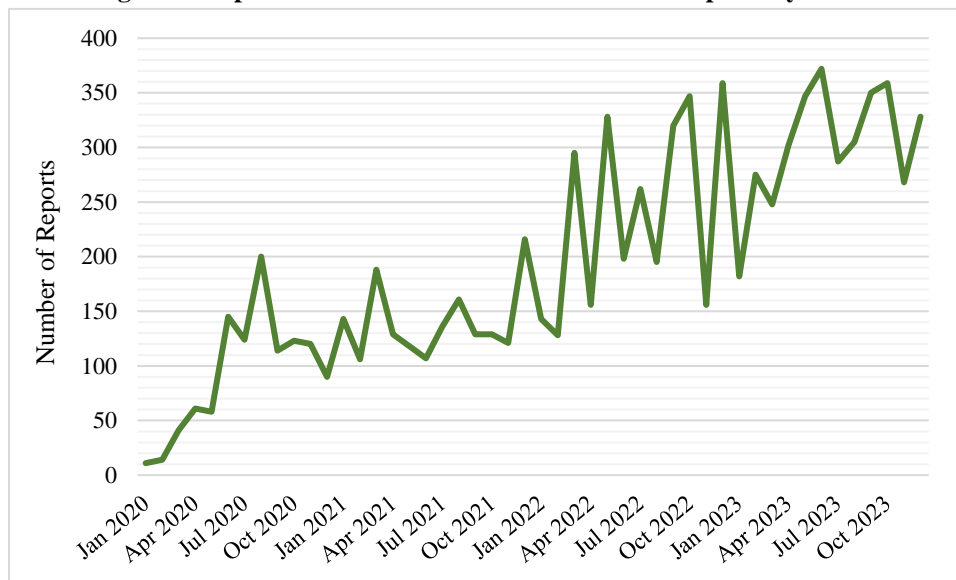
Shown in Table 1, in 2020 (n = 247, 22%) and 2021 (n = 406, 24%), about 1 in 5 reports were made directly to BRH staff or advocates, which increased to almost one half in 2022 (n = 1,351, 47%). The proportion of reports made directly to BRH staff or advocates in 2023 declined to 38%, but the number of reports increased slightly to 1,392, which reflects the relationships the BRH has successfully built and maintained with communities affected by bias via its community work, media campaigns, and presentations within communities, CBOs, and educational institutions.

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[51] According to the most recent NCVS, about 42% of violent bias crime victimizations are not reported to the police, reporting rates for unviolent bias crimes are likely to be much lower (Kena & Thompson, 2021). It is unlikely that reporting rates have improved since Kena and Thompson analyzed the 2019 NCVS survey.

Table 1. Department of Justice Hotline 2020-2023: Reports by Intake Type

Intake Type	Year			
	2020	**2021**	**2022**	**2023**
Direct Advocate Report	247	406	1,351	1,392
Web Portal	458	354	405	836
Hotline	202	393	724	676
Hotline Voicemail	193	242	253	353
Law Enforcement	-	142	122	179
In Person	1	-	40	127
Community Partner Referral	19	165	55	17
Missed Chat	-	-	-	29
Abandoned Chat	-	-	-	23
Chat	-	-	-	7
Multiple Sources	*19*	*19*	*63*	*16*
Total Reports	1,101	1683	2,887	3,623

Reporters also frequently utilize the BRH's web portals and call directly to the Hotline. From 2021, when the web portal was made accessible for LEAs to submit reports directly to the BRH, over one hundred reports were submitted yearly by LE. The City of Eugene's Hate and Bias Hotline and Anti-Defamation League (ADL) submitted 165 reports directly to the BRH coordinator in 2021, categorized as *community partner referrals*. The City of Eugene has since terminated its hotline and now instructs reporters to contact the BRH,[52] while the ADL continues to submit reports to the BRH. The Hotline implemented a chat option in October 2023 to increase accessibility, and staff missed 29 chats due to capacity/staffing limitations. Limited Hotline hours and staff availability is also reflected in the increasing number of voicemails, from slightly under 200 in 2020, to ~250 in 2021-2022, and 353 in 2023.[53]

Roughly half of reporters yearly requested a return call (see Table A3 in Appendix A for the response time distribution for 2020 through 2023). The rate of immediate return calls increased from a quarter in 2020 (137 out of 535 requests) to 69% (977 out of 1,419 requests) 2 years later when the BRH was able to increase the number of advocates on staff. However, staffing capacity remains a concern as roughly 10% of callback requests in 2022 (141 out of 1,419 requests) and 2023 (214 out of 1,916 requests) were returned 2-7 days after the request was made, and about 1% of callers waited more than 1 week in 2022 and 2023. Most calls returned in 2020 through 2023 last up to an hour, while around 1 in 5 last more than 60 minutes, and can extend to beyond 5 hours (see Table A4 in Appendix A for details).

Reporters frequently require multiple VOCA services to address their needs.

The Hotline's core values, procedure for determining bias, and response procedure – including the needs assessment, consent process, and case management services – are detailed in Appendix B. In providing services and support to victims, Hotline advocates work with reporters and victims to determine their needs and goals in the aftermath of a bias incident or crime. The Victims of Crime Act (VOCA) established a federal fund, referred to as the Crime Victims Fund, or the Fund. The Fund provides direct

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[52] See How to Report, https://www.eugene-or.gov/529/Hate-and-Bias.

[53] Since its inception in 2019, the BRH has continued to recruit and train new staff, and implement new technologies (e.g., online chats) and strategies (e.g., internship programs) to meet victims' needs, but remains understaffed. This is likely due to a combination of the success of their outreach effects and increases in bias-motivated behavior. Closing the current data gap of unknown/unreported bias motivated behavior is crucial to the Hotline's ability to accurately predict capacity needs in successive years, e.g., number of staff, staff language capacity, and linkages with service providers in the community. For a discussion on how LEAs and researchers can provide the information the Hotline and justice system require to meet victims' needs, see recommendations 1 through 4 in the Conclusion.

assistance and services to crime victims and survivors, including bias crime victims. Figure 2 displays average VOCA services provided to BRH reporters and victims in 2023. For monthly counts, see Table A5 in Appendix A.

Figure 2. Department of Justice Hotline 2023 Reports: Mean VOCA Services Provided per Month
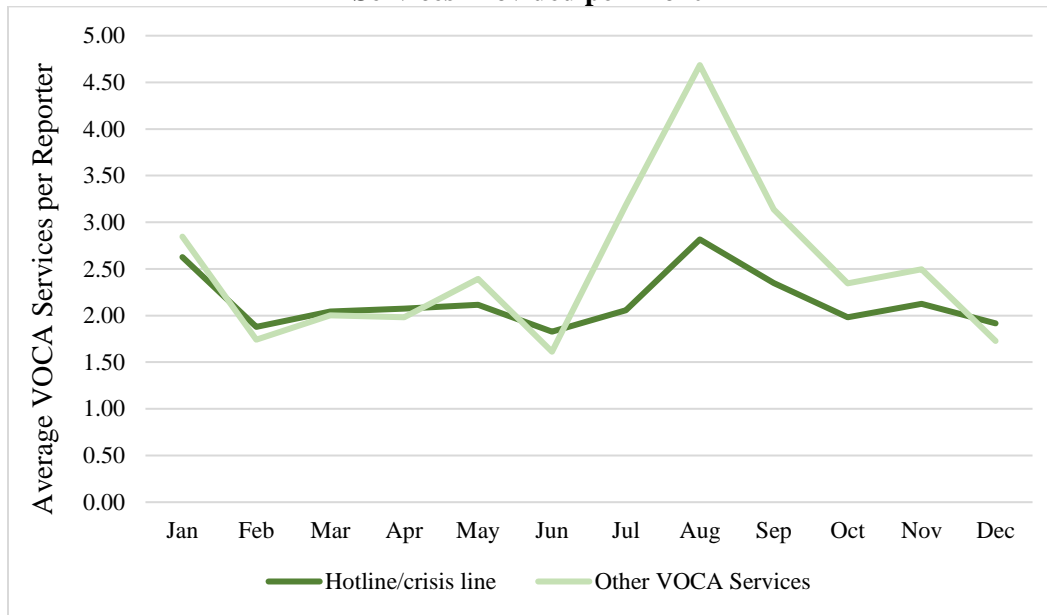
Average monthly contacts per report ranged from 1.83 to 2.82, while on average, other VOCA services received ranged from 1.61 to more than 4 per reporter.[54] *Note*, reports increased by 25% from 2,887 in 2022 to 3,623 in 2023, while service requests increased by 64%, from 10,252 to 16,767 in the same period. Services provided in 2023 included:

- Hotline advocates made 7,724 contacts with victims and reporters via the Hotline and web portal, and the mean number of contacts per report was 2.13. For context, the mean number of contacts for 2022 was 1.76.
- Victims received crisis interventions 1,565 times and interpretation services 325 times.
- Other urgent/emergency assistance included 597 instances of financial assistance,[55] 9 instances of medical care advocacy/accompaniment, 13 instances of immigration assistance, and 29 instances of other emergency justice-related assistance.
- Victims received relocation assistance 322 times, interventions with employer, creditor, landlord, or academic institution 200 times and childcare assistance 17 times.
- Victims received 1,669 referrals to other services, supports, and resources from non-victim service agencies, including counseling options, governmental programs including civil rights investigatory agencies, and culturally-specific community programs. Additional referrals included 652 referrals to victim service programs specifically designed to deliver services to victims of crime, 383 referrals to law enforcement, and 223 Crime Victims' Compensation Program (CVCP) referrals.

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[54] The average is computed as monthly VOCA services presented in Table A5 in Appendix A, divided by monthly reports displayed in Table 1.

[55] The ODOJ identified data entry errors in referral to other victim service programs (i.e., referrals to the emergency fund) mis-coded as emergency financial assistance (i.e., disbursements of funds) after submitting data to CJC for this yearly report. The above presents the data submitted to CJC.

- Hotline advocates engaged in individual advocacy for victims 1,396 times, meaning advocates made calls, emails, and other contacts to assist victims in securing rights, remedies, and services from other agencies.
- Victims and reporters requested information about the criminal and civil justice systems, including the process of reporting and the flow of a prosecuted case in the system, 432 times, and advocates provided information about victim rights and how to assert and enforce rights 479 times. Advocates also notified victims of criminal justice events 67 times.
- Hotline advocates engaged in advocacy or accompaniment in law enforcement interviews 119 times, and 55 times for prosecution interviews.
- Victims received information about accessing civil protective orders 180 times.
- The Hotline was unable to meet victims' and reporters' needs due to insufficient statutory authority and organizational capacity 186 times.

Figure 3. Department of Justice Hotline 2023 Reports by County
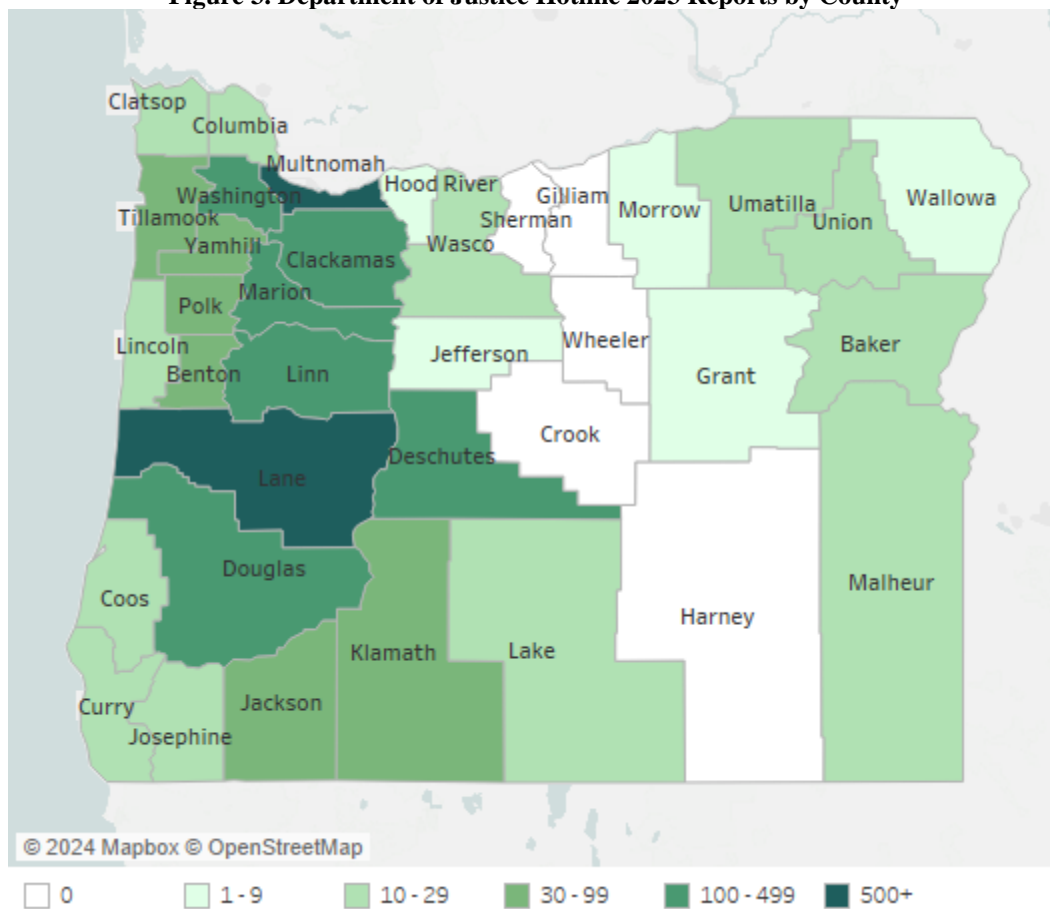
Figure 3 shows the number of reports received by the BRH from each of Oregon's counties in 2023. In 2023, Multnomah County continued to have the highest number of reports (n = 810). However, reports between 2022 and 2023 increased by 277% from 179 to 674 in Lane County, by 159% from 113 to 293 in Clackamas County, by 78% from 188 to 335 in Washington County, and by 43% from 107 to 153 in Linn County. In contrast, reports decreased by 59% from 444 to 181 in Marion County, by 38% from 235 to 145 in Deschutes County, and by 45% from 197 to 108 in Douglas County for this same period. Due to the vast underreporting of bias incidents, more information is needed to determine whether these increases represent an increase in bias-motivated behavior or an increase in communities' knowledge of

and confidence in the DOJ Hotline's services. Determining the extent of the underreporting problem and bias incident rate is complicated by the fact that people in Oregon may choose to report bias incidents and bias crimes directly to LE, a local bias crime city agency, or to a CBO with whom they have an established relationship instead of to the Hotline (see non-exhaustive list here), and there is no current avenue to pool reports to the Hotline and the various CBOs. Similarly, it is difficult to ascertain if the decreased reporting in Marion, Douglas and Deschutes Counties represent a true decline or a decision to report elsewhere. County data for 2020 through 2023 is available in Table A6 in Appendix A; and county-level bias crime data is displayed in Table 21. *Note*, Figure 3 excludes 340 reports: 337 out-of-state reports by persons residing in Oregon, and 1 each located at the Confederated Tribes of the Grand Ronde, Deschutes River and Lower Umpqua and Siuslaw Indians. This does not impact the color of any of the relevant counties (Yamill and Coos counties, respectively). Other/Unknown does not have a map location.

Around 30% of yearly reports to the BRH between 2020 and 2022 were for bias crimes. This pattern changed in 2023, when 22% of reports were for bias crimes, and <u>other</u> reports – bias/hate criteria not met, bias against non-protected class, repeat report and unable to determine reports – increased from 12% of reports in 2022 to 19% of reports in 2023.

Determination of Reports
Shown in Figure 4 below, total reports to the Hotline increased in each successive year, from 1,101 in 2020, to 1,683 in 2021, 2,887 in 2022 and 3,623 in 2023. Close to 60% of reports yearly are for bias incidents, while ~30% were for bias crimes from 2020 through 2022. However, this changed in 2023, when only 22% of reports were for bias crimes, as other reports – which includes *bias/hate criteria not met*, *bias against non-protected class*, *repeat report* and *unable to determine* – increased. Much of this increase was due to increases in bias/hate criteria not met and repeat reports, the former reflective of bot-generated spam reports made via the Hotline's web portal, and the latter reflective of unmet resource and mental health needs across the state resulting in community members calling the Hotline as a phone number that is answered by an ODOJ staff, volunteer or intern.

Figure 4. Department of Justice Hotline 2020-2023 Reports by Determination

*Includes *Bias/Hate Criteria Not Met, Bias Against Non-Protected Class, Repeat Report* and *Unable to Determine* reports.*
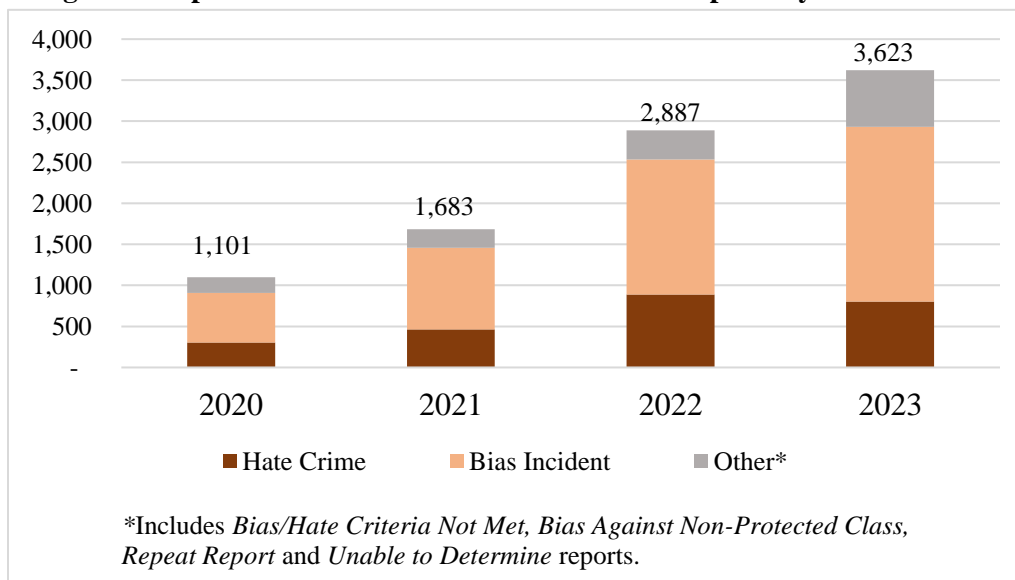
Note, Hotline advocates do not investigate reports of bias to the Hotline. Instead, centered on the tenet of belief, the advocates classify the reports into the categories defined in Determining Bias. The yearly counts for these categories are displayed in Table A7 in Appendix A.

Bias crime <u>reports</u> to the BRH decreased between 2022 and 2023: due to the extensiveness of underreporting and help-seeking behavior, it would be incorrect to infer that bias crimes decreased.

<u>Characteristics of bias-motivated reports to the BRH</u>

This section discusses bias crimes and bias incidents, collectively referred to as "reports" or "bias-motivated reports," while bias crime and bias incident behavior by defendants is collectively referred "bias-motivated conduct/behavior/acts." Other reports – bias against unprotected class, bias criteria not met, repeat reports, and unable to determine reports – are excluded from this section. Total bias-motivated reports increased in each successive year, from 910 in 2020, to 1,457 in 2021, 2,534 in 2022 and again to 2,932 in 2023. When bias-motivated reports are isolated, approximately two-thirds were for non-criminal bias incidents and about one-third were for bias crimes in 2020 through 2022. This pattern changed in 2023: close to 3 in 4 (n = 2,131; 73%) were for bias incidents and 27% (n = 801) were for bias crimes. Indeed, this reflects a 10% fall in bias crimes from 890 in 2022 to 801 in 2023. Due to the extensiveness of underreporting and help-seeking behavior, it would be incorrect to infer that bias crimes decreased; instead, it can be stated that bias crime <u>reports</u> to the BRH decreased between 2022 and 2023.

Unknown/not reported rates for race and age remained high in 2023, at 39% and 47% respectively. Unknown/not reported rates for gender improved from 43% in 2022 to 28% in 2023.

Victim Demographics

This section discusses victim demographics; the defendant's bias motivation(s) is discussed in <u>Bias Motivation/Targeted Protected Class</u>; and differences in bias targeting by victim demographics is discussed in <u>Bias Motivation by Victim Demographics</u>. The Hotline began tracking victim demographic[56] information in May 2020 as optional data collection variables. As shown in Table 2, about one-third of victim gender, race, and age information were unreported in 2020 (31%, 35%, and 36%, respectively) and 2021 (30%, 30%, and 36%), while 43% of victim gender, 38% of victim race, and 51% of victim age was unreported in 2022. Information on victim gender improved in 2023, with 28% unreported, while unreported rates of victim race and victim age remained high in 2023, at 39% and 47% respectively. All genders experienced increases in bias-motivated conduct each successive year in the 4-year period, 2020-2023. However, while reports with males increased by 20% from 623 in 2022 to 748 in 2023, reports with female (478 in 2022 vs 781 in 2023) and gender non-conforming (348 in 2022 vs 568 in 2023) individuals increased by 63% in the same period.

The yearly increases in bias-motivated reports did not affect all racial groups equally: reports with Asian victims peaked in 2021, those with Hispanic/Latino victims peaked in 2022, and reports with victims of another race peaked in 2023. However, Black/African American individuals continue to be most likely to report and be victims of bias-motivated conduct.

Yearly increases in bias-motivated conduct were not experienced by all racial groups equally. Reports with Asian victims peaked in 2021 at 183 or 13% of yearly reports, declined to 149 or 6% of reports in

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[56] Victims were classified into only one race and gender category, per VOCA guidelines, unless they identified as multi-racial. Asian, American Indian/Alaska Native (AI/AN) and Native Hawaiian/Other Pacific Islander (NH/OPI) were analyzed as mutually exclusive categories to distinguish patterns between these three diverse groups; however, deeper analysis by national origin and Tribe is not currently feasible. This is a limitation of the data. While Hispanic, Asian, AI/AN and NH/OPI of multiple nations/Tribes are grouped together in official data, individuals may identify more closely with their national origin. Therefore, these individuals grouped in these broad categories may have very diverse experiences, risk and protective factors based on the intersection of race and national origin. Overcoming this limitation is not currently a primary focus of the Hotline: ensuring reporters obtain needed services is a more effective use of Hotline Advocates' time, compared to verifying the victim's tribe or national origin.

2022 and declined again to 141 or 5% of reports in 2023. In contrast, reports with Hispanic/Latino victims peaked one year later in 2022 at 430 or 17% of reports, and declined to 382 or 13% of reports in 2023. Victims of another race increased from ~5% of reports yearly from 2020 to 2022, to 420 or 14% of reports in 2023. Nevertheless, Black/African American individuals are consistently at the highest risk, and reports with Black/African American (Black/AA) victims increased yearly.

Table 2. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Reported Victim Demographics

Demographics	2020		2021		2022		2023	
	N	%	N	%	N	%	N	%
Gender								
Male	250	27%	479	33%	623	25%	748	26%
Female	359	39%	408	28%	478	19%	781	27%
Gender Non-Conforming	21	2%	135	9%	348	14%	568	19%
Unknown/Not Reported	280	31%	435	30%	1,085	43%	835	28%
Race								
White	112	12%	73	5%	170	7%	115	4%
Black/AA	271	30%	406	28%	520	21%	558	19%
Hispanic/Latino	108	12%	160	11%	430	17%	382	13%
AI/AN	23	3%	73	5%	67	3%	70	2%
Asian	41	5%	183	13%	149	6%	141	5%
NH/OPI	9	1%	10	1%	15	1%	8	0%
Multi-racial	27	3%	76	5%	71	3%	87	3%
Another race	4	0%	32	2%	155	6%	420	14%
Unknown	315	35%	444	30%	957	38%	1,151	39%
Age								
0-12	35	4%	86	6%	203	8%	245	8%
13-17	32	4%	88	6%	158	6%	196	7%
18-24	38	4%	72	5%	141	6%	86	3%
25-59	409	45%	581	40%	639	25%	885	30%
60+	66	7%	107	7%	97	4%	150	5%
Not Reported	330	36%	523	36%	1,296	51%	1,370	47%
Total	910	100%	1,457	100%	2,534	100%	2,932	100%

Note, excludes *bias against unprotected class, bias criteria not met, repeat reports,* and *unable to determine* reports. NH/OPI refers to Native Hawaiian or other Pacific Islander and AI/AN refers to American Indian and Alaska Native individuals. See Tables A8 and A9 in Appendix A for victim demographics broken down by bias crimes and bias incidents.

Individuals aged 17 and younger experienced yearly increases in bias crimes and bias incidents for the 4-year period 2020-2023; however, those aged 25 to 59 years were most likely of all age groups to report and/or be victims of bias-motivated conduct.

Yearly increases in bias-motivated conduct were not experienced by persons of all ages equally. Individuals 17 and younger experienced a steep increase in bias-motivated conduct between 2021 (174 or 12% of reports) and 2022 (361 or 14% of reports), with another increase in 2023 (441 or 15% of reports). Individuals aged 60 and older account for ~5% to 7% of reports yearly between 2020 and 2023, while those aged 25 to 59 years are the most likely age group to report and/or be victims of bias-motivated conduct in this period, at ~25% to 45% of reports yearly. Victim demographics broken down by determination for 2020 through 2023 are displayed in Table A8, and felony and misdemeanor bias crime details for 2023 are provided in Table A9 in Appendix A.

Motivation for bias-motivated conduct continue to evolve.

Bias Motivation/Targeted Protected Class
The previous section described demographic differences in reporting of bias-motivated experiences; this section analyzes the defendants' bias motivation behind targeting bias crime and bias incident victims (whether or not it aligned with the victim's actual identity). Bias motivation data reflect the defendant's perception of identity; a person who identifies as Native Hawaiian/Other Pacific Islander (NH/OPI) may be targeted with specifically anti-Asian bias, or a person who identifies as Multiracial may be targeted with anti-Black/AA bias. The Hotline does not investigate to confirm the defendant's perception and instead records the reporter's perception of the defendant's bias motivation, based on specific words, slurs, gestures, expressions, and even the victim/reporter's prior victimization experiences. See Identifying Targeted Protected Class for details.

Figure 5 illustrates defendants' bias motivation for bias-motivated acts reported to the Hotline in 2020 through 2023; Table A10 in Appendix A provides the counts percentage distribution, broken down by bias subcategories; and Table A11 provides this information by determination, i.e., bias incidents vs bias crimes for the 4-year period.

Figure 5. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Bias Motivation

Note, all bias motivations were coded; total bias motivations may exceed total reports for that year.
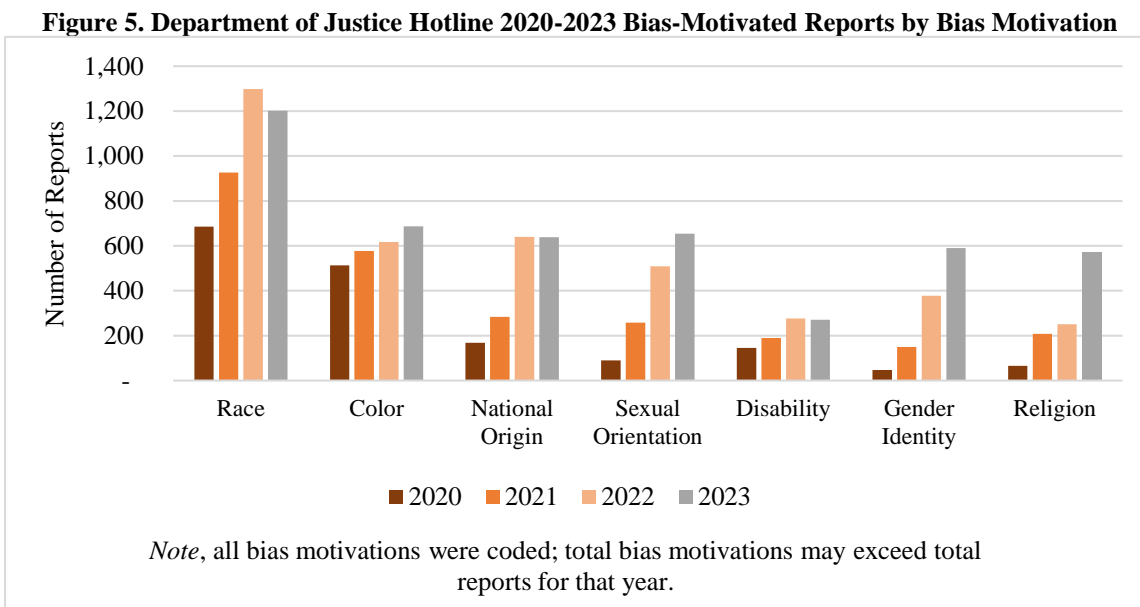
- Reports for all protected classes increased each successive year, with some exceptions: those targeting race (1,298 vs 1,201), national origin (640 vs 638), and disability (276 vs 271) decreased slightly from 2022 to 2023.
- In 2022, reports targeting national origin[57] (283 vs 640),[58] sexual orientation (258 vs 509) and gender identity (149 vs 377) had the largest increase from the previous year.

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[57] Anti-national origin bias is differentiated from political speech under Oregon law and BRH procedure. Opposition to, support of, anger with, frustration towards, disowning of, dissention toward, and many other expressions, thoughts, or feelings regarding a domestic or foreign nation's government, policy, practice, or action may be considered political speech and do not constitute a bias incident under Oregon law or the BRH's determinations. The BRH must identify a hostile expression of animus regarding a person's identity to make a finding of bias. Consequently, the BRH figures will differ from agencies that use national or other definitions of national origin bias.
[58] Reports targeting Latin Americans (60 vs 228) and immigrants generally (39 vs 252) were responsible for this increase in anti-national origin reports between 2021 and 2022.

- In 2023, reports targeting religion (251 vs 572) – specifically anti-Jewish targeting (187 vs 456) – experienced the largest increase from the previous year. Reports motivated by sexual orientation (509 vs 654) and gender identity bias (377 vs 590) also increased substantially from the previous year.

White bias crime victims are targeted because of sexual orientation and gender identity bias; BIPOC victims are targeted primarily based on race, but differences exist in bias motivation.

Bias Motivation by Victim Demographics
This section discusses differences in bias targeting by victim demographics, i.e., it combines Victim Demographics with Bias Motivation/Targeted Protected Class. Bias motivation is affected by victim demographics (see Table 3). See Tables A12-15 in Appendix A for differences in bias motivation for bias-motivated conduct incident in 2023; see Tables A10-A18 in Appendix A of the July 1, 2023 Bias Crime Report for the 2020 through 2022 figures. This pattern relates to 2023, unless stated otherwise:
- Female victims of bias-motivated conduct, along with individuals with undisclosed gender, were primarily targeted due to anti-race, anti-national origin, anti-religion (primarily Jewish) and anti-color bias. Male victims of bias-motivated conduct were primarily targeted because of anti-race, -national origin and -color bias.
- Shown in Tables A12-15 in Appendix A, male (n = 144; 42%), female (n = 109; 51%) and individuals with undisclosed gender (n = 66; 43%) *bias crime* victims were primarily targeted due to anti-race bias. Gender non-conforming *bias crimes* and *bias incident* victims were targeted due to gender identity (n = 82; 88% and n = 457; 96%, respectively) and sexual orientation bias (n = 53; 57% and n = 323; 68%, respectively).

Bias-motivated victims of all age groups are primarily targeted because of anti-race bias – except for individuals 60 or older, who are primarily targeted due to disability and religion bias. Bias crime vs bias incident risks by age exist.

- White victims of *bias-motivated* acts were primarily targeted because of sexual orientation (32 out of 115 or 28% of white bias-motivated victims); BIPOC victims were targeted primarily based on race (95% Black/AA, 76% Asian, 63% Hispanic, and 59% AI/AN were targeted due to anti-race bias); and individuals of another race were targeted due to religion bias (352 out of 420 or 84%), namely anti-Jewish bias (n = 342 or 81%). Asian (54 out of 141 or 38%) and Hispanic (259 out of 382 or 68%) bias-motivated victims were also targeted due to national origin bias.
- Individuals of undisclosed race were primarily targeted for *bias-motivated* acts due to sexual orientation (530 out of 1,151 or 46%) or gender identity bias (494 out of 1,151 or 43%).
- Victims of all age groups were primarily targeted for *bias-motivated* acts due to anti-race bias – except for individuals 60 or older, who were primarily targeted for disability and religion (both at 28% or 42 out of 150 individuals aged 60 or older).
- More than half of *bias crime* victims ages 0-12 were targeted due to anti-religion bias, primarily anti-Jewish bias (41 out of 75 or 55%). While *bias incidents* against persons ages 0-17 were primarily motivated by anti-race bias (46% or 155 out of 337 bias incident victims aged 0-17 years). Minors were also targeted because of gender identity (n = 119; 35%) and sexual orientation (n = 105; 31%) bias (see Tables A12-15 in Appendix A).

Table 3. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Bias Motivation and Reported Victims Demographics

Victims' Demographics	Targeted Protected Class/Bias Motivation						
	Color	Race	Disability	National Origin	Gender Identity	Religion	Sexual Orient
Gender							
Male	206	374	80	216	17	126	103
Female	217	400	113	153	27	161	108
Gender Non-Conforming	24	48	19	6	539	32	376
Unknown/Not Reported	240	379	59	263	7	253	67
Race							
White	11	30	10	19	30	27	32
Black/AA	414	531	10	15	24	46	32
Asian	30	107	4	54	8	29	8
Hispanic/Latino	45	242	9	259	6	5	12
AI/AN	12	41	29	11	4	5	3
NH/OPI	6	8	0	3	-	1	-
Another race	6	35	6	77	15	352	28
Multi-racial	60	74	2	11	9	9	9
Unknown	103	133	201	189	494	98	530
Age							
0-12	80	104	11	20	71	61	58
13-17	57	101	5	27	56	24	54
18-24	19	32	5	18	26	15	15
25-59	191	364	86	238	109	190	163
60+	18	38	42	13	11	42	27
Not Reported	322	562	122	322	317	240	337
Total	687	1,201	271	638	590	572	654

Note, bias-motivated reports exclude *bias against unprotected class*, *bias criteria not met*, *repeat reports*, and *unable to determine* reports. Rows illustrate risk by demographic category, e.g. males are most likely to be targeted due to anti-race (374 out of 748 males or 50%), followed by national origin (n = 216; 29%) and color (n = 206; 28%) bias, with the highest risk shaded to facilitate reading ease. Columns illustrate risk by bias motivation, e.g., women (400 out of 1,201 or 33%), Black/AA (n = 531; 44%) and persons of undisclosed age (n = 562; 47%) are most likely to experience anti-race bias.

Most bias-motivated reports frequently involve 1 of 5 incident types: harassment, institutional, vandalism, assault, or refusal of service. Differences exist for bias crimes vs bias incidents.

Character of Conduct

Reports may have multiple character of conduct findings, also termed incident type. As shown in Figure 6, almost all bias-motivated reports involved 1 of 5 incident types: harassment, institutional, vandalism, assault, or refusal of service. The *number* of reports of these five incident types have increased yearly between 2020 and 2023 – except for vandalism, which declined from a high of 413 or 16% of reports in 2022, to 376 or 13% of reports in 2023. The *proportion* of reports per year that involve institutional bias and assaults have declined steadily in the 4-year period, from a high of 25% and 14% respectively in 2020, to 13% and 6% in 2023 respectively (see Table A16 in Appendix A for the counts and percentage of character of conduct for bias-motivated reports for 2020 through 2023).

Figure 6. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Most Frequent Character of Conduct

*Includes *Exploitation, Doxing, Swatting* and *Murder*. All characters of conduct were coded; total characters of conduct may exceed total reports for that year.

Clear patterns emerge in character of conduct for bias crimes vs bias incidents (see Table A17 in Appendix A for character of conduct by determination for bias-motivated reports for 2020 through 2023). Harassment, institutional and refusal of service characters of conduct tend to be more frequently associated with *bias incidents*, while vandalism, assault, and exploitation (not tracked 2020-2021) tend to be more frequently associated with *bias crimes*.

Bias-motivated conduct tends to occur in 1 of 5 locations: at home, school, place of employment, internet/cell phone or other public setting.

Setting
The most frequent setting (termed *incident setting* in previous SB 577 reports) for bias-motivated reports for the 2020 through 2023 is presented in Figure 7 below. The exact counts and percentages can be found in Table A18 in Appendix A, while Table A19 displays setting broken down by determination (i.e., bias crime vs bias incidents). Most bias-motivated conduct occur at home, school, place of employment, internet/cell phone or other public setting for the 4-year period, 2020-2023. While slightly less than one-third of reports occurred at home, school, or work in 2020, reports in these three locations accounted for over 50% of reports in 2021 through 2023. Reports at home and work increased steadily in the 4-year period. However, reports in schools peaked at 408 or 16% of reports in 2022, and declined to 312 or 11% of reports in 2023.

Given the alternative reporting options for students and school staff, it is likely that a substantial number of reports are not captured in the BRH data. For context, one school district tried to share 711 reports of bias with the ODOJ from the 2022-2023 school year, but did not provide information on bias motivation/targeted protected class because it is not tracked by the school district. Consequently, the BRH was unable to include the 711 reports in their data submission to CJC. This exclusion could have accounted for the influx in school-based reports community members have mentioned unofficially to the PPB and Hotline staff – however, insufficient data was provided to either the PPB or BRH for these data to be included in the Department of Justice (Hotline) Data or Oregon State Police (NIBRS) Data.[59]

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[59] Email correspondence with the PPB, June 11, 2024; and ODOJ Bias Response Coordinator, June 19, 2024.

**Figure 7. Department of Justice Hotline 2020-2023 Bias-Motivated Reports
by Most Frequent Setting**

*Includes *Library, Mall/Shopping Center, Parks, Institutional, Driving, Jail,* and
Place of Worship. All settings were coded; total settings may exceed total reports for
that year.
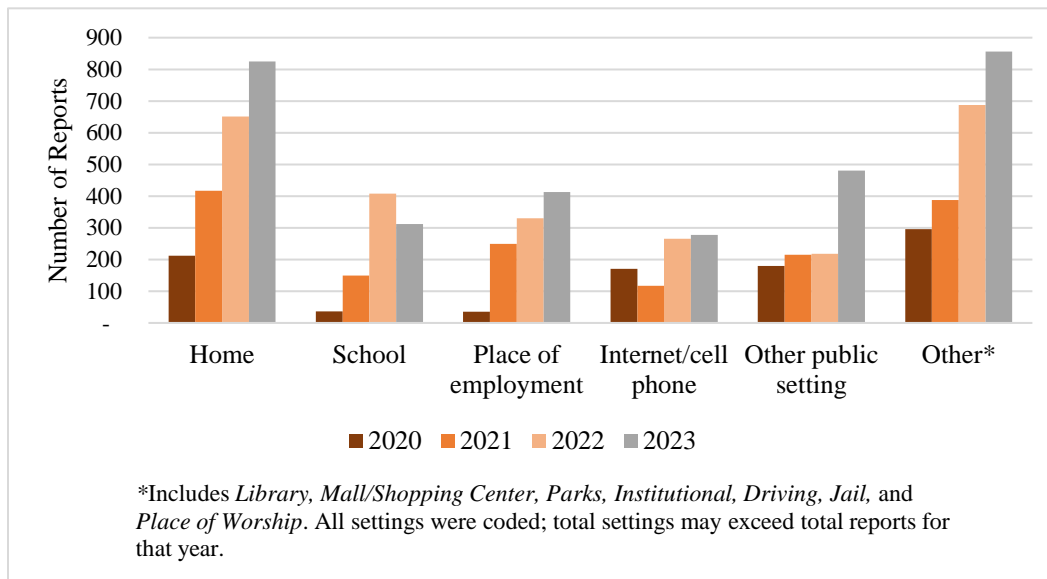
**Five victim-defendant relationships – stranger, neighbor, police/LE/CJS, service providers and
employer – account for more than half of bias-motivated reports in the 4-year period, 2020-2023.**

Victim-Defendant Relationship
Figure 8 illustrates victim-defendant relationships for bias-motivated acts reported to the Hotline in 2020
through 2023; Table A20 Appendix A provides the exact counts; and Table A21 displays all victim-
defender relationships, broken down by determination (i.e., bias crime vs bias incidents). More than half
of bias-motivated reports in the past four years involved stranger, neighbor, police/LE/CJS, service
providers or employers: 51% in 2020, 57% in 2021, 52% in 2022 and 61% in 2023, respectively. In 2023,
bias-motivated reports with a schoolmate relationship (n = 104, 4%) declined from the 2022 high (n =
240; 9%), while reports with teacher/school official as the defendant declined from 89 or 4% of reports in
2022 to 54 or 2% of reports in 2023 (see Table A20 in Appendix A). Many victims are targeted by
someone they know, or know tangentially: 38% of defendants were known by the victim in 2020, which
increased to 49% in 2021 and has held steady at 50% for 2022 and 2023.

**Differences in victim-defendant relationships exist by determination: *strangers and neighbor
relationships* account for around 6 in 10 bias crimes most years, while *other relationships* account
for around half of bias incidents.**

Stranger and neighbor relationships accounted for 59% of bias crimes in 2020, 57% in 2021 and 60% in
2023; 2022 was an outlier, when 48% of bias crimes involved stranger and neighbor relationships. In
contrast, almost half of bias incidents yearly involve other relationships – landlord, current/former
relative/friend, acquaintance, schoolmate, city official/government employee, coworker, teacher/school
official, not reported/unknown. Other relationships accounted 44% of bias crimes in 2021, 48% in 2022
and 44% in 2023; 2020 was the outlier, with other relationships accounting for 56% of bias incidents (see
Table A21 in Appendix A for victim-defendant relationship broken down by bias crimes vs bias incidents
for 2020 through 2023).

Figure 8. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Most Frequent Victim-Defendant Relationship

*Includes *Landlord, Current/Former Relative/Friend, Acquaintance, Schoolmate, City Official/Governmentt Employee, Coworker, Teacher/School Official, Not Reported,* and *Unknown*. One victim-defendant relationship was coded per report; reports sum to 100% each year.
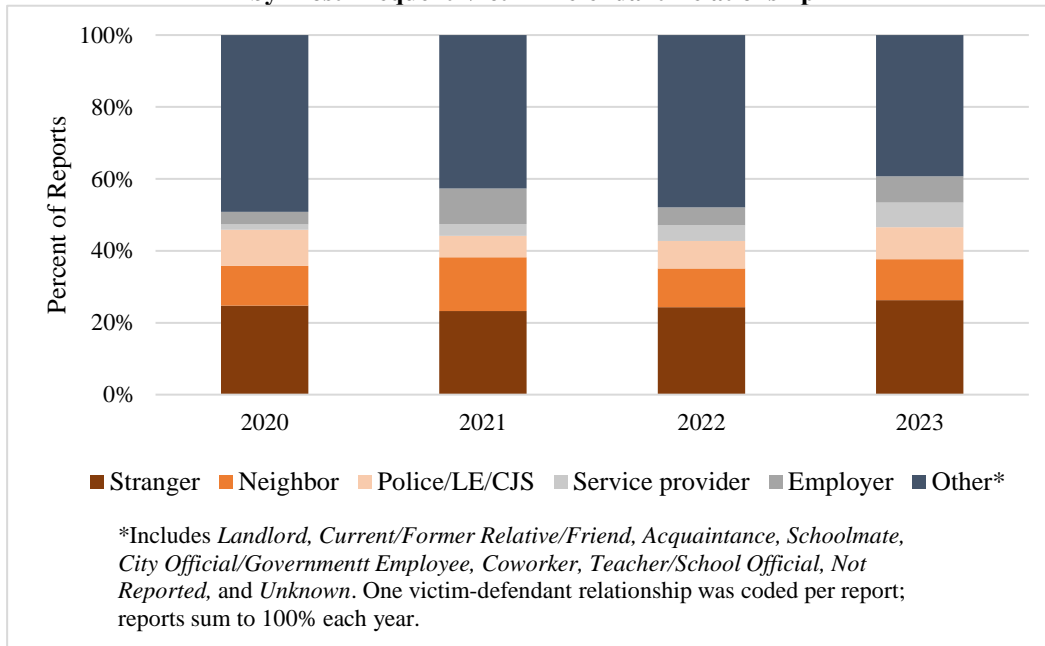
Only two reporter types – victim and witness – made more than two-thirds of reports in 2020 and 2021. The pattern changed in 2022 and held constant in 2023, when four sources – victim, witness, law enforcement or family – made more than 6 in 10 bias-motivated reports.

Reporter Status
As shown in Table 4, most reports in 2020 and 2021 were made by victims (39% in both years) and witnesses (32% in 2020 and 25% in 2021). Reports made by law enforcement and family increased in 2022 – and for the last two years, more than 6 in 10 reports have been made by four sources: victim, witness, law enforcement or family. As noted in the 2021 Bias Crimes Report, LEAs are only legally required to refer victims of bias incidents to the BRH under SB 577. However, since 2021, some LEAs have reported both bias crimes and bias incidents to the Hotline in increasing numbers: 13% of reports of bias crimes in 2021, 10% in 2022 and 17% in 2023 were made by law enforcement (see Table A22 in Appendix A). This increase in bias crime reporting by law enforcement may be due to a desire to ensure more accurate data tracking of bias crimes, and that victims obtain necessary supports – especially when there may be barriers to criminal justice accountability (e.g., insufficient evidence or defendant inability to aid and assist; see Pooled CJ Data). Capacity permitting, LEAs should start/continue referring all bias crime and bias incident victims to the BRH, start/continue the current practice of submitting reports to the BRH – and expand the inclusion criteria to all reported bias crimes and incidents. Together, these two changes would help victims access the supports and services they need, reduce data gaps, and improve planning to meet victims needs in the future (see recommendations 2 and 3 in the Conclusion).

Hotline advocates are increasingly a target of bias-motivated behavior.

The Hotline tracks bias committed against Hotline advocates under *perpetrator* report status. Bias-motivated acts targeting Hotline advocates increased substantially from 4 in 2020 to 13 in 2021, and this unfortunate pattern has continued in the following years. In 2022, there were 39 bias-motivated acts targeting advocates working on the Hotline, which more than doubled to 92 reports in 2023 – one report each in 2020 and 2022 reached the level of a bias crime (see Table A22 in Appendix A for reporter status broken down by bias crimes and bias incidents). The BRH should consider creating a policy to ensure its

staff is receiving the support they need to maintain their mental health in a very demanding profession and perform optimally, e.g., quarterly check-ins with supervisors to ensure staff feel supported, clear polices that utilizing their state provided mental health services will not adversely affect their job, etc. (see recommendation 7 in the Conclusion).

Table 4. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Who Reported

Reporter Status	2020		2021		2022		2023	
	N	%	N	%	N	%	N	%
Victim	358	39%	568	39%	762	30%	934	32%
Witness	292	32%	362	25%	464	18%	593	20%
Family	-	-	102	7%	195	8%	301	10%
Law enforcement	6	1%	145	10%	165	7%	315	11%
Attorney	-	-	-	-	50	2%	63	2%
Perpetrator	4	0%	13	1%	39	2%	92	3%
Advocate	-	-	-	-	269	11%	204	7%
School Official	-	-	3	0%	72	3%	6	0%
Other/Not Reported	250	27%	264	18%	518	20%	424	14%
Total	910	100%	1,457	100%	2,534	100%	2,932	100%

Note, excludes *bias against unprotected class, bias criteria not met, repeat reports,* and *unable to determine* reports; see Table A22 in Appendix A for reporter status by determination.

In 2022, the BRH began tracking reports made by victim advocates under the new category *advocate* – previously this was tracked as *community partner referral* under intake type (see Table 1). This is when the initial report into the Hotline is not made by the victim or witness, but rather made by a service provider – e.g., District Attorney Victim Assistance Programs (DAVAP), Immigrant and Refugee Community Organization (IRCO), and additional community organizations – requesting the BRH follow-up with the victim directly. Fewer reports were made by victim advocates in 2023 (n = 204; 7%), compared to 2022 (n = 269, 11%). Nevertheless, advocates remain a frequently utilized reporting avenue.

More than 7 in 10 bias-motivated acts occur in one of four setting types: community, neighborhood, work, or school. This pattern is driven by bias incidents, as bias crimes occur primarily in community and neighborhood setting type.

Setting Type
Figure 9 illustrates setting type for bias-motivated acts reported to the Hotline in 2020 through 2023. In 2021, the Hotline began tracking setting type, formerly termed *incident setting type* (e.g., community, domestic violence, employment, etc.). This data element describes the overall setting and context of the bias-motved conduct; while a bias crime may occur at a school (setting), it may be committed by a community member and not a classmate, teacher, or school personnel, so the setting type would be "community" in this example. Shown in Figure 9 (with exact counts in Table A23 in Appendix A), more than 7 in 10 bias-motivated acts reported to the Hotline occurred in one of four setting types yearly since 2021: community, neighborhood, employment, or school. This pattern is primarily driven by bias incidents. Community and neighborhood setting type accounted for 79% of bias crimes in 2021, 54% in 2022 and 77% in 2023, while bias incidents had more diffuse setting types (see Table A24 in Appendix A for setting type for bias crimes vs bias incidents).

Reports in school declined in 2023 after the 2022 peak of 444 or 18% of reports; regardless, almost 300 reports in 2023 occurred in a school setting type.

Figure 9. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Most Frequent Setting Type

*Includes Business, Domestic Violence, Family, Government, Healthcare, Housing, Institutional, Media, Police/LE/CJS, Religious and unknown setting type. One setting type was coded per report; reports sum to 100% each year.
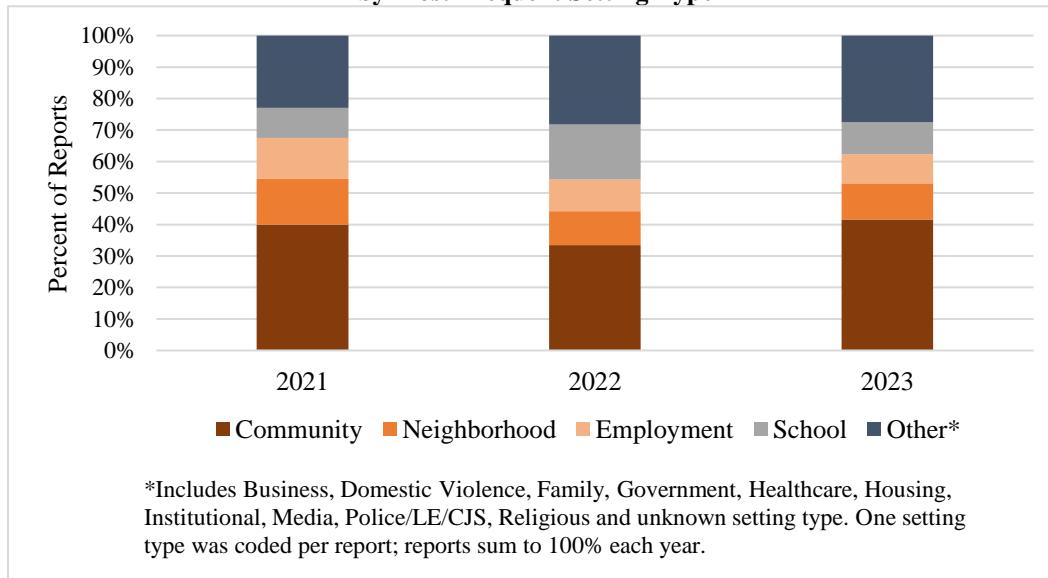
Similar to the pattern noted in setting, school setting type peaked in 2022 at 444 or 18% of reports, and declined to 296 or 10% of reports in 2023. Again, caution is required to avoid underestimating the extent of bias-motivated behaviors against individuals aged 18 and younger – in schools by classmates and school officials (see Table A20 and A21 in Appendix A), near to schools, on the way to schools or online (see Table A18 and A19 in Appendix A) – as students are encouraged to report bias-motivated behaviors directly to their school or to the Safe Oregon Tipline and it is likely that a substantial number of reports are not captured in the BRH data.

The BRH rarely collects information on defendant demographics because its victim-centered model does not require investigation into the defendant's identity.

Perceived Defendant Demographics
The BRH began collecting defendant demographic information in July 2020. Advocates do not ask for defendant demographic information, in keeping with the Hotline's trauma-informed, victim-centered model, where advocates collect only the data the reporter deems necessary to make the report, and only with permission.[60] Notably, this information is only documented by the Hotline advocate when provided in the victim or witness's report. As shown in Table 5, reporters rarely volunteered information regarding defendant gender (~48% to 60% undisclosed yearly), race (67% to 78% undisclosed yearly) and age (~76% to 81% undisclosed yearly) in 2021 through 2023. Reporters may not provide defendants' demographic information because the defendant is unknown to the reporter (see Victim-Defendant Relationship and Tables A20 through 21 in Appendix A), many reports are made by witnesses who may not be privy to this information (see Table 4 and Table A22 in Appendix A), or due to the effect of trauma on memory.

Defendants tend to be male and white; however, no firm conclusions can be drawn due to the large proportion of missing/unknown demographic information.

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[60] Data collection is not the Hotline's primary focus. It is instead concerned with providing trauma-informed and victim-centered support. Defendant demographic data collection is not necessary to meet the Hotline's mandate; therefore, advocates do not ask for this information. However, defendant demographics will be included in the report, if this information is provided by the reporter.

Table 5 illustrates perceived defendant demographics for bias-motivated acts reported to the Hotline in 2020 through 2023. Excluding non-reported race and gender individuals, males and white individuals were more likely to engage in bias-motivated acts. This pattern also applied to bias crimes and bias incidents (see Table A25 in Appendix A). There was no discernable pattern in defendant age data, due to the high rate of missing/unknown data.

Table 5. Department of Justice Hotline 2020-2023 Bias-Motivated Reports: Perceived Defendant Demographics

Demographics	2020		2021		2022		2023	
	N	%	N	%	N	%	N	%
Gender								
Male	-	-	430	30%	899	35%	1,163	40%
Female	-	-	149	10%	333	13%	351	12%
Gender Non-Conforming	-	-	5	0%	5	0%	3	0%
Unknown/Not Reported	910	100%	873	60%	1,297	51%	1,415	48%
Race	-	-						
White	-	-	297	20%	727	29%	861	29%
Black/AA	-	-	13	1%	35	1%	36	1%
Asian	-	-	8	1%	2	0%	12	0%
Hispanic/Latino	-	-	8	1%	45	2%	24	1%
AIAN	-	-	1	0%	2	0%	2	0%
Multiple Races	-	-	-	-	36	1%	2	0%
Unknown/Not reported	910	100%	1,130	78%	1,687	67%	1,995	68%
Age								
24 and under	19	2%	106	7%	170	7%	110	4%
25 to 39	15	2%	64	4%	137	5%	132	5%
40 to 49	5	1%	36	2%	62	2%	130	4%
50 and older	18	2%	147	10%	113	4%	135	5%
Unknown/Not reported	853	94%	1,104	76%	2,052	81%	2,425	83%
Total	910	100%	1,457	100%	2,534	100%	2,932	100%

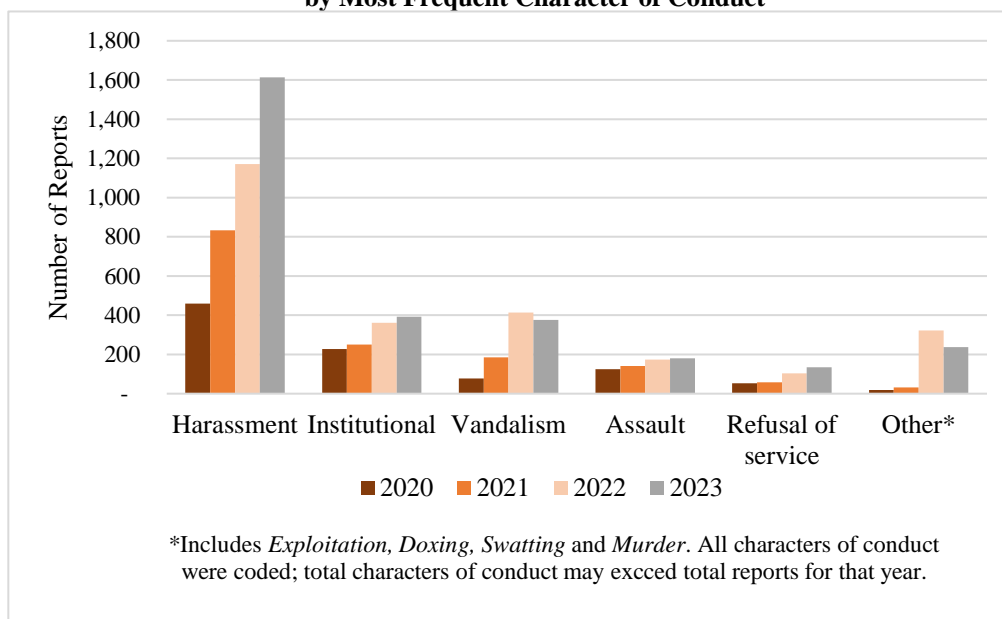*Note*. Excludes *bias against unprotected class, bias criteria not met, repeat report* and *unable to determine* reports for each year. See Table A25 in Appendix A for defendant demographics by bias crimes vs bias incidents for 2020 through 2023.

Oregon State Police (NIBRS) Data

The Oregon Uniform Crime Reporting (UCR) Program is housed at Oregon State Police within the Criminal Justice Information Systems (CJIS) Division and collects reported crime information from law enforcement agencies (LEAs) in the state. The UCR Program also transfers Oregon reported crime data to the FBI for national reporting. Historically, the UCR Program produces quarterly and annual crime reports, which include summary tables of the reported crime data.[61] The UCR Program launched the Oregon Crime Data Dashboard,[62] which displays crimes reported to LE. The dashboard provides summary level data on a publicly available website that can be filtered by several different variables.

LEAs are required to report certain crime information to the UCR Program under ORS 181A.225. Agencies have been in the process of upgrading reported crime data systems from the legacy UCR format

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[61] https://www.oregon.gov/osp/Pages/Uniform-Crime-Reporting-Data.aspx.
[62] Ibid.

to the National Incident Based Reporting System (NIBRS) format.[63] The upgrade is required by the FBI as of January 1, 2021. However, a small number of Oregon law enforcement agencies have either not completed the upgrade or have been unable to report for the 2020 to 2023 calendar years due to resource constraints. Namely, 55 Oregon agencies missed at least one month of reporting during the 2020 calendar year, and of those, 10 did not report any data during that time period. In 2021, 29 agencies missed at least one month of reporting, and of those, 15 did not report any data for the 2021 calendar year.[64] In 2022, 33 agencies missed at least one month of reporting and of those, 10 did not report any data during that time period. The nonreporting rate declined in 2023, when 28 agencies missed at least one month of reporting and of those, 20 did not report any data during that period.[65]

In 2022 and 2023, the BRH data contained more than twice the number of victims as found in NIBRS.

Bias crime reporting is also required of LEAs under ORS 181A.225 Sections 2 and 3. A supplemental report is required for bias related offenses that includes the bias motivation and victim and defendant demographics. NIBRS collects data on incidents (referred to as *crimes* in this report), offenses (referred to as *charges*), arrests, and victims. A bias crime may have multiple defendants, victims, and arrestees; a bias crime may also have zero arrestees. NIBRS data for 2020 through 2023 were merged to create the following files:

1. A victim-level file, which contains one row of data for each bias crime victim. This involves merging NIBRS incidents, offenses, and victim files. Bias motivation in NIBRS files is listed at the case/incident level. In cases with multiple victims, all victims were assumed to be targeted by all bias motivation(s) attributed to the case. There is a risk of overcounting bias motivation with this technique, but this potential error is acceptable given the benefit of linking bias motivation to victim demographics to create data comparable to the Department of Justice (Hotline) Data to identify non-reporting patterns. The NIBRS victim file includes 416 victims in 2020, 358 in 2021, 409 in 2022 and 370 in 2023. Shown in Figure 10 – except for 2020 when a greater number of victims reported their victimization to law enforcement – bias crimes reported to the BRH exceeded reports to LE in 2021 through 2023 (see Underreporting for factors that contribute to the BRH and NIBRS data discrepancies). In addition, LEAs' reporting to NIBRS may occur before cases are reviewed for a possible bias motivation, and underreporting of bias crimes may occur even for agencies that submit 12 months of data. Finally, data discrepancies may occur because the BRH does not investigate reports – or verify sufficiency of evidence, witness/victim testimony/corroborating evidence, and/or defendant ability to aid and assist in their defense required for a conviction – as the goal of the Hotline is to provide trauma-informed care to victims of criminal bias crimes and non-criminal bias incidents.[66] Tables 6 through 9 and Figures 10 through 13 in Bias Crime Victims, along with Tables A28 through A31 and A33 through A35 in Appendix A display NIBRS victim data.

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[63] For NIBRS codes, see the Criminal Justice Information Services Division (2021, April 15). 2021.1 National Incident-Based Reporting System User Manual. U.S. DOJ, FBI, Criminal Justice Information Services Division. https://bjs.ojp.gov/sites/g/files/xyckuh236/files/sarble/data_common/nibrs-user-manual-2021-1041521.pdf.

[64] See Table A27, Bias Crimes (2021) Report for the LEAs with missing 2020 and 2021 data.

[65] See Table A49, Bias Crimes (2022) Report for the LEAs with missing 2022, and https://www.oregon.gov/osp/Pages/Uniform-Crime-Reporting-Data.aspx for agencies that have since reported data to OSP. The results in this section are based on OSP data queries run in April-May 2020, 2021, 2022 and 2023, and does not include data for respective years that were not submitted before the yearly data extraction date.

[66] The BRH will also provide services to victims of bias who do not fall into a protected class, or when bias/hate criteria were not met or insufficient details were provided to make a bias determination, and repeat callers/reporters. In other words, aside from spam (including spambot) calls or emails and perpetrator reporters, the Hotline will attempt to meet the needs of reporters to the best of their ability and resource capacity.

Figure 10. Bias Crime Victims 2020-2023 by Reporting Method
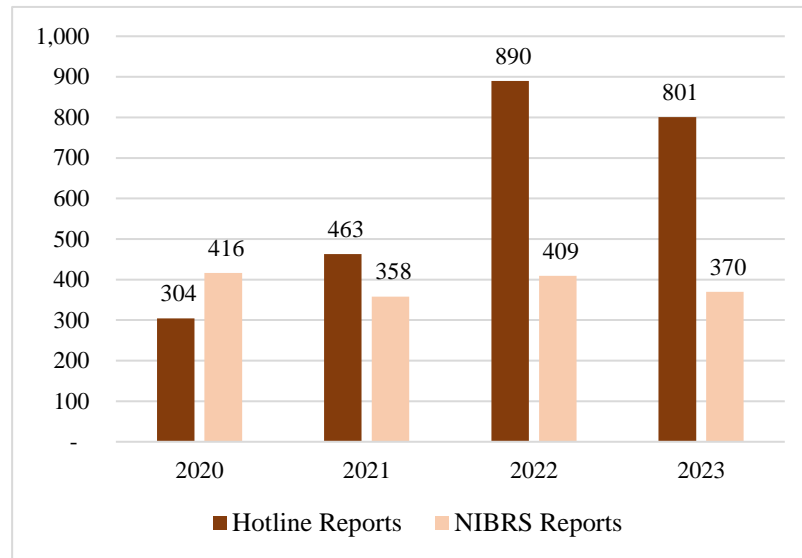
2. A defendant-level file, which contains one row of data for each defendant; if a bias crime reported to LE had no arrestee(s), it was assumed that there was one defendant. The defendant data likely undercounts the number of persons reported to LE for bias crimes, as unfounded reports with multiple defendants are possible.[67] There were a total of 357 bias crime defendants in 2020, 306 in 2021, 324 in 2022 and 315 in 2023 (see Tables 10 through 13 and Figure 14 below, along with Table A32 in Appendix A). One quarter of defendants were arrested in 2020 (n = 91), while around one third were arrested in 2021 (n = 102; 33%), 2022 (n = 115; 35%) and 2023 (n = 107; 34%) on at least one charge (see Table 12 for defendant demographics and Table 13 for arrest charges).

Bias Crime Victims

Table 6 displays victim demographics for the 2020 through 2023 calendar years for bias crimes recorded by NIBRS (see Table A8 in Appendix A for the equivalent data reported to the Hotline). NIBRS provides victim demographic information for law enforcement and individual victim types; demographic information is listed as not applicable/unreported all other victim type classification – business, society/public, government, religious organization, financial institution, and other/unknown victims.

Bias crimes against BIPOC victims are underreported to LE: Most bias crime victims in NIBRS are white (~50% to 54% yearly) and male (59% to 71% yearly). In contrast, 2% to 8% of bias crime victims in the yearly Hotline data are white, and 24% to 42% are male.

When not applicable victim types are excluded, the majority of victims yearly are male (59% in 2020, 71% in 2021, 59% in 2022 and 63% in 2023). In contrast, one-quarter to slightly over 40% of bias crime victims in the Hotline data are male, which increases to ~50% when unknown/unreported are excluded (see Table 2). This is consistent with prior research that found men are more likely than other genders to report bias crimes.[68] Unlike the Hotline bias crime victim race data, the most common victim race in the NIBRS data was white: 53% in 2020, 54% in 2021, 50% in 2022 and 54% in 2023 of bias crime victims were white, while about 19% to 20% of victims were Black or African American, and few victims were

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[67] The DA data mentions several no-filed cases with multiple defendants with insufficient evidence to proceed. When this occurs at the LE report stage, the case may be deemed unfounded, and the defendants will not be listed in NIBRS.

[68] See: Cuevas et al, (2019); Cuevas et al (2021); and Sill & Haskins (2023).

Hispanic in the same period. Given that about a third of bias crimes were motivated by anti-Black or African American bias and 10% to 14% were motivated by anti-Hispanic bias, this suggests that (1) race may be mis-identified in the NIBRS data and/or (2) people are targeted due to defendant (mis)perceptions of the victim's race or target substitution.

Table 6. NIBRS 2020-2023 Bias Crime Victim Demographics

Demographics	Year			
	2020	2021	2022	2023
Not applicable¥	86	83	109	81
Gender				
Male	196	195	177	183
Female	128	72	115	102
Unknown	6	8	8	4
Race				
White	176	148	150	156
Black/AA	78	70	77	77
Hispanic/Latinx	32	9	8	9
AI/AN	8	4	6	4
Asian	3	15	13	10
NH/OPI	2	3	1	3
Unknown	31	26	45	30
Age				
20 and under	35	42	42	58
21 to 24	30	29	30	15
25 to 34	82	70	71	54
35 to 44	61	45	78	62
45 to 54	48	54	35	51
55 and older	67	29	35	43
Unknown	7	6	9	6
All Victims	416	358	409	370

¥ No demographic information is provided for victims classified as Business, Society/Public, Government, Religious Organization, Financial Institution and Other/Unknown victims.

Prior research on racial differences in reporting bias crimes to LE is inconsistent, though most found that Black/AA and Hispanic persons are less likely to report bias crime victimization to LE, compared to white victims,[69] while others found Asian bias crime victims to have the lowest reporting rates.[70] *Note*, all NIBRS percentages listed above excludes not applicable victim types. Finally, most victims skewed older, with a combined 18% being under the age of 25 in 2020 (n = 65; 16%), 2021 (n = 71; 20%), 2022 (n = 72; 18%) and 2023 (n = 73; 20%). When contrasted with the NCVS, OVBC survey results, and OCVS results,[71] the NIBRS bias crime victim demographic data suggest extensive underreporting; failure

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[69] Cuevas et al, (2019), Cuevas et al (2021), and Sill & Haskins (2023) found lower reporting rates of Hispanic, compared to white persons. Sill & Haskins (2023) also found lower reporting rates for LGBTQ individuals, compared to heterosexual, white individuals.

[70] Asians are less likely to report bias crimes, compared to white victims; no differences were found in reporting rates of Black/AA and Hispanic individuals, compared to whites. However, since white victims tend to be targeted due to anti- sexual orientation, gender identity and religious bias, and LGBTQ, gender non-conforming and Jews are unlikely to report bias victimizations, the white vs Black/AA and Hispanic reporting comparison in Lantz et al (2022) may be the reporting likelihood of LGBTQ, gender non-conforming and Jewish persons vs racial minorities. See: Lantz, B., & Wenger, M. R. (2022). Are Asian Victims Less Likely to Report Hate Crime Victimization to the Police? Implications for Research and Policy in the Wake of the COVID-19 Pandemic. Crime & Delinquency, 68(8), 1292-1319. https://doi.org/10.1177/00111287211041521.

[71] Kena & Thompson (2021); Weinerman et al. (2022).

to charge bias crimes when younger, female, and BIPOC community members are victimized;[72] non-reporting/inaccurate data collection of demographic information by victims; or some combination thereof (see discussion below).

Anti-Race bias is the largest motivator of bias crimes reported to LE.

Bias Motivation
Figure 11 illustrates bias motivation for reports made to NIBRS in 2020 through 2023. For exact numbers and targeted protected class sub-categories, see Table A28 in Appendix A.
- Around 6 in 10 reports yearly were motivated by anti-race bias: 276 or 66% of reports in 2020; 224 or 63% in 2021, 257 or 63% in 2022 and 222 or 60% in 2023.

Figure 11. NIBRS 2020-2023 Reported Bias Crimes by Bias Motivation
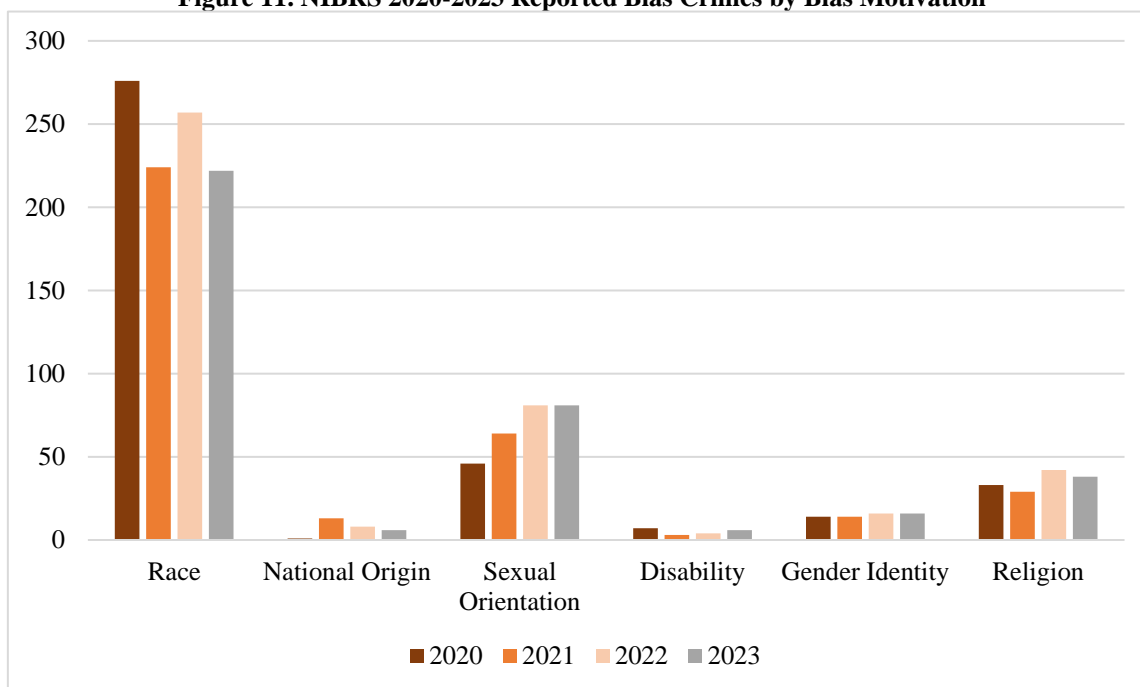
- Slightly over 10% (n = 46; 11%) of reports in 2020 were motivated by sexual orientation bias, which increased to ~ 20% in 2021 through 2023 (64 or 18% in 2021, 81 or 20% in 2022 and 81 or 22% in 2023), primarily due to anti-unspecified LGBTQ, and -gay bias.
- While reports motivated by anti-religion bias increased from 8% of reports in 2020 (n = 33) and 2021 (n = 29) to 10% of reports in 2022 (n = 42), and held relatively constant at 10% in 2023 (n = 38), reports of anti-Jewish bias increased from ~4-5% in 2020-2022 (at 22 or 5% of reports in 2020, 16 or 4% in 2021, and 15 or 4% in 2022) to 7% (n = 26) in 2023.
- Reports motivated by gender identity bias increased from 3% (n = 14) in 2020 to 4% in 2021, and held constant since then (at 14 or 4% of reports in 2021, 16 or 4% in 2022, and 16 or 4% in 2023).

Individuals targeted due to anti-Hispanic, anti-Asian and anti-Black/African American bias motivation are more likely to report their experiences to the BRH than LE.

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[72] According to 1992-2005 NCVS. data, 50-60% of bias crime victims are typically Black/AA (Zaykowski, 2010). However, Kena and Thompson (2021) found a similar bias crime victimization risk for Black and white victims in the 2015-2019 NCVS data, about 1 per 1,000 persons.

Table 7 compares the BRH and NIBRS bias crime reporting for 2020 through 2023 by bias motivation; see Table A11 in Appendix A for the 2020-2023 BRH reports bias motivation subcategories and Table A28 in Appendix A for the NIBRS 2020-2023 bias motivation subcategories. All bias motivations per report were coded, but few reports in NIBRS included multiple bias motivations, while ~60% in 2020-21 and two-thirds in 2022-23 of bias crimes reported to the Hotline contained multiple bias motivations.

- Excluding 2020, bias crimes reported to the Hotline (249 in 2020, 340 in 2021, 571 in 2022 and 340 in 2023) exceeded reports to NIBRS (276, 224, 257, 222 in 2020 through 2023, respectively). See Underreporting, Oregon State Police (NIBRS) Data and Bias Crime Victims for factors that contribute to underreporting and misclassification of bias crimes due to investigations concluding after LEA reports are submitted to NIBRS.
- Reports of anti-Hispanic motivated bias crimes to the BRH and NIBRS were similar in 2020 (48 reports to the BRH vs 40 to NIBRS) and 2021 (53 to BRH vs 46 to NIBRS). However anti-Hispanic reports to the BRH more than tripled to 164 in 2022, which was not reflected in NIBRS at 56 reports in 2022.[73] Anti-Hispanic reports to the BRH tapered off in 2023 at 71, which more closely aligned with NIBRS at 51 reports, compared to the vastly different 2022 data.
- Individuals targeted due to anti-Asian and anti-Black/AA bias motivation were more likely to report to the BRH than to LE. The Hotline recorded 18 reports of anti-Asian bias in 2020, 68 in 2021, 88 in 2022 and 39 in 2023. In contrast, NIBRS reported 6 victims of anti-Asian bias in 2020, 14 in 2021, 15 in 2022 and 10 in 2023. Similarly, the Hotline received ~200 reports of anti-Black/AA bias (178, 196, 271 and 180, respectively for 2020 through 2023), while NIBRS received ~150-100 reports yearly for the same period (149, 112, 133 and 73, respectively).

In 2022 and 2023, the BRH received almost twice the number of anti-sexual orientation motivated bias reports compared to NIBRS.

Table 7. Department of Justice Hotline vs NIBRS 2020-2023 Reported Bias Crimes by Bias Motivation

Bias Motivation	2020		2021		2022		2023	
	BRH	NIBRS	BRH	NIBRS	BRH	NIBRS	BRH	NIBRS
Race	249	276	340	224	571	257	340	222
National Origin	49	1	104	13	284	8	182	6
Sexual Orientation	34	46	79	64	141	81	153	81
Disability	23	7	27	3	44	4	24	6
Gender Identity	16	14	30	14	87	16	98	16
Religion	26	33	80	29	116	42	211	38
Multiple BM	182	7	306	5	322	14	305	5
Total	304	416	463	358	890	409	801	370

Note, Tables A11 and A28 in Appendix A contain the BRH and NIBRS bias motivation subcategories by race, sexual orientation, disability, gender identity, and religion respectively for 2020-2023. NIBRS does not provide national origin subcategories.

- Excluding 2020 – when NIBRS listed 46 victims of sexual orientation motivated bias, while the BRH received 34 reports – a greater number of sexual orientation bias motivated reports were made to the

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[73] Hernández, K. (November 4, 2022). Anti-immigrant rhetoric spiked in this election: Here's why it's dangerous. The fear of immigrants illegally voting has been used to disenfranchise people of color and create mistrust in elections for more than 100 years. The Center for Public Integrity. https://publicintegrity.org/politics/elections/anti-immigrant-rhetoric-spiked-in-this-election-heres-why-its-dangerous/; Zaru, D. (May 16, 202). How 'replacement theory' became prominent in mainstream US politics: The alleged Buffalo gunman is believed to be motivated by the far-right theory. ABC News. https://abcnews.go.com/US/replacement-theory-prominent-mainstream-us-politics/story?id=84747073; Benz, J. (May 2022). One in Three Adults Thinks Native-Born Americans Are Being Replaced by Immigrants for Electoral Gain. NORC Now newsletter. https://www.norc.org/research/library/one-in-three-adults-thinks-native-born-americans-are-being-repla.html.

BRH in 2021 through 2023 (79, 141, and 153, respectively), compared to NIBRS (64 in 2021 and 81 in 2022 and 2023).

Reports of anti-religion bias are under-reported to NIBRS.

- Excluding 2020 – when NIBRS listed 33 anti-religion bias motivated victims, while the BRH received 26 anti-religion bias motivated reports – a greater number of anti-religion reports were made to the BRH in 2021 through 2023 (80, 116 and 211, respectively), compared to NIBRS (29, 42 and 38, respectively.
- Few reports motivated by national origin (0% to 4% yearly) and disability (1% to 2% yearly) bias are made to the NIBRS. This disability bias reporting rate is consistent with national reporting trends.[74]

Black/African American (48 out of 77), Asian (7 out of 10) and Hispanic (9 out of 9) victims are most frequently targeted <u>because of their actual race</u>. Less than 10% of white victims (n = 12; 8%) are targeted because of anti-white racial bias, while 37% (n = 58) of white victims are targeted due to sexual orientation bias, 9% (n = 14) due to anti-religion (generally antisemitic bias) and 8% (n = 13) to gender identity bias.

Bias Motivation by Victim Demographics
Tables A33-36 in Appendix A display bias crime risk by victim demographics for 2023 (for the comparable Hotline data, see Tables A10-A18 in Appendix A).[75]

- Black/AA victims were most frequently targeted due to anti-Black bias: 75 out of the 77 Black/AA victims in 2023 were targeted due to anti-race bias, generally due to anti-Black/AA bias (n = 48; 62%; see Table A34 Appendix A).

When white individuals are targeted because of sexual orientation bias, they tend to report their experiences to NIBRS, while non-white victims of sexual orientation bias tend report to the BRH: 58 white individuals targeted because of sexual orientation bias reported to NIBRS in 2023, while 11 reported to the BRH in this period. Misreporting of race in NIBRS cannot be ruled out.

- In 2023, white individuals were most frequently targeted due to sexual orientation bias (58 out of 156 white victims). Twelve or 8% of white victims were targeted due to anti-white race bias: when white individuals were targeted due to anti-race bias (66 out of the 156 white victims in 2023), 30 reports were due to anti-Hispanic bias, 11 to anti-Black/AA bias, 1 to anti-Asian bias, 2 each to Arab and unknown race bias, 6 to multi-racial bias, and 12 to anti-white race bias (see Table A34 in Appendix A). This is consistent with the Hotline data. White individuals may be victims of non-white racial bias due to misperception of their race, "white race" may be misidentified in NIBRS, or they may have been attempting to disrupt race-motivated violence against a non-white friend/colleague/individual, and included as a victim in the police report. *Note*, all victims in a single bias crime NIBRS incident were classified as being targeted due to the bias motivated of the specific report.

Victim Type
As shown in Table 8, bias crime defendants reported to NIBRS typically targeted individual victims in 2020 (79%), 2021 (75%), 2022 (72%) and 2023 (78%). Approximately 10% of victims were businesses and less than 1% to 2% were law enforcement officers for the 4-year period.

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[74] See: Hate Crimes | United States Department of Justice | Hate Crimes | Facts and Statistics. FBI hate crime reports combine national origin, with race into Race/Ethnicity/Ancestry.

[75] For the 2020 through 2022 figures, see Tables A51-56 in the Bias Crimes (2022) Report for changes in bias crime risk by victim demographics with the NIBRS data, and Tables A11, A13 and A16-A18 for the comparable Hotline data.

Table 8. NIBRS 2020-2023 Bias Crimes (I and II) by Victim Type

Victim Type	Year			
	2020	**2021**	**2022**	**2023**
Individual	328	269	293	288
Business	38	35	37	39
Society/Public	31	32	48	33
Government	12	9	10	3
Religious Organization	3	3	7	1
Law Enforcement Officer	2	6	7	1
Financial Institution	-	-	1	-
Other/Unknown	2	4	6	5
Total Victims	416	358	409	370

Note. Offenses may have multiple victims: all victims of bias crime offenses in NIBRS data are displayed above.

Victims who know the defendant are more likely to report to the BRH than to LE.

Victim-Defendant Relationship

Victim-defendant relationship and victim demographics are collected for individual and law enforcement bias crime victims. A summary of this relationship data is displayed in Table 9, with additional details provided in Table A29 in Appendix A (see Table A21 in Appendix A for the comparable Hotline data). As with the Hotline reports, the most common victim-defendant relationship category was that of a stranger in 2020 through 2023 at 18%, 25%, 20% and 22%, respectively. However, the *proportion* of defendants known or somewhat known to victims increased from 15% in 2020, to 18% in 2021 and again to 20% in 2022, after which it held constant in 2023 at 20%. In contrast, shown in Table A21 in Appendix A, 20% (62 out of 304 reports) of bias crime victims in the Hotline data in 2020 knew the defendant, which increased to one-third in 2021 (155 out of 463), and increased again to 42% in 2022 (371 out of 890) where it held constant 2023 (340 out of 801 or 42%).

Table 9. NIBRS 2020-2023 Bias Crimes (I and II) by Victim-Defendant Relationship

Victim-Defendant Relationship	Year			
	2020	**2021**	**2022**	**2023**
Stranger	74	89	83	81
Known/somewhat known[�]	64	68	83	75
Victim was Offender§	-	-	1	1
Unknown/Not Disclosed	192	118	133	132
Not Applicable¥	86	83	109	81
Total Victims	416	358	409	370

Note. Victim-Defendant Relationship is provided when victims are LE or individuals. Offenses may have multiple victims: all victims of bias crime offenses in NIBRS data are listed above.

[ᵘ] Includes Acquaintance, Neighbor, Otherwise known, Friend, Boyfriend/Girlfriend, Other family, Ex-Relationship/Spouse, Spouse, Child, Parent/Stepparent, Employee, Employer, and Sibling.

§ Used when a participant in the incident was both a victim and defendant, e.g., double murders, mutual combat assaults and bias crimes, or domestic disputes.

¥ Includes Business, Society/Public, Government, Religious Organization, Financial Institution and Other/Unknown victims.

Victims are less likely to report their relationship to the defendant to LE, compared to the Hotline. However, victims are increasingly <u>more</u> willing to report their relationship to the defendant to both LE and the Hotline in the past 3 years.

Victims were more likely to provide information about the nature of their relationship with the defendant to the Hotline (26% undisclosed in 2020, 21% in 2021, 14% in 2022, and 13% in 2023)[76] than police (about one-third undisclosed 2021-2023, excluding not applicable reports). Non-reporting of victim-defendant relationship is declining: victims were more willing to report their relationship with the defendant to both LE and the Hotline in recent years than previously. Almost one half of victims did not provide information about the nature of their relationship with the defendant to LE in 2020 (46%), which improved to ~33% nondisclosure in 2021 through 2023.

Bias Crime Defendants
A NIBRS defendant-level file was created to facilitate comparison with the defendant-level LEDS, County DA, Odyssey, and DOC data. As noted earlier, crimes – termed *incidents* in NIBRS – may have multiple defendants, and incidents with no arrestee(s) were assumed to have one defendant: 357 possible bias crime defendants were identified in 2020, 306 in 2021, 324 in 2022, and 315 in 2023. The county level defendant distribution for all four years is presented in Table A32 in Appendix A. Figure 12 below displays this information for 2023 only. Multnomah County had the largest count at 89, followed by Lane at 39, Marion at 31, Clackamas at 26, and Deschutes and Washington counties at 23 each.

Figure 12. NIBRS 2023 Reported Incidents by County
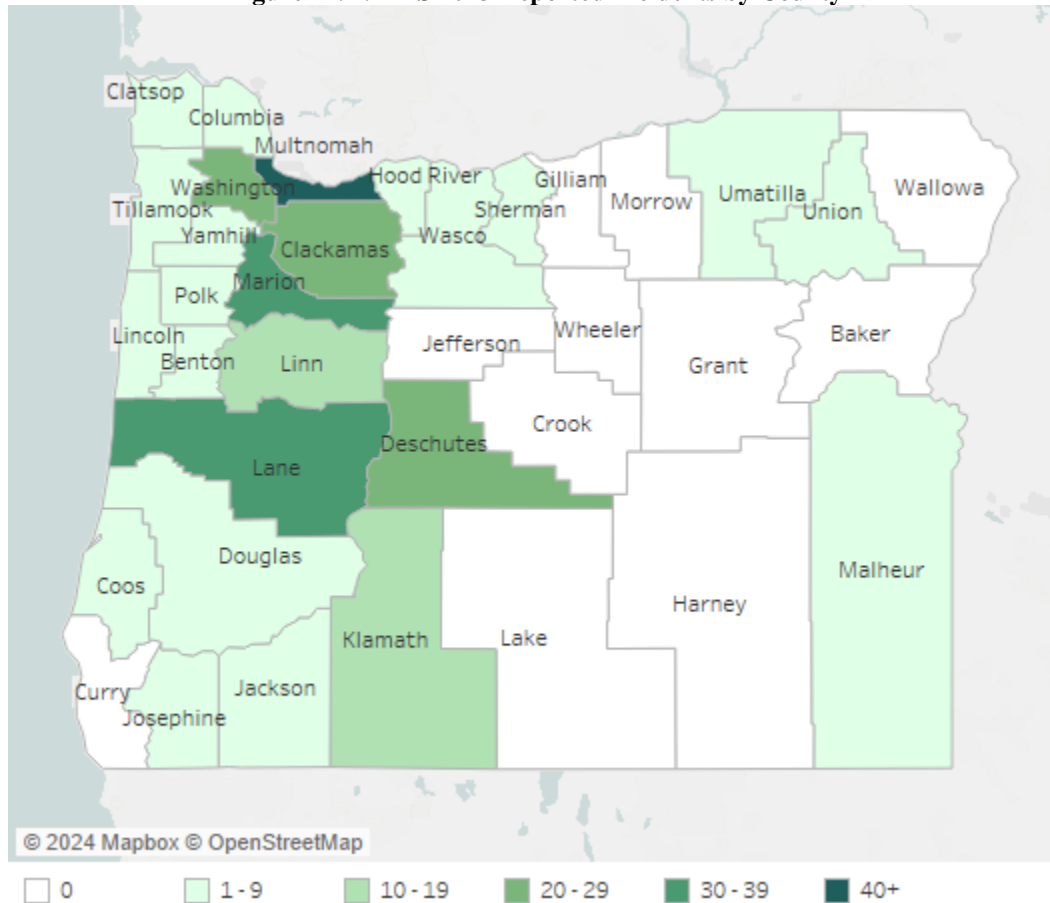
Bias crime patterns changed from property to violent offenses/charges in 2021.

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[76] Includes Not Reported and Unknown in Table A21 in Appendix A.

Co-occurring Charges

Table 10 illustrates charges – termed *offenses* in NIBRS – associated with bias crimes reported to NIBRS in the calendar years 2020 through 2023. Defendants may be charged with multiple offenses. All unique charges were counted, and total charges may exceed total reports for that year. Around 1 in 3 reports in 2020 (n = 120; 34%) and 2021 (n = 93; 30%) contained a destruction/damage/vandalism charge, which dropped to 1 in 4 reports in 2022 (n = 80; 25%) and remained there in 2023 (n = 79; 24%). Slightly over one quarter of reports in 2020 contained an assault (simple and aggravated) charge (n = 93; 26%), which increased to ~3 in 10 reports in 2021 through 2023 with an assault charge: 100 or 33% of reports in 2021, 96 or 30% of reports in 2022 and 112 or 36% of reports in 2023 contained an assault charge.

Table 10. NIBRS 2020-2023 Bias Crimes (I and II) by Charge Type

Charge Type	Year			
	2020	**2021**	**2022**	**2023**
Intimidation/Bias I or II	75	59	73	56
Destruction/Damage/Vandalism	120	93	80	79
Simple Assault	68	69	66	72
Aggravated Assault	25	31	30	40
Disorderly Conduct	19	19	26	15
All Other Larceny	19	3	4	14
All Other Offenses	48	45	69	49
Burglary/Breaking and Entering	3	2	1	-
Theft (MV Parts/Accessories)	-	-	-	1
Total	357	306	324	315

Note. Charges were counted once at the defendant level; *percents* in the narrative indicate the rate of bias crime defendants charged with at least one count of the respective charge. If a defendant was charged with 2 counts of disorderly conduct and one count of simple assault, this was counted once for disorderly conduct and once for simple assault. No charge information was available for 2 incidents in 2020, 4 incidents in 2021 and 5 incidents in 2022.

About 6 in 10 bias crimes reported to LE occur in the (1) victim's home, (2) while driving, on a sidewalk or parking, or (3) at a mall, shopping center or business – with the vast majority or ~25% occurring at the victim's home.

Setting

Table 11 illustrates bias crime settings in the 2020 through 2023 calendar years; Table A19 in Appendix A displays the comparable Hotline data for this period. *Note*, juvenile defendants are not listed in NIBRS, and it is expected that reports in school/colleges/universities are undercounted in Table 11. The three most frequently occurring bias crime settings for 2020 through 2023 occurred at the victim's home[77] and driving/sidewalk/parking[78] at ~25% each yearly, and mall/shopping center/business[79] setting, at ~15% yearly. In contrast, around a third of bias crimes reported to the Hotline yearly occurred at the victims'

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[77] Respectively, 108 or 30% of bias crimes reported to LE in 2020 occurred at the victims' home, as did 67 or 22% in 2021, 78 or 24% in 2022 and 81 or 25% in 2023.

[78] Eighty-nine or 25% of bias crimes reported to LE in 2020, 94 or 31% in 2021, 87 or 27% in 2022 and 74 or 23% in 2023 occurred in a driving/sidewalk/parking setting.

[79] Fifty-seven or 16% of bias crimes reported to LE in 2020, 47 or 15% in 2021, 43 or 13% in 2022 and 45 or 14% in 2023 occurred in a Mall/Shopping Center/Business setting.

home,[80] and ~15% yearly occurred at the victim's place of employment[81] or via the Internet/cell phone,[82] while ~3% yearly occurred in a Driving/Sidewalk/Parking setting[83] and ~8% yearly occurred in a mall/shopping center/business setting.[84]

Table 11. NIBRS 2020-2023 Bias Crimes (I and II) by Setting

Setting	Year			
	2020	**2021**	**2022**	**2023**
Home	108	67	78	81
Mall/Shopping Center/Business	57	47	43	45
Other public setting	39	20	40	28
Driving/Sidewalk/Parking	89	94	87	74
Parks	27	25	26	21
Government Building	6	7	2	1
School/College/University	9	25	20	29
Other/Institutional/Cyberspace	12	8	15	15
Other/Unknown	10	9	9	16
Total Defendants	357	306	324	315

Around 75% of bias crime arrestees yearly were white, ~80% were male and slightly over half were between the ages of 25 and 44 years.

Arrested Defendants
One quarter of bias crime defendants were arrested in 2020 (n = 91), and around one third were arrested in 2021 (n = 102; 33%), 2022 (n = 115; 35%) and 2023 (n = 107; 34%). Around 3 in 4 arrested defendants were white, at 70 or 77% of arrested defendants in 2020, 77 or 75% in 2021, 86 or 75% in 2022 and 81 or 76% in 2023. The proportion of arrested defendants who were male fluctuated between 77% to 83% each year: 75 or 82% in 2020, 85 or 83% in 2021, 88 or 77% in 2022, and 85 or 79% in 2023. Slightly over half of arrested defendants were between the ages of 25 and 44 years: 56 or 62% in 2020, 60 or 59% in 2020, 67 or 58% in 2022 and 54 or 50% in 2023. *Note*, LE may arrest a defendant subsequent to the data being forwarded to NIBRS; few agencies have the staffing and resource capacity to submit revised data to NIBRS. Table 12 illustrates demographic data for these arrested defendants in the 2020 through 2023 calendar years. Table A25 in Appendix A displays the comparative Hotline data. Care should be taken when comparing the defendant information reported to the BRH and NIBRS due to the extensive undisclosed defendant data in the former. Undisclosed defendant gender information[85] to the BRH ranged from 35% to 60% yearly for 2021 through 2023, while at least half of defendant race

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[80] Home setting was the most frequently reported to the BRH for the four year period, at 114 out of 304 reports or 38% in 2020, 160 out of 463 reports or 35% in 2021, 287 out of 890 reports or 32% in 2022 and 328 out of 801 reports or 41% in 2023.

[81] Few bias crimes reported to the Hotline in 2020 (n = 4; 1% of reports) and 2021 (n = 43; 8%) occurred at the victim's place of employment during the COVID lockdowns while many individuals worked remotely. However, reports that occurred in at the victim's place of employment increased to 22% (n = 196) in 2022 and declined slightly to 18% of reports (n = 142) ion 2023.

[82] One third of bias crimes reported to the Hotline in 2020 (n=100) occurred online or on the victim's cellphone, while ~1 in 10 bias crime reports yearly occurred in this setting thereafter, at 64 or 14% in 2021, 92 or 10% in 2022, and 103 or 13% in 2023.

[83] Less than 1 in 10 bias crimes reported to the Hotline occurred in a Driving/Sidewalk/Parking setting, at 23 or 8% in 2020, 18 or 4% in 2021, 19 or 2% in 2022 and 25 or 3% in 2023.

[84] Similarly, few bias crimes reported to the Hotline occurred in a mall/shopping center/business setting, at 18 or 6% in 2020, 59 or 13% in 2021, 68 or 8% in 2022 and 41 or 6% in 2023.

[85] Defendant gender information was undisclosed to the BRH for 278 or 60% of bias crime reports in 2021, 378 or 42% in 2022 and 281 or 35% of reports in 2023.

information[86] and ~70% defendant age information[87] were undisclosed for this 3-year period. The BRH did not collect defendant demographic details for much of 2020.

Table 12. NIBRS 2020-2023 Bias Crimes (I and II) by Arrestee Demographics

Demographics	Year			
	2020	2021	2022	2023
Gender				
Male	75	85	88	85
Female	16	17	27	22
Race				
White	70	77	86	81
Black/AA	7	4	12	11
Hispanic/Latinx	8	13	10	9
AI/AN	2	4	1	2
Asian	-	1	1	1
NH/OPI	-	1	-	1
Unknown	4	2	5	2
Age				
20 and under	12	12	12	15
21 to 24	9	9	4	10
25 to 34	23	26	33	23
35 to 44	24	25	30	21
45 to 54	11	15	17	17
55 and older	12	15	19	21
Total Defendants	91	102	115	107

Defendants were more likely to be arrested on a person vs a property charge. Around one-third of bias defendants in NIBRS were arrested yearly in the 4-year period 2020 through 2023; of those, 7 in 10 were arrested on a person charge of simple assault, aggravated assault, or intimidation.

Table 13. NIBRS 2020-2023 Bias Crimes (I and II) by Arrest Charges

Charge Type	Year			
	2020	2021	2022	2023
Simple Assault	33	34	37	41
Intimidation	17	23	27	21
Aggravated Assault	14	22	25	23
Destruction/Damage/Vandalism	12	9	9	6
Disorderly Conduct	5	6	8	6
Burglary/Breaking and Entering	3	2	-	-
All Other Offenses	7	6	9	10
Total arrests	91	102	115	107

Note. Arrests are listed at the defendant level, i.e., if two defendants were arrested for the same case, this was counted as two arrests; and if a defendant was arrested on five charges, this was again counted as one arrest. An arrest is not required for charges to be filed by the DA's Office.

As noted previously, about one-third of bias defendants in NIBRS were arrested yearly in the 4-year period 2020 through 2023. Of those, 7 in 10 were for a person charge of simple assault, aggravated

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[86] Undisclosed defendant race information to the BRH ranged from 347 or 75% in 2021, 627 or 70% in 2022 and 467 or 58% in 2023.

[87] About 70% of reports to the BRH did not disclose defendant age information in 2021 through 2023 at 323 or 70% in 2021, 654 or 73% in 2022 and 557 or 70% in 2023.

assault, or intimidation: over one-third of arrested defendants were charged with simple assault in the this period, and ~20% each were charged with intimidation and aggravated assault (see Table 13). For the 4-year period, 33 or 36% in 2020, 34 or 33% in 2021, 37 or 32% in 2022 and 41 or 38% in 2023 were arrested on a simple assault charge. Around 1 in 5 arrests yearly contained an intimidation charge: 17 or 19% in 2020, 23 or 23% in 2021, 27 or 23% in 2022 and 21 or 20% in 2023. Around 20% of defendants were arrested on an aggravated assault charge: 14 or 15% in 2020, 22 or 22% in 2021, 25 or 22% in 2022 and 23 or 21% in 2023. Vandalism arrest charges decreased steadily during this period, from 13% of arrests in 2020, to 9% in 2021, 8% in 2022 and 6% in 2023. *Note*, all bias crimes are indirectly person crimes – even when the crime is limited to property damage or dissemination of flyers – because the consequence for the victim and victim's community is fear and intimidation.

Arrests (LEDS)

The Law Enforcement Data System (LEDS) includes arrested defendants that were fingerprinted. CJC queried LEDS for defendants arrested with a Bias crime in the first degree (ORS 166.165; Bias I) or Bias crime in the second degree (ORS 166.155; Bias II) for calendar years 2000 through 2023 (see Table A37 in Appendix A for the 2000 through 2023 (24-year) Bias I and Bias II LEDS arrest trend). Figure 13 below shows the county distribution of the 138 defendants in LEDS with at least one Bias (I/II) charge in 2023, and can include other charges in the arrest event as well (see Table A39 in Appendix A for exact county-level LEDS arrests counts for 2020 through 2023; and Table A38 for the monthly Bias I and Bias II arrest patterns for this period).

Figure 13. LEDS 2023 Bias Crime (I and II) Defendants by County

© 2024 Mapbox © OpenStreetMap

☐ 0   ☐ 1 - 9   ☐ 10 - 19   ■ 30-39   ■ 40+
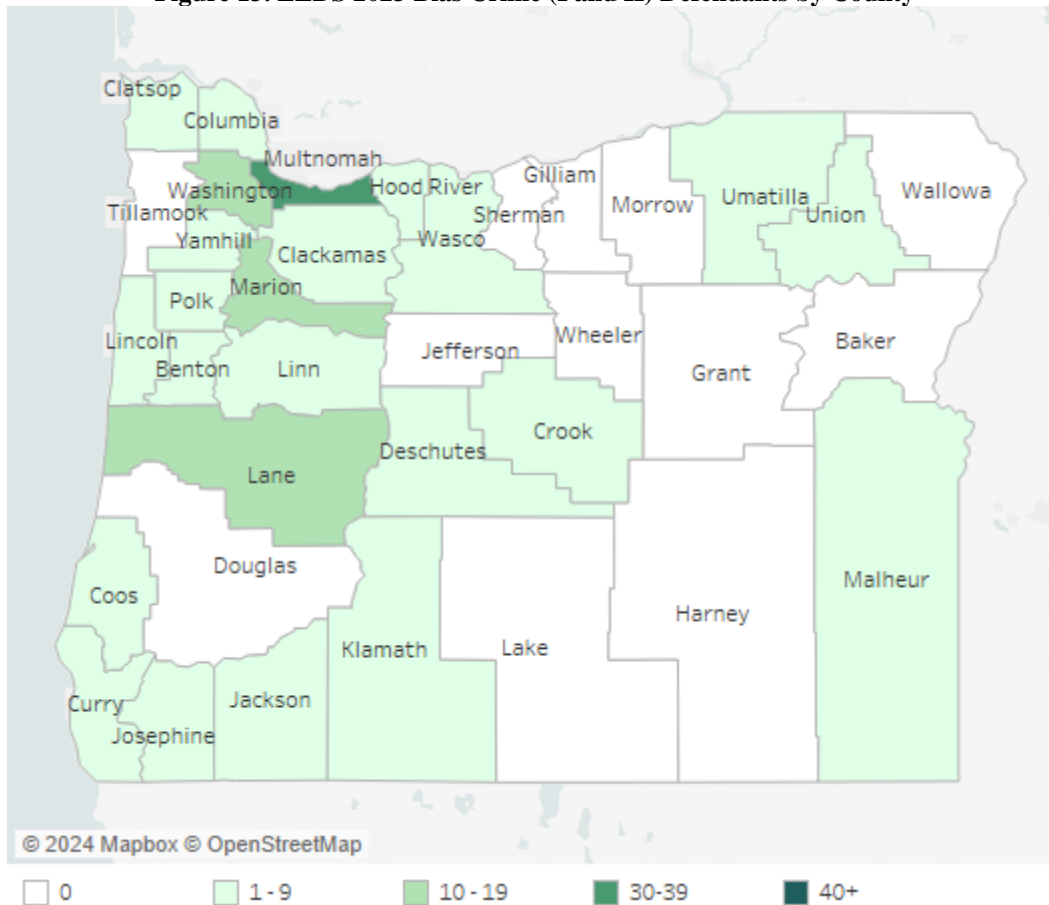
Several counties with NIBRS bias crime reports had no LEDS bias crime arrests. When the zero bias crime referrals to these counties is considered, this suggests that these investigations were suspended by LE and not referred for prosecution.

Multnomah County had the highest number of bias crime arrests at 37, followed by Washington County at 14, Marion County at 12 and Lane County at 10. Several counties with NIBRS bias crime arrests had no LEDS bias crime arrests. Douglas (n = 2), Sherman (n = 2) and Tillamook (n = 1) counties had a small number of NIBRS bias crime arrests; however, zero bias crime referrals were made to the respective county DA's offices. Additional research with LE is required to determine whether these investigations were suspended due to insufficient evidence, a need to update/revise LEAs polices to meet the rapidly changing characteristics of bias crimes – such as amending which communities require additional outreach to secure witness/victim cooperation, reporting, etc. – or some combination thereof.

The remainder of this section analyzes 2020 through 2023 LEDS arrests with a Bias I or Bias II charge: 80 defendants in 2020, 119 in 2021, 120 in 2022 and 138 in 2023.[88] Arrests with both Bias II and Bias I charges were categorized as Bias I arrest. *Note*, neither LEDS, nor NIBRS, provide information on <u>all</u> bias crime arrests: LEDS excludes arrests that did not require a fingerprint, NIBRS excludes data not submitted by LEAs to OSP (see Table A27 in Appendix A for the list of police departments with missing NIBRS data in 2023; see previous SB 577 reports for 2020 through 2022 lists of police departments with missing NIBRS data).

Defendant Demographics
Table 14 provides demographic information for individuals arrested on a Bias (I and II) charge in 2020 through 2023. There was a 49% increase in arrests between 2020 and 2021, from 80 to 119; a 1% increase to 120 defendants in 2022; and a 15% increase to 138 defendants in 2023.

Table 14. LEDS 2020-2023 Bias Crimes (I and II) by Defendant Demographics

Demographics	Year			
	2020	**2021**	**2022**	**2023**
Gender				
Male	67	101	101	114
Female	13	18	19	24
Race				
White	64	95	102	119
Black/AA	12	10	11	8
AI/AN	2	4	1	2
Asian	2	6	5	7
Hispanic/Latinx	-	2	-	1
Unknown	-	2	1	1
Age				
20 and under	2	10	4	11
21 to 24	7	9	6	11
25 to 34	19	39	33	27
35 to 44	14	36	36	37
45 to 54	19	10	25	27
55 and older	19	15	16	25
Mean Age	*42.31*	*36.69*	*40.25*	*40.36*
Total	80	119	120	138

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[88] The 2020 through 2022 LEDS data will differ from those provided in the previous Bias Crime (2022) Report. LEDS was queried in March 2024 for the current report. LEDS files are "moving" files, i.e., 2020 data extracted in 2021, will differ from data extracted in 2022 for the same period, due to cases that were later sealed or expunged.

More than 8 in 10 bias crime arrestees were white and male in the 4-year period 2020 through 2023.

More than 8 in 10 LEDS bias crime defendants were white (80% in 2020 and 2021, 85% in 2022 and 86% in 2023, respectively) and male (84% in 2020 and 2022, 85% in 2021, and 83% in 2023, respectively). Around 6% to 15% of defendants arrested yearly on a bias charge were Black/AA (15% in 2020, 8% in 2021, 9% in 2022 and 6% in 2023) and few were Hispanic in the 2020 through 2023 period. *Note*, CJC attempted to correct for the excluded Hispanic data in the LEDS data, but errors persist.

More than 8 in 10 LEDS bias crime defendants in 2020 through 2023 were ages 25 or older.

More than 80% of defendants yearly were ages 25 and older in the 4-year period, 2020 through 2023. Average age peaked at 42.31 years in 2020, dipped to 36.39 years in 2021, and has remained steady at ~40 years for 2022-2023.[89] *Note*, juvenile data is excluded from this analysis; given the high number of Hotline reports in school settings, the actual defendant age distribution may skew younger.

Bias crimes are both complex and diverse: arrests average ~4 charges and more than 90% of bias crime arrests for the past 4-years contained at least one additional charge.

Arrest Charges

At least 6 in 10 arrests contained a Bias II charge: 59 or 74% of arrests in 2020, 77 or 65% in 2021, 72 or 60% in 2022 and 92 or 67% in 2023 included at least one second degree bias charge. In contrast, 24 or 30% of arrests in 2020, 50 or 42% in both 2021 and 2022, and 54 or 39% in 2023 included at least one first degree bias charge (see Table 15 for counts; percentages not shown). More than 90% of arrests contained multiple charges, and defendants were arrested on an average of 3-4 charges yearly in the 4-year period, 2020 through 2023. However, the number of charges fluctuated widely per arrest, from 1 to 9 charges in 2020, 1 to 18 in 2021 and 2023, and up to 30 charges in 2022. *Note*, charge count used to calculate mean, minimum and maximum charges in Table 15 was coded as a continuous variable, i.e., all counts of all charges were included in this calculation. The large min-max charge count difference – i.e., the charge count range – illustrates that bias crimes are both complex and diverse.

Table 15. LEDS 2020-2023 Bias Crime (I and II) Arrests Charge Summary

ORS Description	Year			
	2020	**2021**	**2022**	**2023**
Bias I	24	50	50	54
Bias II	59	77	72	92
Common Co-Occurring Charge Types				
Disorderly Conduct	28	28	18	27
Menacing	27	30	36	32
Any Weapon Charge	16	16	28	21
Any Assault (I-IV & attempts)	13	31	25	34
Harassment/Agg Harassment	24	39	40	39
Any Criminal Mischief (I-III)	15	21	24	21
Total Arrests	**80**	**119**	**120**	**138**
Defendants with multiple charges	74	112	112	127
Min-Max[1]	1-9	1-18	1-30	1-18
Mean charges[1]	3.68	4.15	4.30	3.94

Note, Co-occurring charges illustrated in the top portion of the table were counted only once per arrest, and is interpreted as follows: 24 arrests in 2020 included at least one Bias I charge.
[1] Coded as a continuous variable, i.e., all counts of all charges are counted.

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[89] If the 2024 trends look similar to 2022 and 2023, that would suggest that 2020 and 2021 figures were influenced by the COVID lockdowns and uncertainties.

LEDS Bias I and II arrests frequently include a co-occurring violent charge.[90]

Table A40 in Appendix A illustrates the most frequently co-occurring charge with a bias (I or II) arrest. Co-occurring charges[91] for all four years were most frequently violent crimes – e.g., menacing, harassment or assault – and few arrests included co-occurring property crimes – e.g., criminal mischief or trespass. To better illustrate this pattern, bias crime arrests were reviewed for any weapon, assault, harassment and criminal mischief co-occurring charge, shown in Table 15. Co-occurring charges in Tables 15 and A40 were coded as binary variables, where the charge is interpreted as occurring at least once per arrest. Around 1 in 3 bias crime LEDS arrests contained a co-occurring harassment or aggravated harassment charge (~24 to 40 arrests yearly), and between one quarter to a third yearly contained a menacing charge (~27 to 36 arrests yearly). A fair number of arrests also contain a co-occurring weapon (~16 to 28 arrests yearly) or assault charge (~13 to 34 arrests yearly). In contrast, co-occurring property charges were infrequent, possibly due to the difficulty in securing sufficient evidence to obtain a conviction when only property is targeted, e.g., defendants may commit property crimes when there are no/few witnesses, but a victim is a necessary component of threats/injury. Arrests with at least one co-occurring criminal mischief charge ranged from 15 to 24 arrests yearly, while arrests with at least one co-occurring criminal trespass II charge ranged from 8 to 10 arrests yearly. Disorderly conduct II was most frequently co-occurring status offense, at 18 to 28 arrests yearly (see Table A40 in Appendix A).

County District Attorneys' Data

Section 5 of SB 577 requires the CJC, in consultation with the Oregon District Attorneys Association and the Department of State Police, to develop and implement a standardized method for District Attorneys to record prosecution data of bias crimes or any crime in which bias was a motivating factor in the commission of the crime.

Section 5 (2) describes the data elements that must be collected and includes: charges presented by LE to the District Attorney for prosecution, cases issued by the District Attorney, charges indicted, sentencing enhancement requests, sentences imposed including conditions of supervision, charge to which a defendant enters a plea of guilty or no contest, and trial outcomes. The bill required all county DA offices to begin data collection by July 1, 2022. This is the first report that attempted to collect a full year of data from all 36 county DA offices. Two counties – Columbia and Umatilla – did not submit data for bias crime referrals in 2023.[92] County DA offices were unable to reliably track sentencing enhancements.

The county DA data for the 2023 calendar year can be found in Table 16. Of the 155 bias cases referred in this period, 83% were filed either as a bias (n = 106; 68%)[93] or non-bias crime (n = 23; 15%), and 19% (n = 29) were declined entirely (i.e., no-filed). Out of the 129 filed cases, 36% (n = 46) returned a conviction of at least one bias or non-bias charge[94] (i.e., pled guilty, convicted by jury or bench trial, or plea deal), 58% (n = 75) are open, and all charges were dismissed for 6% (n = 8) of cases. The conviction rate for

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[90] Note, Bias I/II charges are classified as violent/person crimes, because of the intent to intimidate or instill fear in the victim and victim's community.

[91] Police data frequently terms arrests as incidents and charges as crimes. Since the unit of analysis in this report is case-level, court terminology and logic is used, i.e., a defendant with multiple charges listed on the same day was counted as one arrest; the bias charge was counted as the top charge to avoid overcounting defendants; all other charges were evaluated as co-occurring charges; and if the arrest has both a Bias I and Bias II charge, the Bias II charge was counted as a co-occurring charge. Some charges were added subsequently by the prosecutor.

[92] The effect of this missing data is likely negligible: NIBRS arrests is a combined 7, LEDS contain 5 fingerprintable arrests and Odyssey lists 4 defendants with a bias crime charged/filed for 2023 for these counties.

[93] Three of these were referred with non-bias charged only, and the DDA added bias charges after reviewing the evidence.

[94] Twenty-three cases each were disposed with a bias (18%) or non-bias conviction (18%).

cases filed in 2023 is expected to increase in the upcoming months as open cases are disposed. Case summaries and explanations of prosecutors' charging decisions are discussed later on in the Pooled CJ Data section, as these details provide valid and insightful context when interpreting Court Charges (Odyssey) and Convictions (DOC) data.

Table 16. District Attorney County Data: Bias Referrals July-December 2022

County	Total bias crimes referred	Referrals no-filed / Declined Cases	Referrals filed as bias crimes	Referrals filed as non-bias crimes	Convictions	Open cases
Baker	-	-	-	-	-	-
Benton	2	-	2	-	1	1
Clackamas	14	5	6	3	2	7
Clatsop	1	-	1	-	1	-
Columbia‡						
Coos	2	2	-	-	-	-
Crook	1	-	-	1	-	1
Curry	-	-	-	-	-	-
Deschutes	1	-	1	-	-	-
Douglas	-	-	-	-	-	-
Gilliam	-	-	-	-	-	-
Grant	-	-	-	-	-	-
Harney	-	-	-	-	-	-
Hood River	-	-	-	-	-	-
Jackson	9	-	6	3	3	6
Jefferson	-	-	-	-	-	-
Josephine	4	2	1	1	2	-
Klamath	9	3	2	4	3	3
Lake	-	-	-	-	-	-
Lane	8	1	6	1	3	4
Lincoln	5	1	2	2	2	2
Linn	7	1	6	-	1	4
Malheur	3		3		1	2
Marion	13	1	11	1	4	7
Marrow	-	-	-	-	-	-
Multnomah	53	10	42	1	10	28
Polk	3	-	2	1	2	-
Sherman	-	-	-	-	-	-
Tillamook	-	-	-	-	-	-
Umatilla‡					-	
Union	1	-	1	-	1	-
Wallowa	-	-	-	-	-	-
Wasco	5	-	5	-	2	2
Washington§	12	2	9	4	7	8
Wheeler	-	-	-	-	-	-
Yamhill	2	1	-	1	1	-
Total	155	29	106	23	46	75

‡ LEDS and Odyssey indicate zero counts; not confirmed by the County DA Offices.
§ Three of the 9 filed bias crime cases in Washington County were not referred with any bias charge(s).
Note, 2 cases in the DA report were filed in 2022; 6 were for referrals made in 2023 that were filed in 2024; and 2 defendants both had two cases that were reported as 1 case each. In all other sources in this report, if a defendant has 2 arrests/referrals to the DA in 2020, and 1 in 2023, this is analyzed as 3 cases.

Court Charges (Odyssey)

CJC queried the Oregon Judicial Department (Odyssey) for defendants charged with Bias I and/or Bias II for calendar years 2000 through 2023. Cases from municipal or justice courts are not included. Each defendant with at least one bias crime charge was counted as one court case; if the defendant was charged with both a Bias I and Bias II charge, the case was classified as a Bias I court case. See Table A41 in [Appendix A](#) for the 2000 through 2023 (24-year) Bias I and Bias II Odessey case trend. Figure 14 below shows the county distribution of the 129 defendants in Odyssey with at least one Bias (I/II) charge in 2023, even if the Bias/ I/II charge was subsequently removed from the charging instrument (see Table A42 in [Appendix A](#) for exact county-level case counts for the 4-year period, 2020 through 2023).

Figure 14. Odyssey 2023 Bias Crime (I and II) Defendants by County
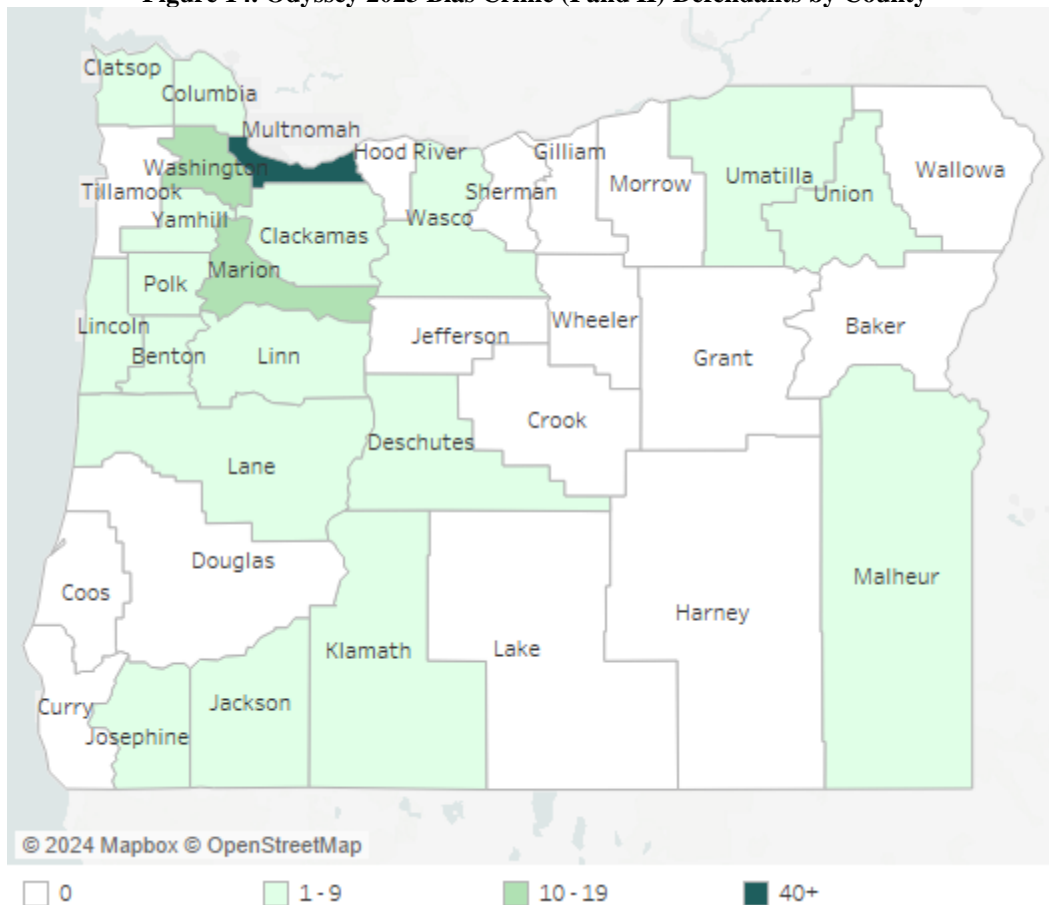
Multnomah County had the highest number of cases with a Bias (I/II) charge at 48, followed by Washington County at 12, and Marion County at 11. Overall, the Odyssey query identified fewer cases in 2023 at 129, compared to the number of defendants listed in NIBRS at 315 – but more than the 107 NIBRS <u>arrested</u> defendants. Counties have different policies for recording charges removed from the charging instrument in Odyssey, and it is possible that some bias crime cases prosecuted with non-bias charges only appear to be missing from this section. The remainder of this section analyzes Odyssey bias crime defendants for 2020 through 2023: 83 in 2020, 133 in 2021, 111 in 2022 and 129 in 2023.

White individuals and males are most frequently charged with Bias I and II.

Defendant Demographics

Table 17 shows the demographic information of those individuals in Odyssey charged with a Bias crime in the first or second degree in 2020 through 2023, even if the charge was subsequently removed from the charging instrument[95] or dismissed in a plea agreement. More than three-quarters of defendants were white in the 4-year period (81%, 77%, 73% and 81%, respectively) and approximately 8 in 10 were male (83% in 2020 and 2021, 79% in 2022 and 85% in 2023). Between 6% to 10% of defendants yearly were Hispanic at 6% in 2020, 8% in 2021, 10% in 2022 and 6% in 2023. Defendants' age distribution for 2020 through 2021 was similar to the distribution for arrestees, indicating that charging decisions were not necessarily affected by age. The results in Table 17 were also fairly consistent with the NIBRS Defendant Data. *Note*, Odyssey does not track cases with juvenile defendants, and this information refers to adult defendants charged with at least one bias crime count.

Table 17. Odyssey 2020-2023 Bias (I and II) Cases by Defendant Demographics

Demographics	Year			
	2020	**2021**	**2022**	**2023**
Gender				
Male	69	111	88	110
Female	7	18	17	18
Other/Unknown	7	4	6	1
Race/Ethnicity				
White	67	102	81	104
Black/AA	4	10	7	8
AI/AN	2	1	3	3
Asian/PI	-	1	-	3
Hispanic/Latinx	5	11	11	8
Unknown	5	8	9	3
Age				
20 and under	-	5	3	4
21 to 24	10	10	6	11
25 to 34	18	39	28	33
35 to 44	22	38	37	31
45 to 54	15	25	17	21
55 and older	18	16	19	29
Unknown	-	-	1	-
Total	83	133	111	129

Consistent with arrest patterns, ~6 in 10 bias crime cases yearly include a Bias II charge. However, unlike LEDS arrest patterns whereby ~1 in 3 arrests contain a Bias I charge, around half of bias crime Odyssey cases contain a Bias I charge.

Co-occurring Charges

Table 18 shows a summary of the most frequent co-occurring charge with cases that that include a Bias I/II charge filed in 2020 through 2023; see Table A43 in Appendix A for ORS number and description. Over half of bias crime cases contained in a Bias II charge: 57 or 69% of cases in 2020, 83 or 62% in 2021, 61 or 55% in 2022 and 74 or 57% in 2923 included at least one second degree bias charge. In contrast, about half of bias crime cases contained a Bias I charge in 2021 through 2023, at 50%, 52% and

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[95] Prosecutors may remove bias charges from the charging instrument due to insufficient evidence or witnesses who are unwilling to proceed (see Pooled CJ Data); charges may also be removed if the grand jury returns a "No True Bill" on the bias charge(s). Charges may be coded both as dismissed and removed from the charging instrument in Odyssey when a plea agreement is reached, and it is difficult to make decisions about sufficiency of evidence from tallying cases in which the bias charge was removed from the charging instrument.

53%, respectively, while 43% of cases in 2020 contained a Bias I charge (see Table 1 for counts; percentages not shown). Average referred charges ranged from 4 to 5 charges in the 4-year period 2020 through 2023, while average conviction charges was around 1 for Bias I/II cases filed in 2020 through 2022, and less than 1 in 2023. Average conviction charges for cases filed in 2023 is expected to increase as open cases (n = 66; 51%) are disposed. Notably, Odyssey cases with a Bias I/II charge (see Table 18) exceeded the NIBRS Intimidation/Bias I/II defendant counts: 75 in 2020, 59 in 2021, 73 in 2022 and 56 in 2023. Odyssey bias crime cases also had higher rates of Bias I charges (~50% in Odyssey vs ~30% to 40% in LEDS) and mean charges (5 charges in Odyssey vs 4 in LEDS) compared to the LEDS bias crime arrest data.[96] See Table 10 for NIBRS and Table 15 for LEDS charge data.

Consistent with LEDS arrest patterns, violent charges most commonly co-occur with Bias I and II cases.

Table 18. Odyssey 2020-2023 Bias (I and II) Cases Charge Summary

ORS Description	Year			
	2020	**2021**	**2022**	**2023**
Bias I	36	66	58	69
Bias II	57	83	61	74
Common Co-Occurring Charge Types				
Any Weapon Charge	27	35	34	35
Any Assault (I-IV & attempts)	20	34	29	37
Harassment/Agg Harassment	29	46	30	46
Any Criminal Mischief (I-III)	14	30	24	28
Total Defendants	**83**	**133**	**111**	**129**
Mean Referred Charges	5.18	4.71	4.78	5.23
Mean Conviction Charges	1.37	1.30	1.11	0.53

Note, Co-occurring charges illustrated in the top portion of the table were counted only once per case, and is interpreted as follows: 36 arrests in 2020 included at least one Bias I charge.
[†] Coded as a continuous variable, i.e., all counts of all charge types are counted.

In terms of co-occurring charges, around a quarter to a third of bias crime cases contained a weapons charge: 27 or 33% of cases in 2020, 35 or 26% in 2022, 34 or 31% in 2022 and 35 or 27% 2023 contained at least one weapon charge. Around one quarter of cases in the 4-year period contained an assault charge (24% in 2020, 26% in 2021 and 2022, and 29% in 2023, respectively), while around a third contained a harassment or aggravated harassment charge (35% in 2020 and 2021, 27% in 2022 and 36% in 2023, respectively). Consistent with LEDS arrests co-occurring charges shown in Table 15, around 1 in 5 bias crime cases contained a criminal mischief charge: 14 or 17% of cases in 2020, 30 or 23% in 2021, 24 or 22% in 2022 and 28 or 22% in 2023.

More than three-quarters of closed cases filed in 2020 through 2022 are disposed with a conviction on <u>any</u> charge, while slightly over half of cases in 2023 are disposed with a conviction on at least one charge; conviction rates for 2023 are expected to improve as open cases are disposed.

Case Status
Shown in Figure 15, when open cases are included in the analysis, the conviction rate was 64 or 77% of cases in 2020, 90 or 68% in 2021, 69 or 62% in 2022 and 35 or 27% in 2023. When closed cases are

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[96] This suggest that bias crime prosecutors, frequently Deputy District Attorneys (DDAs), are rigorously investigating and prosecuting bias crime cases. This difference in the arrest vs prosecution charge severity data may also be due to caution by LE or additional resources by county DA offices. However, direct referrals to DDAs absent arrests, and the absence of non-fingerprintable arrests in LEAs could be skewing the numbers in favor of the Odyssey data.

isolated – excluding 2023 – more than 3 in 4 resulted in a conviction for <u>any</u> charge: 84% of closed cases filed in 2020, 77% in 2021 and 78% in 2022 resulted in a bias or non-bias conviction. Slightly over half, 35 or 56% of closed cases filed in 2023, were disposed with a bias or non-bias conviction. *Note*, consistent with the <u>Bias Crime Supplemental Report (2024)</u>, a conviction on any charge, bias or non-bias, is classified as a successful outcome in this report. Restorative justice and diversion with victim input are also classified successful outcomes, albeit more difficult to track in Odyssey.

Figure 15. Odyssey 2020-2023 Bias Crimes (I and II) Case Status
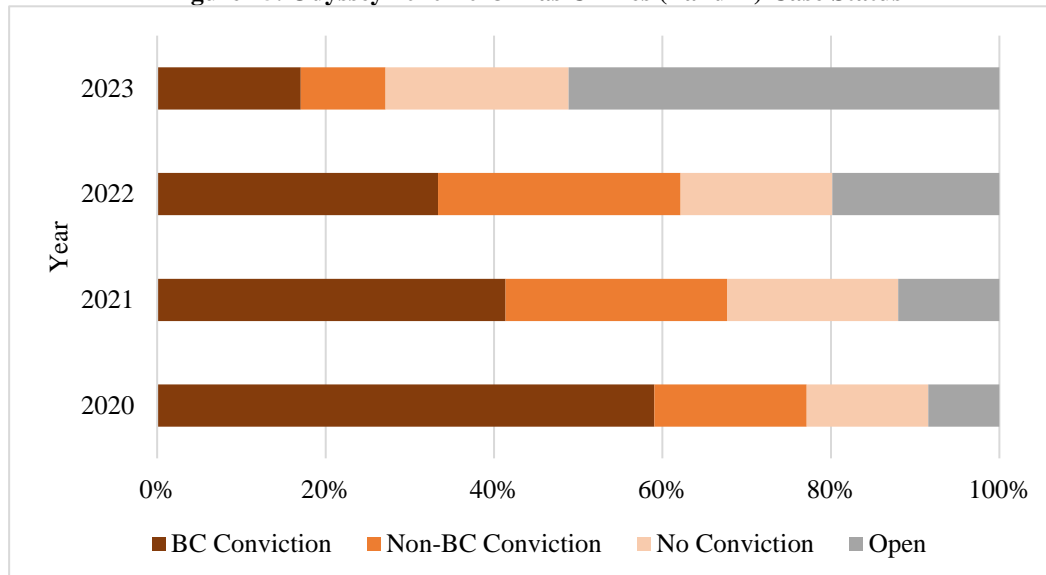
Prosecuted bias crime cases are more likely to be disposed with a conviction on at least one bias or non-bias charge, compared to a comparison group of non-bias crime cases comprising common co-occurring bias/intimidation charges.

<u>Conviction Rates: Bias vs Non-Bias Cases</u>
For context, Figure 16 below compares the conviction rate of bias crime cases with a bias conviction and any conviction in 2000 through 2023, to the conviction rate of a comparison group[97] of cases comprising common charges that co-occur with bias/intimidation charges. Excluding 2022 and 2023, yearly conviction rate for the comparison group ranged from a low of 58% in 2000 and 2021, to a high of 72% in 2010 and 2011. The bias crime conviction rate was admittedly lower than the conviction rate for the comparison group, from a low of 29% in 2001 to a high of 59% in 2020. However, when bias crime cases were analyzed for <u>any conviction</u>, the conviction rate jumped to 60% to 90% of bias crime cases – except for 2002 (57% conviction rate), and 2004 (52% conviction rate). No filed/declined cases were excluded from Figure 16.

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[97] Includes the following charges: Assault II-IV and attempts, Any Criminal Mischief (I-III), Criminal Trespass II, Disorderly Conduct II, Harassment/Agg Harassment, Interfere with a Peace Officer, Menacing, Carry/Discharge Firearm in City, Felon in Possession of a Firearm, Interfering with Public Transport, Interfering With Public, Transportation, Recklessly Endanger Another, Resisting Arrest, Restricted Weapon/ex-convict Possession, Robbery III and Weapon Use Unlawful.

Figure 16. Bias vs Non-Bias Cases 2000-2023: Conviction Rates Based on File Year
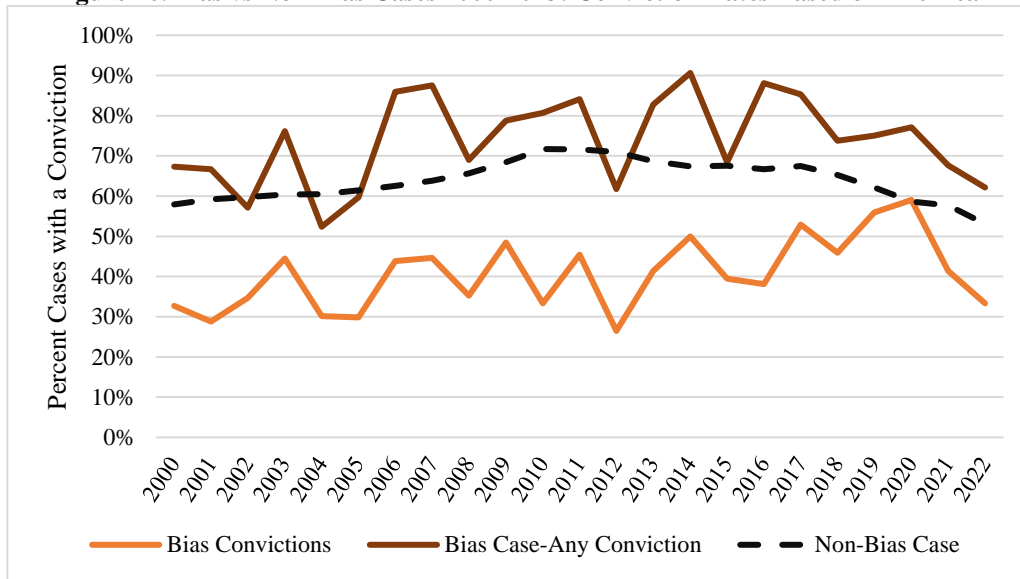
Convictions (DOC)

The Oregon Department of Corrections (DOC) provides sentencing data to the CJC for analysis purposes. CJC queried sentencing admissions for convictions with a Bias I or Bias II charge for 2000 through 2023. DOC data excludes information on misdemeanor convictions supervised by the court, which includes many bias crime defendants. Table A48 in Appendix A shows the county distribution of DOC bias crime defendants sentenced in 2020 through 2023; Table A49 shows the Bias I and Bias II DOC conviction counts per year for the 24-year period, 2000 through 2023; and Table A50 shows the 24-year bias crime sentence distribution (i.e., prison, jail, probation, and probation with jail sentences). *Note*, sentences can include convictions for other crimes; the DOC analysis reports the longest sentence for the conviction served by the defendant, which is frequently attached to the non-bias conviction (see Research Questions in the Bias Crime Supplemental Report (2024) for an explanation of presumptive sentences for bias crimes and common co-occurring bias crimes offenses).

White individuals and males are most frequently sentenced with Bias I and II.

Defendant Demographics
Figure 17 illustrates the yearly DOC Bias/Intimidation (I and II) conviction pattern for 2000 through 2023. Convctions ranged from a low of 3 defendants in 2014, to highs of 33 in 2022 and 31 in 2023. Similar to the LEDS arrest demographic pattern, the DOC conviction demographic pattern leaned towards white individuals and males. The proportion of white defendants sentenced to DOC custody ranged from a low of 44% in 2007 to 100% in 2004, while the proportion of DOC bias crime defendants who were male ranged from a low of 67% in 2014, to highs of 100%.[98]

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[98] All convicted defendants were male in 9 years of the 24-year period.

Figure 17. DOC Intimidation/Bias Crimes (I and II) Defendants 2020-2023: Most Frequent Defendant Gender & Race
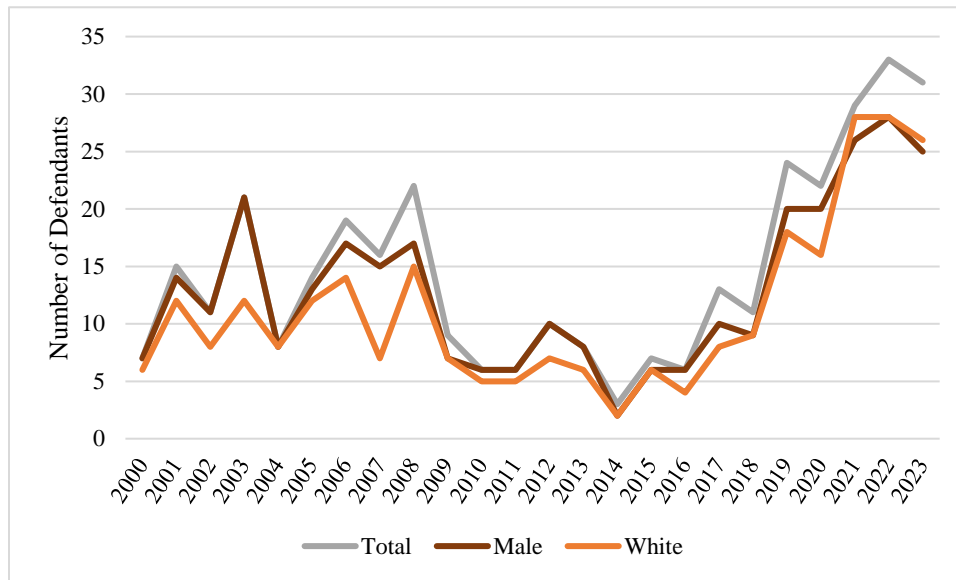
In terms of 2020 through 2023, more than 7 in 10 DOC bias crime defendants were white (73% in 2020, 97% in 2021, 85% in 2022, and 84% % in 2023, respectively) and approximately 8 in 10 were male (91% in 2020, 90% in 2021, 85% in 2022, and 81% in 2023, respectively). Tables A51 through A53 in Appendix A provides gender, race and age details for defendants convicted on a Bias I/II charge in 2000 through 2023 displayed in Figure 17, and Table A54 isolates this information for 2020 through 2023. The remainder of this section focuses on DOC bias crime sentencing for the 4-year period, 2020 through 2023.

Bias cases with a Bias I charge are more likely to be prosecuted and result in a DOC sentence, compared to cases with a Bias II charge: ~1/3 of LEDS bias crime arrests contain a Bias I charge in 2020-2023,[99] which increased to ~1/2 of bias crime court cases,[100] and almost 2/3 of DOC convictions in 2022 and 2023.

Co-occurring Charges
Table 19 shows the most frequent charge summary for defendants convicted of a Bias I/II charge who received a DOC sentence in 2020 through 2023; see Table A55 in Appendix A for the ORS number and description. Around half of bias crime DOC sentences in 2020 (n = 11; 50%) and 2021 (n = 14; 48%) contained a Bias I conviction charge, which increased to more than 6 in 10 in 2022 (n = 21; 64%) and 2023 (n = 20; 65%). Consequently, the reverse occurred with Bias II sentences: around half of bias crime DOC sentences in 2020 (n = 11; 50%) and 2021 (n = 15; 52%) were for a Bias II conviction charge, which dropped to slightly over one third in 2022 (n = 12; 35%) and 2023 (n = 11; 35%) respectively.

Violent charges most commonly co-occur with Bias Crime convictions, but in fewer frequency than with LEDS arrests and Odyssey cases.

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[99] See Table 15 in Arrest Charges: 30% in LEDS bias crime arrests in 2020; 42% in 2021 and 2022, and 39% in 2023 contained a Bias I charge.
[100] Except for 2020: ~1/2 of Odyssey bias crime cases contained a Bias I charge in 2021 through 2023, at 50%, 52% and 53%, respectively, while 43% in 2020 contained a Bias I charge; see Table 18 in Court Charges (Odyssey).

Table 19. DOC 2020-2023 Bias (I and II) Convictions Charge Summary

ORS Description	Year			
	2020	**2021**	**2022**	**2023**
Bias I	11	14	21	20
Bias II	11	15	12	11
Common Co-Occurring Charge Types				
Any Weapon Charge	3	3	9	3
Any Assault (II-IV & attempts)	4	4	5	6
Harassment/Agg Harassment	1	2	1	1
Any Criminal Mischief (I-II)	1	1	1	2
Menacing	3	-	2	1
Total Defendants	**22**	**29**	**33**	**31**
Multiple Conviction Charges	10	17	29	14

Around half of DOC bias crime defendants were sentenced on a co-occurring charge in 2020 (n = 10; 45%), 2021 (n = 17; 59%) and 2023 (n = 14; 45%), with 2022 being an outlier at 64% (n = 29) of defendants. Assault (I-IV and attempts) was the most frequent co-occurring conviction with a bias conviction: 4 DOC bias crime defendants sentenced in 2020 (18%) and 2021 (14%), 5 (15%) in 2022 and 6 (19%) in 2023 were also sentenced on an assault charge. In contrast, around 20% of LEDS bias crime arrests[101] and 25% of Odyssey bias crime cases[102] contained a co-occurring assault charge for this same period. For the LEDS and Odyssey arrest data, see Table 15 and see Table 18, respectively.

Weapon charges were the next frequently co-occurring conviction charge with a bias conviction: 3 DOC bias crime defendants sentenced in 2020 (14%), 2021 (10%) and 2023 (10%) contained in a co-occurring weapons charge, while 2022 was the outlier again at 9 (27%) defendants. In contrast, 18% (n = 81) of LEDS bias crime arrests[103] and 29% (n = 131) of Odyssey bias crime cases[104] in the 4-year period 2020-2023 contained a co-occurring weapons charge. Although about 3 in 10 LEDS bias crime arrests[105] and Odyssey bias crime cases[106] contained a co-occurring harassment or aggravated harassment charge in the 4-year period, 4% of DOC bias crime defendants in this period were sentenced on a co-occurring harassment or aggravated harassment charge: 1 defendant in 2020 (5%), 2 in 2021 (7%), and 1 (3%) each in 2022 and 2023. Similarly, ~20% of LEDS[107] and Odyssey[108] bias crime defendants had a co-occurring criminal mischief charge, while 4% of DOC bias crime defendants were sentenced on a co-occurring criminal mischief charge: 1 in 2020 (5%), 2021 (3%) and 2022 (3%), which increased to 2 in 2023 (6%).

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[101] Thirteen out of 80 (16%) LEDS bias crime arrests in 2020, 31 out of 199 (26%) in 2021, 25 out of 120 (21%) in 2022, and 34 out of 138 (25%) in 2023 contained a co-occurring assault (I-IV and attempts) charge; see Table 15 in Arrest Charges.

[102] Twenty out of 83 (24%) Odyssey bias crime cases in 2020, 34 out of 133 (26%) in 2021, 29 out of 111 (26%) in 2022 and 37 out of 129 (29%) in 2023 contained a co-occurring assault (I-IV and attempts) charge; see Table 18 in Court Charges (Odyssey).

[103] Sixteen LEDS bias crime arrests in 2020 (20%) and 2021 (13%) in, 28 (23%) in 2022, and 21 (15%) in 2023 contained a co-occurring weapon charge; see Table 15 in Arrests (LEDS).

[104] Twenty-seven (33%) Odyssey bias crime cases in 2020, 35 (26%) in 2021, 34 (31%) in 2022 and 35 (27%) in 2023 contained a co-occurring assault (I-IV and attempts) charge; see Table 18 in Court Charges (Odyssey).

[105] Twenty-four (30%) LEDS bias crime arrests in 2020, 39 (33%) in 2021, 40 (33%) in 2022 and 39 (28%) in 2023 contained a co-occurring harassment or aggravated harassment charge; see Table 15 in Arrests (LEDS).

[106] Twenty-nine (35%) Odyssey bias crime cases in 2020, 46 (35%) in 2021, 30 (27%) in 2022, and 46 (36%) in 2023 contained a co-occurring harassment or aggravated harassment charge; see Table 18 in Court Charges (Odyssey).

[107] Fifteen (19%) LEDS bias crime arrests in 2020, 21 (18%) in 2021, and 24 (20%) in 2022, and 21 (15%) in 2023 contained a co-occurring criminal mischief charge; see Table 15 in Arrests (LEDS).

[108] Fourteen (17%) Odyssey bias crime cases in 2020, 30 (23%) in 2021, and 24 (22%) in 2022, and 28 (22%) in 2023 contained a co-occurring criminal mischief charge; see Table 18 in Court Charges (Odyssey).

Around 7 in 10 bias crime defendants under DOC supervision receive only probation, followed by prison at 1 in 5 – except for 2020, when fewer defendants on average were sentenced to prison, while more defendants on average were sentenced to probation.

Sentence Type and Duration

Table 20 illustrates the sentence distribution for defendants convicted of a Bias I or II and/or co-occurring charge between 2020 and 2023 and sentenced to DOC custody or supervision. Around 7 in 10 defendants sentenced yearly received probation only for this period, followed by prison at 1 in 5; 2020 was the exception for both, as fewer defendants (n = 3; 13%) were sentenced to prison, while 20 (83%) defendants were sentenced to probation only, likely due to COVID polices to minimize carceral sentences at that time. Approximately 5% of DOC bias crime defendants yearly were sentenced to both jail and probation. The 24-year DOC sentencing trend for 2000-2023 is displayed in Table A50 in Appendix A.

Table 20. DOC 2020-2023 Bias (I and II) Convictions by Sentence Type

Year	Prison	Jail Only	Probation Only	Jail & Probation	Total Bias Crime Cases
2020	5	-	16	1	22
2021	6	-	21	2	29
2022	7	-	25	1	33
2023	5	2	23	1	31
Total	23	2	85	5	115

When prison was used as a sanction, sentences tended to be between 1 to 2 years (n = 5 or 100% in 2020, n = 5 or 83% in 2021, and n = 4 or 80% in 2023) – except for 2022, when over half were sentenced to 2 years to 5 years (n = 4; 57%) and 43% (n = 3) received a sentence of 1 to 2 years (see Figure 18 and Table A56 in Appendix A).

Figure 18. DOC 2020-2023 Bias (I and II) Convictions: Prison Sentence Length Based on Sentence Start Date
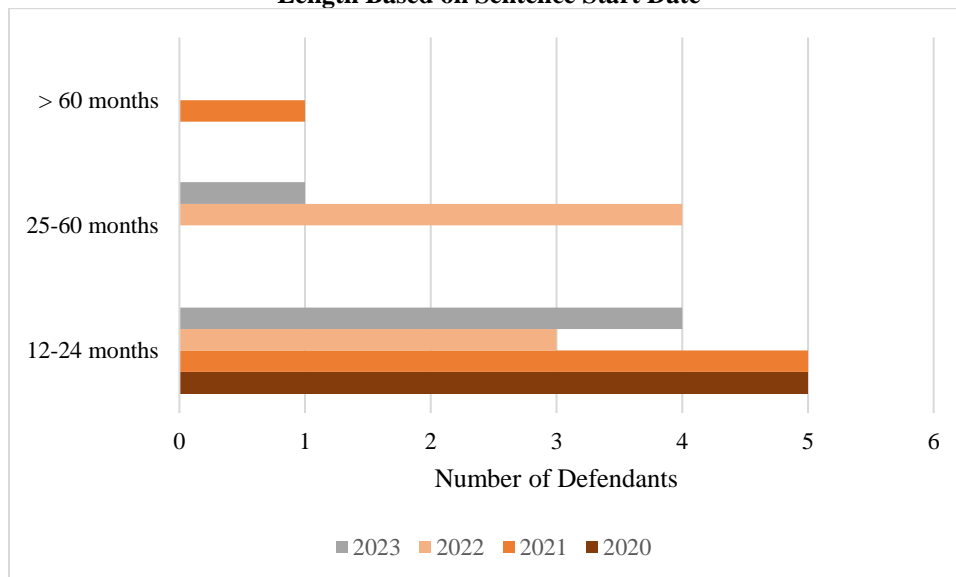
Probation sentences tended to be less than 18 months or between 19 months to 2 years with an average of ~35 months yearly (see Figure 19 below and Table A57 in Appendix A), while jail sentences ranged from an average of 4 to 10 months in the 4-year period 2020 through 2023.

**Figure 19. DOC 2020-2023 Bias (I and II) Convictions: Probation Sentence
Length Based on Sentence Start Date**
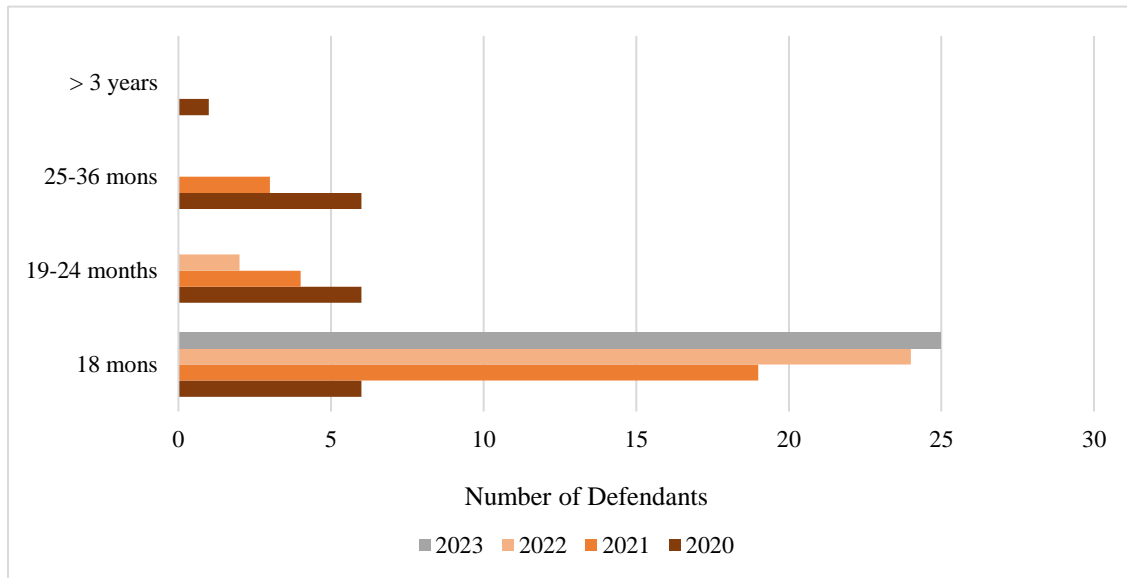
Differences exist in reporting and prosecution.

<u>**Reported Bias Crime Comparison by Reporting Agency**</u>

Table 21 compares the 2023 Hotline, NIBRS, LEDS, Odyssey and DOC bias crime reporting distribution by county. Slightly over 800 bias crimes (n = 801) were reported to the Hotline in 2023 and 315 defendants were identified in NIBRS. However, NIBRS listed 107 <u>arrests</u>, which suggests that LE face challenges in identifying defendants and securing sufficient corroborating evidence is obtained to justify a bias crime referral to the appropriate county DA office. LEDS contained 138 fingerprintable arrests, 129 cases were listed in Odyssey and 31 defendants were sentenced to DOC custody. This suggests that the majority of these omissions in Odyssey were investigations that were (1) suspended by LE and not referred for prosecution, (2) with some portion being declined by prosecutors due to evidentiary, defendant ability to aid and assist and witness issues. See Pooled CJ Data, which suggests (3) the low Odyssey counts may also reflect limitations of a Bias I/II charge query to identify bias case referrals filed/prosecuted with non-bias charges only.

In 2023, eleven counties show no reports to the Hotline. Marion, Umatilla and Union counties show higher NIBRS than Hotline reports, possibly indicating a strong relationship between the community and LE and/or a need for further outreach by the Hotline in these counties. However, given the difficulty in identifying bias crime cases referred to county DA offices filed with non-bias charges, it is highly probable that the Odyssey and DOC numbers in Table 21 underreport bias crime defendants charged and convicted on non-bias charges laid as a result of the bias crime. Fifty-one percent (n = 66) Odyssey cases were open when the data were queried in March 2024; case outcomes and sentences for 2023 will be updated in the 2025 bias crime report. However, Odyssey and DOC data will always contain a lag effect as more serious cases most likely to result in a prison sentence require longer than average case processing time. See Table A61 in Appendix A for the NIBRS non-arrest counts by LEAs and Table A62 for the Odyssey case counts by LEA or DA office.

Table 21. Bias Crimes Reported to the Department of Justice Hotline, NIBRS, LEDS, Odyssey and DOC in 2023 by County

County	Data Source						
	Hotline	**NIBRS**	**NIBRS Arrests**	**LEDS**	**DA**	**Odyssey**	**DOC**
Baker	-	-	-	-	-	-	-
Benton	10	8	1	2	2	6	1
Clackamas	37	26	5	9	14	5	6
Clatsop	1	2	-	2	1	3	-
Columbia	4	1	1	4	-	3	1
Coos	3	3	-	1	2	-	-
Crook	-	-	-	1	1	-	-
Curry	-	-	-	1	-	-	-
Deschutes	36	23	1	7	1	7	1
Douglas	12	2	2	-	-	-	-
Gilliam	-	-	-	-	-	-	-
Grant	-	-	-	-	-	-	-
Harney	-	-	-	-	-	-	-
Hood River	-	1	-	2	-	-	-
Jackson	23	6	4	6	9	4	-
Jefferson	1	-	-	-	-	-	-
Josephine	-	2	1	2	4	1	-
Klamath	6	10	7	4	9	3	1
Lake	3	-	-	-	-	-	-
Lane	234	39	15	10	8	5	-
Lincoln	6	7	3	5	5	2	-
Linn	24	18	10	8	7	5	-
Malheur	1	1	-	1	3	4	-
Marion	12	31	17	12	13	11	4
Morrow	-	-	-	-	-	-	-
Multnomah	214	89	23	37	53	48	10
Polk	4	1	1	1	3	2	-
Sherman	4	2	-	-	-	-	-
Tillamook	7	1	-	-	-	-	-
Umatilla	2	6	2	1	-	1	-
Union	1	3	1	1	1	1	-
Wallowa	-	-	-	-	-	-	-
Wasco	11	6	5	5	5	4	1
Washington	122	23	6	14	12	12	3
Wheeler	-	-	-	-	-	-	-
Yamhill	10	4	2	2	2	2	-
Other/Unknown	13	-	-	-	-	-	3
Total	801	315	107	138	155	129	31

Almost a third (n = 71; 31%) of defendants in the pooled criminal justice data were not in the DA data: 12% were identified from the Odyssey query and 19% were suspended LE investigations.

Pooled CJ Data

The combined LEDS, DA and Odyssey data contains 231 defendants in 2023: 138 defendants had a LEDS arrest, 160 were in the DA report, and 129 had an Odyssey Bias (I/II) case (see Table A60 in Appendix A for the distribution of counts per county). Importantly, 71 of the 231 defendants (31%) were not in the DA data, 28 (12%) were identified from Odyssey and 43 (19%) from LEDS – likely

representing suspended LE investigations that were not referred to DAs for prosecution. Additional research is required to determine the challenges LE encounter when investigating bias crimes.

Shown in Table 22, 131 (57%) cases in the pooled 2023 criminal justice (CJ) data were filed with a Bias I/II charge, 28 (12%) were filed with non-bias charges only, and 72 (31%) were no filed/no actioned. Of the 131 cases filed with a bias charge, 66 (50%) were open, 24 resulted in a dismissal[109] and 41 (31%) were disposed with a bias (n = 27; 21%) or non-bias (n = 14; 11%) conviction as of May 2024. Of the 23 cases filed with non-bias charges only, 11 (39%) were disposed with a conviction, 6 (21%) were dismissed and 11 (39%) were open.

Table 22. Pooled 2023 Bias Crime (I and II) Cases by Case Outcome

Case Outcome	Charges Filed			
	Bias	Non-Bias	No-Filed	Total
Open	66	11	-	77
Dismissed/No Conviction	24	6	72	102
Any Conviction	41	11	-	52
BC Conviction	27	-	-	27
Non-BC Conviction	14	11	-	25
Total	131	28	72	231
Percent of Sample	57%	12%	31%	100%

Note. Court cases are listed at the defendant level per case, i.e., if the case contained five charges, this was counted as one case; and if three separate court cases were filed against a defendant, this was counted as three cases. However, if the DA merged the charges for multiple incidents into one court case, this was analyzed as one court case.

Prosecutor Decision Making

This section utilizes the case notes contained in the DA data to provide context on prosecutors' no filed/actioned (n = 72) and only non-bias charges filed (n = 28) decision making. DDAs rejected/no filed bias crime cases for the following reasons: insufficient evidence to establish bias motivation or that a crime occurred; inadequate/no victim participation; absence of or inadequate corroborating evidence; the Grand Jury returned a *No True Bill* finding on the bias charge; the defendant was unfit to aid and assist in their defense; cases were resolved via civil compromise prior to the prosecutor filing the case; and the report was a bias incident that did not raise to the level of a crime. When the State is unable to restore the defendant's ability to aid and assist in their defense, the DDA files for a dismissal; some DDAs may consider cases as open/pending when they believe defendant's fitness to process can be restored.

Prosecutors frequently mentioned evidentiary concerns in their decision making in terms of proving bias motivation and that the crime occurred, while also countering the defendant's [self-, mental health, or other] defense claims:

> *Based upon the totality of the evidence, I am unable to prove this case beyond a reasonable doubt. First, there is insufficient evidence to prove suspect committed Bias Crime in the Second Degree. In order to prove Bias Crime in the Second Degree, the State would need to show that suspect intentionally subjected alleged victim to offensive physical contact because of the suspect's perception of the alleged victim's race. There is insufficient evidence to prove any physical contact was done because of the alleged victim's race. The mere fact that the alleged victim is of a different race is insufficient. Second, due to the suspect's statements and other witnesses at the scene of the crime, there is a potential self-defense claim and without additional evidence it will be very difficult to disprove this claim given the circumstances. For these reasons,*

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[109] Includes 21 dismissals, and 1 each acquittal, deferred/diverted dispositions, and civil compromise.

I am declining to pursue charges at this time. If more evidence comes to light, I will reconsider this decision. (Case 1)

This case was no-filed based on the text messages and other information outlined in the report, we would be unable to prove the suspect threatened [the victim] because of his perception of [the victim's] race or color. It appears there is extensive history/landlord tenant issues between the parties that could be the reason for the text message and would serve as a defense for the suspect. (Case 2)

Declined because there isn't corroborating evidence that [the defendant] went after victim b/c [because] of his race, sex, sexual orientation, religion, or nation of origin for the Bias/Intimidation charge. Also[,] no corroborating evidence that [the defendant] pulled the knife on victim. (Case 3)

The case was no-filed because we could not prove beyond a reasonable doubt that putting posters on a door of a business would constitute an intention to cause substantial inconvenience. Without the underlying crime, whether not his intent was racially motivated would be irrelevant. Additionally, his intent due to race/ethnicity would also be difficult to prove because he was not fully interviewed. He first said he put up the posters because the alleged victims listen to Fox News. According to the report after he was Mirandized the officer arrested him rather than question him further about his motives and intent. A later incident could be a criminal trespass[,] but he was never located and the fact that the posters are similar to what he did admit to is not enough to prove he is the one who did it the second time. (Case 4)

Case Summary: Police responded to a call where two residents reported being harassed by the def. [defendant] who resides in the same apartment complex. Def. was putting gay pride stickers on their car. When interviewed by the police and asked why? The def. responded with "they deserve it" def. was mad at the victims for reporting him to [redacted state agency name]. When asked why the gay pride stickers, the def. became uncomfortable. Officers asked if def. didn't like them for that reason, def. stated "I don't believe it" and that he put rainbow stickers on their car "because that's what they are" and he was "just messing with them" ...Outcome: Dismissal...There is insufficient evidence for the State to get a conviction. The State does not believe it can meet its second element: "[Defendant] intentionally tampered or interfered with property" based on the definitions outlined in State v. Lee, 268 Or App 587 (2015) and State v. Schoen, 348 Or 207 (2010). The evidence to support this conduct is not sufficient to meet the legal definition of tamper or interference upon further review. (Case 5)

Occasionally, DDAs receive reports for non-criminal bias incidents, which are correctly no filed:

...the suspect was at [redacted business name] to kill people and using racial slurs. He called one of the sales associates a "Fat N-word B---ch." The behavior is obviously unacceptable, and the decision to exclude him from the location and arrest him were the correct decisions. This matter was referred to our office for Disorderly Conduct in the Second- Degree charges. The statements alone do not meet the elements of a Bias Crime, but this was a Bias Incident. (Case 6)

In situations where the bias charge was not a True Bill, i.e., there was insufficient evidence for an indictment, the DA may file the case with the indicted non-bias charges. Occasionally, these cases will result in a conviction on at least one non-bias charge:

Referred as Attempted Assault 2 (serious injury), Strangulation, Assault 4, Menacing, Recklessly Endangering Another Pearson, Resisting Arrest, and Bias Crime 1 (physical injury). Indicted and

filed as Attempted Assault 2 (serious injury), Strangulation, Assault 4, Menacing, Recklessly Endangering Another Person, and Resisting Arrest. The Bias Crime 1 charge was not true billed when presented to the Grand Jury. Case resolved by plea agreement; def. [defendant] pleaded guilty to Assault 4, Recklessly Endangering Another Person, and Resisting Arrest. Defendant sentenced to probation for 36 months, judgment attached. (Case 7)

Case Summary/Outcome: The def. [defendant] who is a resident, threatened the victim, an employee, who was making sure everyone is safe. Def. became upset at the victim[,] proceeded to scream at the victim, and advanced towards the victim holding a large wooden walking stick while slamming and swinging the stick aggressively. Def. began to yell and call the victim the N word…Charges Filed/Indicted: Unlawful Use of a Weapon, Failure to Report as a Sex Offender, and Menacing. *Bias Crime was presented the Grand Jury declined to indict…Outcome: Def. plead guilty to Failure to Report as a Sex Offender, and Menacing. (Case 8)

For Bias II referrals, i.e., misdemeanors that do not require a Grand Jury hearing, prosecutors filed cases as non-bias when the evidence was sufficient to proceed and successfully obtained convictions on at least one (non-bias) charge.

[Bias II] was declined because while defendant used slurs consistent with victim's nationality, the frustration/beef was over a sale at appliance store that defendant worked at. Unable to prove BRD [beyond a reasonable doubt] that the CM 1 [criminal mischief I] occurred because of protected class… Resolution:
i.   Guilty of Criminal Mischief I – 2/H – grid sentence
ii. Hit / run dismissed pursuant to negotiations (Case 9)

This incident occurred at the [redacted] County Jail. Two inmates were eating at the same table. (D) [defendant] was observed sitting on one side of the table with victim (V) sitting on the other side of it. Some words are exchanged when D reached across the table and punched V in the face. V reports that D was saying racial slurs to him. D said V called him a "b--ch". Both inmates get up and V confronts D. A third inmate steps between the two and tries to hold V back, but V punched D at least once. D is the initial aggressor and subjects V to offensive physical contact while allegedly calling him derogatory names based on his perceived race. Defendant pled guilty to Harassment and sentenced to 15 days jail. Bias crime against D was not filed because D denies using racial slur and no witness independently corroborates. (Case 10)

Even in the absence of sufficient evidence and hesitant witness(es) and/or victim(s), DDAs may be able to secure a conviction on reduced charges:

Referred as Disorderly Conduct 2 and Bias Crime in the Second Degree; charged and filed as Disorderly Conduct. Victims did not want to press charges or be contacted further, leading to the no action decision on the Bias Crime referred charge... [The] State reduced to violation at arraignment, defendant pleaded guilty, and a $500.00 fine was imposed. (Case 11)

However, sometimes victims are crucial, and cases can't proceed without them:

Victim was sitting at [redacted] Park. Defendant had been drinking for hours, and also likely under the influence of meth. Both Defendant and Victim are white males. Victim made a comment about white people playing the banjo. Defendant didn't like a white person making fun of white people playing banjo, and thought it was racist. Defendant throws rocks at Victim, engages in physical altercation, Victim also fights back. Defendant is pushed to the ground, Victim stops engaging, Defendant gets back up and advances towards Victim again. When LE arrives, the two

are in a fighting stance. Eye witness [sic] corroborated this Victim's statements. Outcome: *Case dismissed. Unable to locate victim.* (Case 12)

At times the issue is insufficient evidence to *identify* the defendant, after which the hurdle becomes *locating* the defendant. In these situations, the DDA will generate a warrant and even when the DDA believes there is sufficient evidence of both bias motivation and that the crime occurred, locates the defendant and brings the case to (court or jury) trial, establishing bias beyond a reasonable doubt is difficult. This is when cases filed with a bias charge are disposed with a non-bias conviction:

> *Facts: Victim reported when she exited her vehicle to confront Defendant about calling her a "a rag head Muslim b---ch", he pulled a pocket knife [sic] on her after telling her she was gonna put a steak through her head "Come on now b---ch." Victim said Defendant then began swinging the knife around in front of him…Indicted Charges: Unlawful Use Weapon, Menacing, Bias 2... Outcome: Convicted Count I Unlawful Use Weapon, Convicted Count II Menacing, **Dismissed Count III Bias 2.** (Case 13; bold added)*

Summary of Key Findings

Hotline Data

The following relates to the 2023 data unless otherwise stated:

- Reports to the Hotline continue to increase yearly since 2020. Reports increased by 53% from 1,101 in 2020, to 1,683 in 2021, there was a further 72% increase in 2022 with 2,887 reports, and a 25% increase in 2023 with 3,623 reports (see Figures 1 and Table A1 in Appendix A).
  - o Due to the vast underreporting of bias incidents, more information is needed to determine whether this increase in the 4-year period 2020-2023 represents an increase in bias-motivated behavior or an increase in communities' knowledge of and confidence in the DOJ Hotline's services.
  - o Slightly over 1 in 5 reports (n = 801; 22%) were determined to be bias crimes, of which 418 (12% of reports to the Hotline) were felony bias crimes and 383 (11%) were misdemeanor bias crimes (see Figures 4, and Table A7 in Appendix A) in 2023.
- Hotline advocates made 7,724 contacts with victims and reporters via the Hotline and web portal and the median number of contacts per report was 2.13. For context, while reports to the Hotline increased by 25% from the previous year, services provided increased by 64%, from 10,252 to 16,767 in the same period (see Figure 2 and Table A5 in Appendix A).
  - o Victims received 1,565 crisis interventions and 1,669 referrals to other services, supports, and resources from non-victim service agencies, including counseling options, governmental programs, including civil rights investigatory agencies, and culturally-specific community programs.
  - o The Hotline was unable to meet victims' and reporters' needs due to insufficient statutory authority and organizational capacity 186 times.
- Roughly half of reporters yearly requested a return call, and almost 9 in 10 (n = 1,699, 89%) of reports in 2023 were responded to within 1 day (see Table A3 in Appendix A).
- Bias-motivated reports (i.e., bias crimes and bias incidents) increased yearly between 2020 and 2023 at 910, 1,457, 2,534 and 2,932, respectively. These yearly increases did not affect all racial groups equally: bias-motivated reports with Asian victims peaked in 2021 at 183 reports; those with Hispanic/Latino victims peaked in 2022 at 430; and reports with victims of another race peaked in 2023 at 420 (see Table 2 and Tables A8-A9 in Appendix A).
  - o However, Black/AA individuals continue to be most likely to report and/or be victims of bias-motivated conduct, at more than 500 yearly in 2022-2023.

- Defendants' motivation for targeting bias crime and bias incident victims (whether or not it aligned with the victim's actual identity) continue to evolve (see Figure 5 and Tables A10-A11 in Appendix A).
  - Bias-motivated reports for all protected classes increased each successive year during the 2020 through 2023 period, with some exceptions: those targeting race (1,298 vs 1,201), national origin (640 vs 638), and disability (276 vs 271) decreased slightly from 2022 to 2023.
  - In 2022, bias-motivated reports targeting national origin (283 vs 640), sexual orientation (258 vs 509) and gender identity (149 vs 377) had the largest increase from the previous year.
  - In 2023, bias-motivated reports targeting religion (251 vs 572) – specifically anti-Jewish targeting (187 vs 456) – experienced the largest increase from the previous year. Reports motivated by sexual orientation (509 vs 654) and gender identity bias (377 vs 590) also increased substantially from the previous year.
- Bias *incident* victimization differed by victim demographics (see Table A12 in Appendix A).
  - Male (230 out of 408 male victims or 56%), female (291 out of 566 or 51%) and individuals with undisclosed gender (313 out of 682 or 46%) *bias incident* victims were primarily targeted due to anti-race bias. Gender non-conforming *bias incident* victims were targeted due to gender identity (457 out of 475 or 96%) and sexual orientation bias (n = 323; 68%).
  - The vast majority of Black/AA (382 out of 401 Black/AA victims or 95%), Hispanic/Latino (176 out of 224 or 79%) Asian (68 out of 95 or 72%), and American Indian/Alaska Native (34 out of 62 or 55%), bias incident victims were targeted because of anti-race bias. In contrast, white victims were targeted based on gender identity and religion bias, both at 26 out of 96 reports with white victims or 27%.
  - Hispanic (n = 135; 60%) and Asian (n = 40; 42%) victims were also targeted based on national origin bias.
  - Individuals of another race were targeted due to anti-religion bias (201 out of 246 or 82%), namely anti-Jewish bias (n = 198 or 80%).
- Bias *crime* victimization differed by victim demographics (see Table A13 in Appendix A).
  - Male (144 out of 340 or 42%), female (109 out of 215 or 51%) and individuals with undisclosed gender (66 out of 153 or 43%) *bias crime* victims were primarily targeted due to anti-race bias. Gender non-conforming *bias crimes* victims were targeted due to gender identity (n = 82; 88%) and sexual orientation bias (53 out of 93 or 57%).
  - The vast majority of Black/AA (149 out of 157 or 95%) and Asian (39 out of 46 or 85%) *bias crime* victims were targeted because of their race. In contrast, white bias crime victims were targeted because of because of sexual orientation bias (11 out of 19 or 58%), while Hispanic victims were primarily targeted because of national origin bias (124 out of 158 or 78%).
  - Individuals of another race were targeted due to anti-religion bias (151 out of 174 or 87%), namely anti-Jewish bias (n = 144 or 71%).
- Most bias-motivated reports involve 1 of 5 incident types: harassment, institutional, vandalism, assault, or refusal of service (see Figure 6). Harassment, institutional and refusal of service characters of conduct tend to be more frequently associated with *bias incidents*, while vandalism, assault and exploitation (not tracked 2020-2021) tend to be more frequently associated with *bias crimes* (see Tables A16-A17 in Appendix A).
- Bias crimes and bias incidents tend to occur in 1 of 5 locations: at home, school, place of employment, internet/cell phone or other public setting (see Figure 7 and Tables A18-A19 in Appendix A).
  - Bias-motivated reports at home and work increased steadily in the 4-year period. However, reports in schools peaked at 408 or 16% of reports in 2022, and declined to 312 or 11% of reports in 2023. Given the alternative reporting options for students and school staff, it is likely that a substantial number of reports are not captured in the BRH data.

- Strangers and neighbor relationships accounted for around 6 in 10 *bias crimes* in 2020 through 2023, while other relationships accounted for around half of *bias incidents* (see Tables A20-A21 in Appendix A). Other relationships include landlord, current/former relative/friend, acquaintance, schoolmate, city official/government employee, coworker, teacher/school official, not reported, and unknown relationships.
- Only two reporter types – victim and witness – placed more than two-third of bias-motivated reports to the BRH in 2020 and 2021. The pattern changed in 2022 and held constant in 2023, when four sources – victim, witness, law enforcement or family – made more than 6 in 10 bias-motivated reports (see Table 4).
  - o Hotline advocates continue to be a target of bias-motivated behavior in increasing numbers, at 4, 13, 39 and 92, respectively in 2020 through 2023.
  - o Since 2021, law enforcement has reported both bias crimes and bias incidents to the Hotline in increasing numbers: 13% of reports of bias crimes in 2021, 10% in 2022 and 17% in 2023 were made by law enforcement (see Table A22 in Appendix A for exact Reporter Status counts).
- More than 7 in 10 reports of bias-motivated conduct in 2020 through 2023 occurred in 1 of 4 setting types: community, neighborhood, work, or school. This pattern is driven by bias incidents, as bias crimes occur primarily in community and neighborhood setting type (see Figure 9 and Tables A23-A24 in Appendix A).
- Excluding non-reported race and gender individuals, males and white individuals are more likely to engage in bias-motivated acts. This pattern also applies to both bias crimes and bias incidents (see Table 5 and Table A25 in Appendix A).
- Around half of bias crimes reported to the Hotline were also reported to LE per Hotline records. Actual reporting to LE is unknown as about two-thirds of reports made to the BRH are by non-victims (see Table A22 in Appendix A), and victims may report to LE after contacting the BRH.

NIBRS Data
- Underreporting of bias crimes to LE is extensive and differs by victim demographics. In 2022 and 2023, the BRH data contained more than twice the number of victims as found in NIBRS (see Figure 10).
  - o Bias crimes against BIPOC victims are underreported to LE: most bias crime victims in NIBRS are white (~50% to 54% yearly) and male (59% to 71% yearly). In contrast, 2% to 8% of bias crime victims in the yearly Hotline data are white, and 24% to 42% are male (see Table 6).
- Underreporting of bias crimes to LE is affected by *why* victims were targeted, i.e., bias motivation (see Table 7).
  - o Individuals targeted due to anti-Hispanic, anti-Asian and anti-Black/AA bias were more likely to report their experiences to the BRH than LE.
  - o Sexual orientation motivated bias crimes are under-reported to NIBRS: in 2022 and 2023, the BRH received almost two times the number of sexual orientation motivated bias reports compared to NIBRS.
  - o Reports of anti-religion bias are under-reported to NIBRS: excluding 2020, when NIBRS listed 33 anti-religion bias motivated victims, while the BRH received 26 anti-religion bias motivated reports – a greater number of anti-religion reports were made to the BRH in 2021 through 2023 (80, 116 and 211, respectively), compared to NIBRS (29, 42 and 38, respectively).
- Victim demographics combined with why they were targeted also influence reporting behavior.
  - o When white individuals are targeted because of sexual orientation bias, they tend to report their experiences to NIBRS, while non-white victims of sexual orientation bias tend report to the BRH: 58 white individuals targeted because of sexual orientation bias reported to NIBRS in 2023, while 11 reported to the BRH in this period. Misreporting of race in NIBRS cannot be ruled out (see Tables A33-36 in Appendix A).

- About 6 in 10 bias crimes reported to LE occur in (1) the victim's home, (2) while driving, on a sidewalk or parking, or (3) at a mall, shopping center or business – with the vast majority or ~25% occurring at the victim's home (see Table 11).
- Around 75% of arrestees yearly were white, ~80% were male and slightly over half were between the ages of 25 and 44 years (see Table 12).
- Defendants were more likely to be arrested on a person vs a property charge: ~1/3 of bias defendants in NIBRS were arrested yearly in the 4-year period 2020 through 2023; of those, 7 in 10 were arrested on a person charge of simple assault, aggravated assault, or intimidation (see Table 13).

DA Data
- Of the 155 bias cases in 2023 DA data, 83% were filed with bias (n = 106; 68%) or non-bias only charges (n = 23; 15%;), and 19% (n = 29) were declined entirely (i.e., no-filed). Out of the 129 filed cases, 36% (n = 46) returned a conviction on at least one bias or non-bias charge (i.e., pled guilty, convicted by jury or bench trial, or plea deal), 58% (n = 75) are open, and all charges were dismissed for 6% (n = 8) of cases. The conviction rate for cases filed in 2023 is expected to increase in the upcoming months as open cases are disposed.

General Findings
- Bias crimes are both complex and diverse: arrests average ~4 charges and more than 90% of bias crime arrests in the past 4-years contained at least one additional charge. Co-occurring charges were usually person crimes: about one-third included a co-occurring harassment or aggravated harassment, or menacing charge, while ~1 in 5 included a co-occurring assault (I-IV or attempt) or weapon charge (see Table 15 and Table A40 in Appendix A).
- White individuals and males are most frequently arrested (both at 8 in 10 yearly; see Table 14), charged (~3/4 white and ~80% male yearly; see Table 17) and convicted (~44% to 100% white and 67% to 100% yearly; see Figure 17).
- Consistent with LEDS arrest patterns, ~6 in 10 Odyssey bias crime cases yearly included a Bias II charge. However, unlike LEDS arrest patterns, a higher proportion of Odyssey cases contained a Bias I charge at about one half compared to about one-third of LEDS arrests (see Tables 15 and 18).
  - Average referred charges for cases filed in 2020 through 2023 was ~5 yearly, while defendants were convicted of one charge on average in 2020-2022.
  - The average of .53 conviction charges for cases filed in 2023 is expected to increase as open cases (51%) are disposed.
- Prosecuted/filed cases with a Bias I/II charge between 2000 and 2022 are more likely to result in a conviction on at least one charge (72% overall; 57% to 91% yearly),[110] compared to a comparison group[111] of cases comprising common co-occurring bias/intimidation charges (64% overall; 53% to 72% yearly; Figure 16).[112]
  - The conviction rate when only bias charges are considered ranges from a low of 29% in 2001 to a high of 59% in 2020. It is important to consider overall accountability and sentences imposed on bias crime defendant.
  - Slightly over half (35 or 56%) of closed bias crime cases filed in 2023 were disposed with a bias or non-bias conviction.

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[110] Except for 2002 (57% conviction rate), and 2004 (52% conviction rate).
[111] Includes the following charges that commonly co-occur with bias crime cases: Assault II-IV and attempts, Any Criminal Mischief (I-III), Criminal Trespass II, Disorderly Conduct II, Harassment/Agg Harassment, Interfere with a Peace Officer, Menacing, Carry/Discharge Firearm in City, Felon in Possession of a Firearm, Interfering with Public Transport, Interfering With Public, Transportation, Recklessly Endanger Another, Resisting Arrest, Restricted Weapon/ex-convict Possession, Robbery III and Weapon Use Unlawful.
[112] The year 2022 was an outlier, at 53%.

- Bias cases with a Bias I charge are more likely to be prosecuted and result in a DOC sentence, compared to cases with a Bias II charge: about one-third of LEDS bias crime arrests contained a Bias I charge in 2020-2023 (see Table 14), which increased to approximately half of bias crime court cases (see Tables 18), and almost two-thirds of DOC convictions in 2022 and 2023 (see Table 19).
- Around 7 in 10 defendants sentenced yearly between 2020 and 2023 received probation for this period, followed by prison at 1 in 5; 2020 was the exception for both, as fewer defendants on average were sentenced to prison, while more defendants on average were sentenced to probation (see Table 20).
  o When prison was used as a sanction, sentences tended to be between 1 to 2 years – except for 2022, when over half of individuals with a prison sanction were sentenced to 2 to 5 years (see Figure 18). Probation sentences tended to be less than 18 months or between 19 months to 2 years with an average of ~35 months yearly (see Figure 19)
- When CJ decision points only are considered, most counties with any LEDS bias crime arrest (n = 138) have Odyssey cases (n = 129); however, few bias crime defendants are under DOC supervision (n = 31; see Table 21).
  o Eleven counties show no bias reports to the Hotline.
  o Three counties show higher NIBRS vs. Hotline reports (Marion, Umatilla and Union).
    ▪ This may indicate a strong relationship between the community and LE and/or a need for further outreach by the Hotline in these counties.
  o Several counties show reports made to NIBRS but no or fewer cases in LEDS and Odyssey.
    ▪ This may be due to case processing delays.
- However, the combined LEDS, DA and Odyssey data with 231 defendants in 2023, shows the system contains more accountability than is obvious when only one decision point is analyzed. In the pooled CJ data, 138 defendants had a LEDS arrest, 160 were in the DA report, and 129 had an Odyssey bias crime case (see Table 22).
  o Regardless, data gaps exist: 71 of the 231 defendants (31%) were not in the DA data, 28 (12%) were identified from Odyssey and 43 (19%) from LEDS – likely representing suspended LE investigations that were not referred to DAs for prosecution. Additional research is required to determine the challenges LE encounter when investigating bias crimes.
  o In addition, it takes time for cases to be disposed: 131 (57%) cases in the pooled CJ data were filed with a bias I/II charge, 28 (12%) were filed with non-bias charges only, and 72 (31%) were no filed/no complaint/no actioned. Of the filed bias crime cases, 41 (31%) resulted in a conviction on at least 1 bias or non-bias charge, while 11 (39%) of the cases filed with only non-bias charges resulted in a conviction.

Conclusion

SB 577 enacted a number of reforms designed to address bias crimes and non-criminal bias incidents in Oregon. The bill creates or modifies several data collection efforts. This report provides a snapshot of these efforts for calendar years 2020 through 2023. Because of these efforts, CJC has been able to compile a wealth of information on the reporting and processing of cases through the criminal justice system. The DA data are crucial to identifying defendants referred on a Bias I/II charge that are prosecuted on non-bias charges only, and the DDAs' case notes provide insight into the challenges they face when prosecuting bias crimes. These data will continue to improve as more district attorneys' offices submit explanations for charging and no filed/declined decisions.

Capacity permitting, LEAs should consider submitting periodic (e.g., quarterly or yearly) data on all reported crimes with a bias motivate to the BRH, along with a summary of why investigations were suspended or deemed unfounded.

[Table 21](#), along with the BRH and NIBRS comparison in [Oregon State Police (NIBRS) Data](#), and Tables A61 and A62 in [Appendix A](#) are intended to assist LE enforcement in determining which communities require further outreach,[113] and the most appropriate techniques/methods/avenues to maximize outreach based on the communication style of the targeted community. LEAs tracking their bias incident and suspended bias crime investigations should be able to determine when discrepancies between the BRH and NIBRS data are due to evidentiary issues, defendant inability to aid and assist in their defense and/or victim non-reporting – and adjust their policies accordingly within their resource and capacity limitations.

1. Research is needed to determine the number of LE non-referrals to DAs, and the characteristics of these cases (e.g., absence of corroborating evidence, victim issues, etc.).
2. Capacity permitting, LEAs should consider submitting reports to BRH for all reported bias crimes and incidents, indicate whether the case was referred to the county DA office, and provide an explanation if the case was not.
3. LEAs should also consider implementing a policy to refer all bias crime and bias incident victims to the BRH, thereby allowing victims to obtain necessary supports and services when the police report does not meet the criteria of a crime or, if the report is a bias crime, there are barriers to investigating and prosecuting the case, e.g., insufficient corroborating evidence or the defendant is unable to aid and assist in their defenses.
4. Finally, justifications should be communicated to victims when LEAs and prosecutors decide to decline or pursue the case with non-bias charges, e.g., the increased likelihood of achieving accountability if the bias charge is dropped, when there is sufficient evidence to obtain a conviction or guilty plea on the non-bias charge(s), which may have a harsher presumptive sentence (for discussion, see the [Bias Crime Supplemental Report (2024)](#)).

Continuation of ODOJ's media outreach and LE/DA training, and expansion of LE/DA training to include peer-training component.

5. The ODOJ should continue its media outreach and LE/DA training, as the increasing reporting rates of bias-motivated acts indicate that these polices are having a positive impact in victim help-seeking and reporting behavior, and are increasing the justice system's ability to identify and prosecute bias crimes.
6. The ODOJ should consider expanding LE/DA training to include peer-LE and -DA/DDA components, led by individuals that have successfully investigated and prosecuted bias crimes. Elements to consider including in peer-training are: solutions/strategies to common issues that arise in the investigation and prosecution of bias crimes (e.g., victim vs defendant interview techniques, using multiple avenues to contact victims), factors to be considered at crucial decision points, and under which circumstances these strategies should not be used.

The ODOJ should consider amending internal policies as needed to safeguard their staff.

7. The ODOJ has policies in place to ensure advocates' safety and mental health. These should be conceptualized as polices that can, and should, be amended based on changing circumstances. Given the increases in *perpetrator* [reporter status](#), i.e., bias perpetrated on the Hotline, the ODOJ should consider revising their polices to safeguard staff as needed – after appropriate consultations with staff and a review of state and federal agencies policies for case workers and investigators who routinely deal with crimes known to trigger intense negative feelings (e.g., bias crimes, domestic violence, sexual assault, and child abuse).

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[113] In addition to meeting CJC's reporting requirements under SB 577.

The Pooled CJ Data analysis illustrates the difficulty in determining the extent of reported bias crimes. The DA data omitted 71 bias crime defendants in 2023 – 28 of whom had a bias crime case listed in Odyssey, while 43 had a LEDS arrest. Data tracking and technology can be challenging and time consuming – and likely accounts for the omitted Odyssey cases from county DA offices' data management systems. The LEDS arrests excluded from the DA data is not a weakness on the part of the county DA offices. Instead, it is highly likely that these represent suspended LE investigations that were not referred to DAs for prosecution. This data gap can be addressed by periodic (e.g., quarterly or yearly) LEA submissions of all reported crimes with a bias motive to the BRH,[114] along with a summary of why investigations were suspended or deemed unfounded. Ultimately, this may be beyond LEAs' capacity and researchers/academics may be needed to identify the true rates of bias crimes, and non-criminal bias incidents, and to determine the challenges LE encounter when investigating bias crimes.

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[114] Some agencies currently do this, as discussed in Department of Justice (Hotline) Data, but there is no current avenue for ascertaining why LE suspended investigations and decided to not refer specific cases to the DA for prosecution.

Appendix A: Tables

Hotline Tables

Table A1. Department of Justice Hotline 2020-2023: Reports by Month

Month	Reports			
	2020	**2021**	**2022**	2023
January	11	143	143	182
February	14	106	128	275
March	41	188	295	248
April	61	129	156	302
May	58	118	328	347
June	145	107	198	372
July	124	136	262	287
August	200	161	195	305
September	114	129	320	350
October	123	129	347	359
November	120	121	156	268
December	90	216	359	328
Total Reports	1,101	1,683	2,887	3,623

Table A2. Department of Justice Hotline 2020-2023 Reports: Days between Incident[§] and Report

Time to Report	Year			
	2020	**2021**	**2022**	**2023**
<1 day	319	326	598	596
1-7 days	153	280	294	458
8-30 days	163	205	360	649
31-90 days	123	109	139	274
91-364 days	100	132	344	309
1 year or more	60	169	284	361
Unknown	183	462	868	976
Total	1,101	1,683	2,887	3,623

[§] Includes *Bias Crimes, Bias Incidents, Bias/Hate Criteria Not Met, Bias Against Non-Protected Class, Repeat Reports* and *Unable to Determine* events that are reported to the Hotline. Unable to Determine includes spam reports, including calls and emails by spambots.

Table A3. Department of Justice Hotline 2020-2023 Response Time

Response Time	Year			
	2020	**2021**	**2022**	**2023**
Immediately	137	429	977	1,157
Within 1 hour	35	14	1	1
>1 hour - 1 day	267	293	294	541
>1 day - 1 week	95	195	141	214
>1 week	1	22	6	3
Total	535	953	1419	1,916
Percent requesting a callback	*49%*	*57%*	*49%*	*53%*

Table A4. Department of Justice Hotline 2020-2023 Duration of Calls

Duration of call	Year			
	2020	**2021**	**2022**	**2023**
Up to 1 hour	207	250	317	541
>1 hour - 2 hours	22	54	67	76
>2 hour - 3 hours	2	10	10	22
>3 hour - 5 hours	1	7	9	9
>5 hours	-	-	8	7
Total	232	321	411	655

Table A5. Bias Response Hotline 2023 Reports: VOCA Services Provided by Month

Victims of Crime Act Services	Jan	Feb	Mar	Apr	May	Jun
Hotline/crisis line	478	517	507	627	734	680
Referral to other services, supports, and resources	108	81	81	109	153	134
Crisis intervention	91	76	72	76	138	119
Individual advocacy	77	60	86	109	131	100
Referral to other victim service programs	44	36	50	44	47	63
Emergency financial assistance	62	57	28	56	126	28
Information about victim rights	19	18	28	27	42	22
Information about the criminal justice process	17	20	32	34	42	27
Referral to LE	29	49	22	31	29	20
Interpreter services	32	30	27	47	49	19
Relocation Assistance	1	1	2	18	12	10
CVCP info and referral	12	11	13	7	12	6
Intervention with employer/creditor/landlord/school	1	2	11	-	10	4
Civil legal assistance in obtaining protection or restraining order	2	9	5	4	9	8
Law enforcement interview advocacy/accompaniment	8	12	11	8	9	15
Notification of criminal justice events	-	1	3	1	2	4
Prosecution interview advocacy/accompaniment	1	1	8	5	3	7
Criminal advocacy/accompaniment	-	1	-	4	6	4
Other emergency justice-related assistance	1	-	-	1	4	2
Child or dependent care assistance	-	1	-	-	-	-
Assistance with restitution	-	-	2	-	-	-
Victim impact statement assistance	-	-	-	-	-	-
Other	9	2	1	-	1	2
Unmet needs due to organizational capacity	4	11	15	18	6	6
Total	996	996	1,004	1,226	1,565	1,280

Victims of Crime Act Services	Jul	Aug	Sep	Oct	Nov	Dec
Hotline/crisis line	590	859	822	711	570	629
Referral to other services, supports, and resources	189	231	176	177	146	84
Crisis intervention	154	282	207	143	121	86
Individual advocacy	139	209	184	110	86	105
Referral to other victim service programs	57	71	87	63	42	48
Emergency financial assistance	50	47	25	44	34	40
Information about victim rights	55	92	43	46	49	38
Information about the criminal justice process	52	64	36	41	41	26
Referral to LE	32	58	28	43	21	21
Interpreter services	25	19	15	2	30	30
Relocation Assistance	27	113	90	33	2	13
CVCP info and referral	34	33	43	21	17	14
Intervention with employer/creditor/landlord/school	16	79	27	31	7	12
Civil legal assistance in obtaining protection or restraining order	11	18	42	28	29	15
Law enforcement interview advocacy/accompaniment	19	30	4	19	11	12
Notification of criminal justice events	10	20	7	5	11	3
Prosecution interview advocacy/accompaniment	1	5	9	8	-	7
Criminal advocacy/accompaniment	6	9	1	2	5	4
Other emergency justice-related assistance	6	5	1	5	3	1
Child or dependent care assistance	4	6	5	1	-	-
Assistance with restitution	4	6	-	-	-	2
Victim impact statement assistance	-	3	-	2	6	-
Other	3	7	10	4	1	1
Unmet needs due to organizational capacity	20	22	58	14	7	5
Total	1,504	2,288	1,920	1,553	1,239	1,196

Note. Other includes Immigration assistance (13), Transportation assistance (13), Victim advocacy/accompaniment to emergency medical care, (9) and On-scene crisis response (6).

Table A6. Bias Response Hotline Reports 2020-2023 by County

County	Year			
	2020	2021	2022	2023
Baker	1	-	12	14
Benton	136	45	45	34
Clackamas	62	247	113	293
Clatsop	3	7	20	18
Columbia	6	12	9	17
Confederated Tribes of the Grand Ronde	-	-	-	1
Confederated Tribes of the Umatilla Indian Reservation	-	-	3	-
Coos	21	3	5	13
Crook	19	1	13	-
Curry	25	2	8	13
Deschutes	44	47	235	145
Deschutes River	-	-	-	1
Douglas	18	16	197	108
Gilliam	1	-	3	-
Grant	-	-	1	1
Harney	2	-	5	-
Hood River	2	2	1	3
Jackson	32	28	65	98
Jefferson	-	1	7	6
Josephine	3	11	21	28
Klamath	19	63	50	34
Lake	8	-	2	18
Lane	105	106	179	674
Lincoln	11	11	12	23
Linn	31	81	107	153
Lower Umpqua and Siuslaw Indians	-	-	-	1
Malheur	5	4	18	10
Marion	69	148	444	181
Morrow	1	1	1	1
Multnomah	271	489	733	810
Polk	10	12	34	38
Sherman	-	-	1	-
Tillamook	1	2	26	73
Umatilla	7	7	19	20
Union	26	13	4	10
Wallowa	-	-	2	8
Wasco	4	15	29	20
Washington	61	144	188	335
Wheeler	-	4	1	-
Yamhill	9	51	66	84
Other/Unknown	88	110	208	337
Total	1,101	1,683	2,887	3,623

Table A7. Department of Justice Hotline 2020-2023: Reports by Determination

Determination	Year			
	2020	2021	2022	2023
Hate Crime	**304**	**463**	**890**	**801**
Hate Crime (Felony)	0	0	394	418
Hate Crime (Misdemeanor)	0	0	496	383
Bias Incident	**606**	**994**	**1,644**	**2,131**
Other	**191**	**226**	**353**	**691**
Bias/Hate Criteria Not Met	70	79	134	304
Bias Against Non-Protected Class	41	37	67	85
Repeat report	2	38	53	129
Unable to Determine*	78	72	99	173
Total	1,101	1,683	2,887	3,623

Note, *Unable to Determine* includes spam reports, including calls and emails by spambots. Reports made by individuals who target the Bias Response Hotline Advocates are included in *Bias Incidents*.

Table A8. Department of Justice Hotline 2020-2023 Bias-Motivated Reports: Reported Victim Demographics by Determination

Demographics	2020		2021		2022		2023	
	BI	BC	BI	BC	BI	BC	BI	BC
Gender								
Male	152	98	289	190	411	212	408	340
Female	239	120	272	136	325	153	566	215
Gender Non-Conforming	15	6	112	23	277	71	475	93
Unknown/Not Reported	200	80	321	114	631	454	682	153
Race								
White	89	23	48	25	107	63	96	19
Black/AA	151	120	247	159	284	236	401	157
Hispanic/Latino	82	26	103	57	243	187	224	158
AI/AN	12	11	56	17	48	19	62	8
Asian	31	10	118	65	58	91	95	46
NH/OPI	7	2	6	4	11	4	5	3
Multi-racial	12	15	57	19	43	28	68	19
Another race	1	3	23	9	92	63	246	174
Unknown	221	94	336	108	758	199	934	217
Age								
0-12	11	24	47	39	124	79	170	75
13-17	19	13	57	31	98	60	167	29
18-24	26	12	48	24	118	23	57	29
25-59	274	135	432	149	472	167	525	360
60+	46	20	58	49	65	32	93	57
Not Reported	230	100	352	171	767	529	1119	251
Total	606	304	994	463	1644	890	2131	801
Percent	67%	33%	68%	32%	65%	35%	73%	27%

Note, BI = non-criminal bias incident; BC = bias crime. Bias-motivated reports exclude bias against unprotected class, bias criteria not met, repeat reports, and unable to determine reports.

Table A9. Bias Response Hotline 2023 Reports by Reported Victims Demographics and Determination

Demographics	Bias Incidents		Misdemeanor Bias Crimes		Felony Bias Crimes	
	Count	Percent	Count	Percent	Count	Percent
Gender						
Male	408	19%	125	33%	215	51%
Female	566	27%	108	28%	107	26%
Gender Non-Conforming	475	22%	57	15%	36	9%
Unknown/Not Reported	682	32%	93	24%	60	14%
Race						
White	96	5%	6	2%	13	3%
Black/AA	401	19%	78	20%	79	19%
Hispanic/Latino	95	4%	16	4%	30	7%
AI/AN	224	11%	28	7%	130	31%
Asian	62	3%	1	-	7	2%
NH/OPI	5	0%	3	1%	-	-
Multi-racial	246	12%	116	30%	58	14%
Another race	68	3%	13	3%	6	1%
Unknown	934	44%	122	32%	95	23%
Age						
0-12	170	8%	52	14%	23	6%
13-17	167	8%	11	3%	18	4%
18-24	57	3%	13	3%	16	4%
25-59	525	25%	148	39%	212	51%
60+	93	4%	25	7%	32	8%
Not Reported	1,119	53%	134	35%	117	28%
Total	2,131	100%	383	100%	418	100%

Table A10. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Bias Motivation

Bias Motivation / Targeted Protected Class	2020 N	2020 %	2021 N	2021 %	2022 N	2022 %	2023 N	2023 %
Race	686	75%	927	64%	1,298	51%	1,201	41%
Black/AA	453	50%	498	34%	610	24%	615	21%
Hispanic	114	13%	129	9%	379	15%	259	9%
Asian	69	8%	191	13%	148	6%	103	4%
AI/AN	69	8%	77	5%	75	3%	34	1%
NH/OPI	30	3%	15	1%	21	1%	5	-
Arab	27	3%	34	2%	39	2%	46	2%
White	12	1%	10	1%	9	0%	7	-
Race Unspecified	46	5%	37	3%	88	3%	147	5%
Multiple Races	72	8%	46	3%	63	2%	34	1%
Color	513	56%	577	40%	617	24%	687	23%
National Origin[§]	168	18%	283	19%	640	25%	638	22%
API	43	5%	114	8%	85	3%	42	1%
Native Hawaiian	4	-	1	-	-	0%	4	-
Latin America	35	4%	60	4%	228	9%	138	5%
Immigrant	48	5%	39	3%	252	10%	381	13%
South Asia	17	2%	56	4%	52	2%	10	0%
AI/AN Native	14	2%	47	3%	31	1%	6	-
Israel	-	-	3	-	1	-	47	2%
Palestine (2023 only)	-	-	-	-	-	-	8	-
Ukraine	-	-	-	-	13	1%	10	-
Middle East	13	1%	16	1%	9	0%	9	-
Sexual Orientation	90	10%	258	18%	509	20%	654	22%
Gay	47	5%	110	8%	162	6%	156	5%
Lesbian	17	2%	45	3%	56	2%	84	3%
Bisexual	1	-	5	-	16	1%	-	-
Unspecified LGBTQ	22	2%	94	6%	268	11%	422	14%
Heterosexual	-	-	-	-	1	-	-	-
Disability	145	16%	189	13%	276	11%	271	9%
Mental	60	7%	73	5%	135	5%	124	4%
Physical	76	8%	99	7%	111	4%	97	3%
Disability Unspecified	29	3%	20	1%	58	2%	62	2%
Gender Identity	**47**	**5%**	**149**	**10%**	**377**	**15%**	**590**	**20%**
Expansive	15	2%	65	4%	169	7%	464	16%
Transgender	24	3%	80	5%	185	7%	133	5%
Nonbinary	-	-	4	-	20	1%	18	1%
Religion	66	7%	208	14%	251	10%	572	20%
Jewish	37	4%	96	7%	187	7%	456	16%
Muslim	15	2%	75	5%	27	1%	98	3%
Atheist	1	-	1	-	11	-	5	-
Hindu	-	-	-	-	4	-	4	-
Christian	4	0%	15	1%	4	-	4	-
Non-protected class	187	21%	67	5%	455	18%	224	8%
Multiple Targeted Class	475	52%	828	57%	880	35%	1,257	43%
Total	910	100%	1,457	100%	2,534	100%	2,932	100%

[§] Anti-national origin bias is differentiated from political speech under Oregon law and BRH procedure. Opposition to, support of, anger with, frustration towards, disowning of, dissention toward, and many other expressions, thoughts, or feelings regarding a domestic or foreign nation's government, policy, practice, or action may be considered political speech and do not constitute a bias incident under Oregon law or the BRH's determinations. The BRH must identify a hostile expression of animus regarding a person's identity to make a finding of bias.

Table A11. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Bias Motivation and Determination

Bias Motivation / Targeted Protected Class	2020 BI	2020 BC	2021 BI	2021 BC	2022 BI	2022 BC	2023 BI	2023 BC
Race	**437**	**249**	**587**	**340**	**727**	**571**	**861**	**340**
Black/AA	275	178	302	196	339	271	435	180
Hispanic	66	48	76	53	215	164	188	71
Asian	51	18	123	68	60	88	64	39
AI/AN	49	20	62	15	56	19	29	5
NH/OPI	23	7	10	5	19	2	2	3
Arab	20	7	27	7	29	10	24	22
White	10	2	7	3	2	7	4	3
Race Unspecified	31	15	27	10	69	19	120	27
Multiple Races	39	33	33	13	51	12	21	13
Color	**310**	**203**	**338**	**239**	**372**	**245**	**516**	**171**
National Origin	**119**	**49**	**179**	**104**	**356**	**284**	**456**	**182**
API	33	10	67	47	27	58	33	9
Native Hawaiian	3	1	1	-	-	-	2	2
Latin America	26	9	30	30	126	102	38	100
Immigrant	27	21	26	13	164	88	326	55
South Asia	16	1	50	6	23	29	9	1
AI/AN Native	13	1	42	5	20	11	6	-
Israel	-	-	-	3	1	-	39	8
Palestine (2023 only)	-	-	-	-	-	-	3	5
Ukraine	-	-	-	-	7	6	10	-
Middle East	10	3	11	5	1	8	6	3
Sexual Orientation	**56**	**34**	**179**	**79**	**368**	**141**	**501**	**153**
Gay	33	14	65	45	107	55	107	49
Lesbian	13	4	32	13	31	25	36	48
Bisexual	1	-	3	2	11	5	-	-
Unspecified LGBTQ	9	13	76	18	209	59	362	60
Heterosexual	-	-	-	-	1	-	-	-
Disability	**122**	**23**	**162**	**27**	**232**	**44**	**247**	**24**
Mental	51	9	61	12	114	21	117	7
Physical	62	14	85	14	92	19	87	10
Disability Unspecified	25	4	17	3	48	10	54	8
Gender Identity	**31**	**16**	**119**	**30**	**290**	**87**	**492**	**98**
Expansive	8	7	53	12	127	42	394	70
Transgender	16	8	62	18	144	41	109	24
Nonbinary	-	-	4	-	20	-	13	5
Religion	**40**	**26**	**128**	**80**	**135**	**116**	**361**	**211**
Jewish	15	22	48	48	90	97	273	183
Muslim	12	3	66	9	18	9	80	18
Atheist	1	-	1	-	9	2	3	2
Hindu	-	-	-	-	-	4	3	1
Christian	4	-	11	4	3	1	1	3
Non-protected class	**120**	**67**	**31**	**36**	**288**	**167**	**187**	**37**
Multiple Targeted Class	293	182	522	306	558	322	952	305
Total	606	304	994	463	1,644	890	2,131	801

Note, BI = non-criminal bias incident; BC = bias crime. Bias-motivated reports exclude bias against unprotected class, bias criteria not met, repeat reports, and unable to determine reports.

Table A12. Department of Justice Hotline 2023 Bias Incident Reports: Reported Victims' Demographics by Bias Motivation

Victims' Demographics	Targeted Protected Class/Bias Motivation						
	Color	Race	Disability	National Origin	Gender Identity	Religion	Sexual Orient
Gender							
Male	138	230	71	77	9	49	31
Female	159	291	103	130	19	107	50
Gender Non-Conforming	17	27	17	5	457	24	21
Unknown/Not Reported	202	313	56	244	7	181	171
Race							
White	10	23	9	17	26	26	8
Black/AA	295	382	7	13	7	38	18
Asian	24	68	4	40	4	21	-
Hispanic/Latino	34	176	9	135	6	1	-
AI/AN	11	34	27	10	3	5	4
NH/OPI	3	5	-	3	-	-	-
Another race	4	14	6	52	13	201	198
Multi-racial	45	56	2	11	7	4	4
Unknown	90	103	183	175	426	65	41
Age							
0-12	57	74	11	14	67	20	19
13-17	45	81	4	20	52	20	6
18-24	11	23	2	13	17	11	10
25-59	140	241	80	115	69	109	59
60+	7	21	35	9	5	25	25
Not Reported	256	421	115	285	282	176	154
Total	516	861	247	456	492	361	273

Table A13. Department of Justice Hotline 2023 Bias Crime Reports: Reported Victims' Demographics by Bias Motivation

Victims' Demographics	Targeted Protected Class/Bias Motivation						
	Color	Race	Disability	National Origin	Gender Identity	Religion	Sexual Orient
Gender							
Male	68	144	9	139	8	77	69
Female	58	109	10	23	8	54	43
Gender Non-Conforming	7	21	2	1	82	8	7
Unknown/Not Reported	38	66	3	19	-	72	64
Race							
White	1	7	1	2	4	1	-
Black/AA	119	149	3	2	17	8	7
Asian	6	39	-	14	4	8	2
Hispanic/Latino	11	66	-	124	-	4	3
AI/AN	1	7	2	1	1	-	-
NH/OPI	3	3	-	-	-	1	1
Another race	2	21	-	25	2	151	144
Multi-racial	15	18	-	-	2	5	5
Unknown	13	30	18	14	68	33	21
Age							
0-12	23	30	-	6	4	41	41
13-17	12	20	1	7	4	4	4
18-24	8	9	3	5	9	4	4
25-59	51	123	6	123	40	81	71
60+	11	17	7	4	6	17	14
Not Reported	66	141	7	37	35	64	49
Total	171	340	24	182	98	211	183

Table A14. Bias Response Hotline 2023 Felony Bias Crime Reports: Reported Victims' Demographics by Bias Motivation

Victims' Demographics	Targeted Protected Class/Bias Motivation						
	Color	Race	Disability	National Origin	Gender Identity	Religion	Sexual Orient
Gender							
Male	43	101	6	124	1	13	10
Female	35	59	6	15	1	10	2
Gender Non-Conforming	2	6	1	-	32	1	1
Unknown/Not Reported	9	24	1	7	-	32	24
Race							
White	1	2	1	-	3	-	-
Black/AA	61	75	2	2	5	1	1
Asian	6	23	-	10	-	6	-
Hispanic/Latino	7	45	-	110	-	-	-
AI/AN	1	6	2	1	1	-	-
NH/OPI	-	-	-	-	-	-	-
Another race	2	19	-	18	-	37	33
Multi-racial	6	6	-	-	1	1	1
Unknown	5	14	9	5	24	11	2
Age							
0-12	9	13	-	3	3	7	7
13-17	9	15	1	4	-	2	2
18-24	5	6	3	5	1	2	2
25-59	28	74	3	113	12	9	2
60+	3	6	4	-	3	14	12
Not Reported	35	76	3	21	15	22	12
Total	89	190	14	146	34	56	37

Table A15. Bias Response Hotline 2023 Misdemeanor Bias Crime Reports: Reported Victims' Demographics by Bias Motivation

Victims' Demographics	Targeted Protected Class/Bias Motivation						
	Color	Race	Disability	National Origin	Gender Identity	Religion	Sexual Orient
Gender							
Male	25	43	3	15	7	64	18
Female	23	50	4	8	7	44	17
Gender Non-Conforming	5	15	1	1	50	7	38
Unknown/Not Reported	29	42	2	12	-	40	11
Race							
White	-	5	-	2	1	1	2
Black/AA	58	74	1	-	12	7	7
Asian	-	16	-	4	4	2	4
Hispanic/Latino	4	21	-	14	-	4	-
AI/AN	-	1	-	-	-	-	-
NH/OPI	3	3	-	-	-	1	-
Another race	-	2	-	7	2	114	2
Multi-racial	9	12	-	-	1	4	1
Unknown	8	16	9	9	44	22	68
Age							
0-12	14	17	-	3	1	34	1
13-17	3	5	-	3	4	2	4
18-24	3	3	-	-	8	2	2
25-59	23	49	3	10	28	72	36
60+	8	11	3	4	3	3	7
Not Reported	31	65	4	16	20	42	34
Total	82	150	10	36	64	155	84

Table A16. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Character of Conduct

Character of Conduct /Incident Type	2020		2021		2022		2023	
	N	%	N	%	N	%	N	%
Harassment	459	50%	833	57%	1,171	46%	1,613	55%
Institutional	227	25%	251	17%	362	14%	392	13%
Vandalism	77	8%	185	13%	413	16%	376	13%
Assault	125	14%	141	10%	174	7%	180	6%
Refusal of service	53	6%	58	4%	104	4%	134	5%
Other	19	0%	32	0%	310	12%	237	8%
Exploitation	-	0%	-	0%	202	8%	117	4%
Doxing	15	2%	8	1%	100	4%	86	3%
Swatting	2	0%	21	1%	17	1%	34	1%
Murder	2	0%	3	0%	3	0%	1	0%
Multiple Incident types	*52*	*6%*	*41*	*3%*	*10*	*0%*	*1*	*0%*
Total	910	100%	1,457	100%	2,534	100%	2,932	100%

Note, excludes *bias against unprotected class, bias criteria not met, repeat reports,* and *unable to determine* reports. Total reports do not sum to 100% as reports may involve multiple character of conduct.

Table A17. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Character of Conduct and Determination

Character of Conduct /Incident Type	2020		2021		2022		2023	
	BI	BC	BI	BC	BI	BC	BI	BC
Harassment	335	124	677	156	994	177	1318	295
Institutional	216	11	249	2	361	1	392	-
Vandalism	2	75	3	182	14	399	151	225
Exploitation	-	-	-	-	67	135	21	96
Assault	4	121	-	141	-	174	-	180
Refusal of service	53	0	55	3	104	-	133	1
Doxing	14	1	6	2	94	6	84	2
Swatting	1	1	16	5	17	-	32	2
Murder	-	2	-	3	-	3	-	1
Multiple Incident types	21	31	12	29	5	5	-	1
Total	606	304	994	463	1644	890	2131	801

Note, BI = non-criminal bias incident; BC = bias crime. Bias-motivated reports exclude *bias against unprotected class, bias criteria not met, repeat reports,* and *unable to determine* reports.

Table A18. Department of Justice Hotline 2020-2023 Bias-Motivated Reports: Most Frequent Setting

Setting	2020		2021		2022		2023	
	N	%	N	%	N	%	N	%
Home	212	23%	417	29%	651	26%	825	28%
School/College/University	36	4%	150	10%	408	16%	312	11%
Place of employment	35	4%	249	17%	330	13%	413	14%
Internet/cell phone	171	19%	117	8%	266	10%	278	9%
Other public setting	180	20%	215	15%	218	9%	481	16%
Other*	276	30%	309	21%	661	26%	623	21%
Total Reports	910	100%	1,457	100%	2,534	100%	2,932	100%

*Includes library, mall/shopping center, parks, institutional setting, driving, jail, and place of worship.

Table A19. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Setting and Determination

Setting	2020		2021		2022		2023	
	BI	BC	BI	BC	BI	BC	BI	BC
Home	98	114	257	160	364	287	497	328
School/College/University	32	4	111	39	301	107	267	45
Place of employment	31	4	206	43	134	196	271	142
Internet/cell phone	71	100	53	64	174	92	175	103
Other public setting	169	11	195	20	184	34	437	44
Library	7	1	-	-	41	9	182	23
Mall/shopping center/business	71	18	87	59	124	68	129	41
Parks	7	15	34	58	104	27	82	27
Institutional setting	32	1	55	2	149	4	190	6
Driving/Sidewalk/Parking	20	23	19	18	32	19	32	25
Jail	3	1	9	2	27	17	39	7
Place of worship	-	2	12	11	8	19	22	17
Other	6	2	3	1	2	5	2	4
Spam/Not reported	74	13	9	9	21	12	18	10
Total Reports	606	304	994	463	1,644	890	2,131	801

Note, BI = non-criminal bias incident; BC = bias crime. Bias-motivated reports exclude bias against unprotected class, bias criteria not met, repeat reports, and unable to determine reports.

Table A20. Department of Justice Hotline 2020-2023 Bias-Motivated Reports: Most Frequent Victim-Defendant Relationship

Victim-Defendant Relationship	2020		2021		2022		2023	
	N	%	N	%	N	%	N	%
Most frequent relationship	**463**	**51%**	**835**	**57%**	**1,319**	**52%**	**1,781**	**61%**
Stranger	225	25%	339	23%	617	24%	770	26%
Neighbor	101	11%	218	15%	272	11%	334	11%
Police/LE/CJS	91	10%	87	6%	195	8%	262	9%
Service provider	14	2%	47	3%	109	4%	201	7%
Employer	32	4%	144	10%	126	5%	214	7%
Other	**447**	**49%**	**622**	**43%**	**1,215**	**48%**	**1,151**	**39%**
Def known to victim	346	38%	712	49%	1,275	50%	1,453	50%
Total	910	100%	1,457	100%	2,534	100%	2,932	100%

Note, the category *Other* includes customers, business owners, store employees, medical professionals, contractors, community members, care providers, and roommates. Only one relationship coded per report.

Table A21. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Victim-Defendant Relationship and Determination

Victim-Defendant Relationship	2020		2021		2022		2023	
	BI	BC	BI	BC	BI	BC	BI	BC
Stranger	90	135	168	171	362	255	433	337
Neighbor	57	44	124	94	157	115	189	145
Police/LE/CJS	72	19	79	8	180	15	252	10
Service provider	14	-	44	3	102	7	191	10
Employer	31	1	139	5	56	70	119	95
Landlord	17	2	61	7	117	66	87	5
Current/former relative/friend	3	3	17	5	25	5	31	6
Acquaintance	6	5	33	5	26	29	20	9
Schoolmate	4	-	37	22	198	42	77	27
City official/Govt Employee	102	1	83	-	104	5	80	1
Coworker	4	-	25	17	30	87	35	2
Teacher/School Official	11	-	40	1	85	4	53	1
Other	77	16	85	30	142	64	351	49
Not reported	97	33	51	36	40	37	39	21
Unknown	21	45	8	59	20	89	174	83
Def known to victim	*284*	*62*	*557*	*155*	*904*	*371*	*1,113*	*340*
Total	606	304	994	463	1,644	890	2,131	801

Note, the category *Other* includes customers, business owners, store employees, medical professionals, contractors, community members, care providers, and roommates

Table A22. Department of Justice Hotline 2020-2023 Bias-Motivated Reports by Who Reported and Determination

Reporter Status	2020		2021		2022		2023	
	BI	BC	BI	BC	BI	BC	BI	BC
Victim	258	100	398	170	547	215	664	270
Witness	188	104	278	84	278	186	463	130
Family	-	-	56	46	113	82	171	130
Law enforcement	2	4	85	60	72	93	175	140
Attorney	-	-	-	-	47	3	57	6
Perpetrator	3	1	13	-	38	1	92	-
Advocate	-	-	-	-	107	162	154	50
School Official	-	-	3	-	18	54	5	1
Other/Not Reported	155	95	161	103	424	94	350	74
Total	606	304	994	463	1,644	890	2,131	801

Note, excludes bias against unprotected class, bias criteria not met, repeat reports, and unable to determine reports.

Table A23. Department of Justice Hotline 2021-2023 Bias-Motivated Reports by Setting Type

Setting Type	2021		2022		2023	
	N	%	N	%	N	%
Community	583	40%	847	33%	1,218	42%
Neighborhood	212	15%	275	11%	337	11%
Employment	188	13%	254	10%	273	9%
School	139	10%	444	18%	296	10%
Other	335	23%	714	28%	808	28%
Business	58	4%	84	3%	111	4%
Domestic Violence	18	1%	13	1%	15	1%
Family	8	1%	10	0%	23	1%
Government	33	2%	97	4%	121	4%
Healthcare	25	2%	16	1%	28	1%
Housing	74	5%	196	8%	126	4%
Institutional	18	1%	52	2%	15	1%
Media	-	-	10	0%	46	2%
Police/LE/CJS	83	6%	186	7%	288	10%
Religious	8	1%	20	1%	15	1%
Unknown	10	1%	30	1%	20	1%
Total	1457	100%	2534	100%	2932	100%

Note, excludes *bias against unprotected class, bias criteria not met, repeat reports,* and *unable to determine* reports.

Table A24. Department of Justice Hotline 2021-2023 Bias-Motivated Reports by Setting Type and Determination

Setting Type	2021		2022		2023	
	BI	BC	BI	BI	BC	BI
Business	51	7	75	9	103	8
Community	308	275	485	362	756	462
Domestic Violence	11	7	10	3	11	4
Employment	174	14	86	168	175	98
Family	6	2	9	1	21	2
Government	33	-	96	1	119	2
Healthcare	24	1	14	2	25	3
Housing	69	5	131	65	119	7
Institutional	16	2	46	6	13	2
Media	-	-	10	-	46	-
Neighbors	120	92	158	117	184	153
Police/LE/CJS	75	8	172	14	278	10
Religious	1	7	2	18	11	4
School	102	37	331	113	256	40
Unknown	4	6	19	11	14	6
Total	994	463	1,644	890	2,131	801

Table A25. Department of Justice Hotline 2020-2023 Bias-Motivated Reports: Perceived Defendant Demographics by Determination

Demographics	2020		2021		2022		2023	
	BI	BC	BI	BC	BI	BC	BI	BC
Gender								
Male	-	-	279	151	511	388	697	466
Female	-	-	118	31	209	124	297	54
Gender Non-Conforming	-	-	2	3	5	-	3	-
Unknown/Not Reported	606	304	595	278	919	378	1,134	281
Race								
White	-	-	193	104	530	197	582	279
Black/AA	-	-	10	3	20	15	4	32
Asian	-	-	1	7	1	1	2	10
Hispanic/Latino	-	-	7	1	21	24	12	12
AIAN	-	-	-	1	1	1	1	1
Multiple Races	-	-	-	-	11	25	2	-
Unknown/Not reported	606	304	783	347	1,060	627	1,528	467
Age								
24 and under	11	8	61	45	84	86	65	45
25 to 39	10	5	25	39	45	92	68	64
40 to 49	3	2	20	16	47	15	35	95
50 and older	11	7	107	40	70	43	95	40
Unknown/Not reported	571	282	781	323	1,398	654	1,868	557
Total	606	304	994	463	1,644	890	2,131	801

Note. Excludes *bias against unprotected class, bias criteria not met, repeat report* and *unable to determine* reports for each year.

Table A26. Department of Justice Hotline 2020-2023 Bias Crimes Reported to Law Enforcement

County	2020		2021		2022		2023	
	BC	Reported to LE	BC	Reported to LE	BC	Reported to LE	BC	Reported to LE
Baker	1	-	-	-	-	-	-	-
Benton	7	6	13	11	18	15	10	3
Clackamas	19	11	71	58	35	31	37	28
Clatsop	-	-	5	5	5	1	1	-
Columbia	1	-	5	3	3	-	4	-
Coos	11	8	1	1	-	-	3	1
Crook	7	1	1	1	2	-	-	-
Curry	11	-	1	1	-	-	-	-
Deschutes	9	4	24	18	20	13	36	34
Douglas	1	-	1	-	3	2	12	4
Gilliam	-	-	-	-	1	-	-	-
Grant	-	-	-	-	-	-	-	-
Harney	-	-	-	-	-	-	-	-
Hood River	-	-	-	-	-	-	-	-
Jackson	5	3	8	6	15	10	23	12
Jefferson	-	-	-	-	-	-	1	-
Josephine	-	-	4	3	6	6	-	-
Klamath	12	4	9	2	9	1	6	4
Lake	2	-	-	-	-	-	3	3
Lane	40	28	29	17	36	27	234	36
Lincoln	3	-	3	-	2	1	6	2
Linn	13	8	22	21	49	44	24	22
Malheur	4	4	-	-	5	3	1	1
Marion	14	14	32	19	175	101	12	7
Morrow	-	-	1	1	-	-	-	-
Multnomah	111	75	161	105	374	155	214	107
Polk	5	3	5	4	21	21	4	4
Sherman	-	-	-	-	3	1	4	2
Tillamook	-	-	1	-	4	-	7	3
Umatilla	-	-	2	-	-	-	2	-
Union	-	-	-	-	-	-	1	-
Wallowa								
Wasco	-	-	11	3	7	6	11	8
Washington	23	17	39	20	40	32	122	105
Wheeler	-	-	2	2	-	-	-	-
Yamhill	1	-	4	4	25	8	10	8
Other/Unknown	4	-	8	-	32	13	13	2
Total	304	186	463	305	890	491	801	396

Note, counts of bias crime reported to the Hotline and Law Enforcement obtained from data reported to the BRH; LE reports made subsequent to reporters contacting the Hotline are excluded from these data. Per SB 577, the BRH cannot submit identifiable data to CJC for verification of the above LE reporting numbers.

Table A27. Police Departments with Missing NIBRS Data in 2023

Departments that Reported No Data in 2023	Departments missing 1 to 11 months of data in 2023
Aumsville PD	Keiser PD
Burns PD	Junction City PD
Coburg PD	Madras PD
Curry SO	Malin PD
Enterprise PD	Powers PD
Gold Beach PD	Silverton PD
Grant SO	Vernonia PD
Harney SO	Wallowa SO
Hines PD	
John Day PD	
Lake SO	
Merrill PD	
Myrtle Point PD	
OSHU PD	
Port Orford PD	
Rockaway PD	
Toledo PD	
Turner PD	
U of O PD	
Wheeler SO	

Table A28. NIBRS 2020-2023 Reported Bias Crimes by Bias Motivation

Bias Motivation/Targeted Protected Class	Year			
	2020	2021	2022	2023
Race	276	224	257	222
Black/AA	149	112	133	73
Hispanic	40	46	56	51
Asian	6	14	15	10
AI/AN	8	3	4	-
NH/OPI	8	1	-	2
Arab	6	4	8	4
White	33	23	24	20
Race Unspecified	19	9	9	4
Multiple Races	11	19	11	15
National Origin/Ethnicity	1	13	8	6
Sexual Orientation	46	64	81	81
Gay	22	39	41	28
Lesbian	3	3	14	8
Bisexual	-	1	2	1
Unspecified LGBTQ	21	21	28	47
Heterosexual	-	-	1	-
Disability	7	3	4	6
Mental	4	-	-	2
Physical	3	3	4	4
Gender Identity	14	14	16	16
Expansive	3	3	3	1
Transgender	11	11	13	15
Religion	33	29	42	38
Muslim	3	3	7	6
Jewish	22	16	15	26
Christian	2	3	8	1
Catholic	1	3	5	1
Hindu	-	3	-	-
Mormon	-	-	1	-
Protestant	2	-	3	-
Multiple	-	1	-	-
Unknown	3	-	3	2
Gender	1	1	13	1
Female	-	1	-	1
Male	1	-	13	-
Non-protected class	43	11	-	-
Multiple Targeted Class	7	5	14	5
Total	416	358	409	370

Table A29. NIBRS 2020-2023 Bias Crime Victim-Defendant Relationship

Victim-Defendant Relationship	Year			
	2020	2021	2022	2023
Stranger	74	89	83	81
Known/somewhat known	**64**	**68**	**83**	**75**
Acquaintance	26	26	26	24
Neighbor	14	13	21	23
Otherwise known	8	18	20	16
Friend	2	1	5	4
Boyfriend/Girlfriend	4	1	-	3
Other family	2	1	4	-
Ex-Relationship/Spouse	3	1	1	1
Spouse	1	3	2	-
Child	-	1	2	1
Parent/Stepparent	3	1	-	-
Employee	-	-	2	1
Employer	-	1	-	2
Sibling	1	1	-	-
Victim was Offender	-	-	1	1
Unknown	192	118	133	132
Not Applicable¥	86	83	109	81
Total Victims	416	358	409	370

Note. Victim-Defendant Relationship is provided when victims are LE or individuals. Offenses may have multiple victims: all victims of bias crime offenses in NIBRS data are listed above.

¥ Includes victims classified as Business, Society/Public, Government, Religious Organization, Financial Institution and Other/Unknown victims.

Table A30. Hotline and NIBRS Bias Crimes 2023: Victim Demographics

Demographics	Hotline		NIBRS	
	Count	Percent	Count	Percent
Gender				
Male	340	42%	183	49%
Female	215	27%	102	28%
Gender Non-Conforming	93	12%	-	-
Unknown/NA	153	19%	85	23%
Race				
White	19	2%	156	42%
Black/AA	157	20%	77	21%
Hispanic/Latinx	158	20%	9	2%
AI/AN	8	1%	4	1%
Asian	46	6%	10	3%
NH/OPI	3	0%	3	1%
Multiracial	19	2%	-	-
Unknown/NA	391	49%	111	30%
Total Victims	801	100%	370	100%

Table A31. Hotline and NIBRS Bias Crimes 2023: Protected Class and Reported Victim Race

Targeted Protected Class	Hotline		NIBRS	
	Count	Percent	Count	Arrest
Race	**340**	**42%**	**222**	**60%**
Black/AA	180	22%	73	20%
Hispanic	71	9%	51	14%
Asian	39	5%	10	3%
AI/AN	5	1%	-	0%
NH/OPI	3	0%	2	1%
Arab	22	3%	4	1%
White	3	0%	20	5%
Race Unspecified	27	3%	4	1%
Multiple Races	13	2%	15	4%
Color	**171**	**21%**	**-**	**-**
National Origin/Ethnicity	**182**	**23%**	**6**	**2%**
Sexual Orientation	**153**	**19%**	**81**	**22%**
Gay	49	6%	28	8%
Lesbian	48	6%	8	2%
Bisexual	-	**-**	1	0%
Unspecified LGBTQ	60	7%	47	13%
Heterosexual	-	**-**	**-**	**-**
Disability	**24**	**3%**	**6**	**2%**
Mental	7	1%	2	1%
Physical	10	1%	4	1%
Disability Unspecified	8	1%	-	-
Gender Identity	**98**	**12%**	**16**	**4%**
Expansive	70	9%	1	0%
Transgender	24	3%	15	4%
Religion	**211**	**26%**	**38**	**10%**
Muslim	18	2%	6	2%
Jewish	183	23%	26	7%
Christian	3	0%	1	0%
Non-protected class	**37**	**5%**	**-**	**-**
Multiple Targeted Class	305	38%	14	4%
Total Victims	801	100%	370	100%

Table A32. NIBRS Bias Crime Defendants 2020-2023 by County

County	Year			
	2020	**2021**	**2022**	**2023**
Baker	-	-	-	-
Benton	4	16	14	8
Clackamas	26	35	33	26
Clatsop	4	2	4	2
Columbia	2	-	1	1
Coos	7	1	-	3
Crook	-	-	-	-
Curry	-	-	-	-
Deschutes	30	17	11	23
Douglas	6	9	4	2
Gilliam	-	-	1	-
Grant	-	-	-	-
Harney	-	-	-	-
Hood River	8	2	3	1
Jackson	10	4	4	6
Jefferson	2	1	-	-
Josephine	2	5	2	2
Klamath	8	7	1	10
Lake	-	2	-	-
Lane	74	36	43	39
Lincoln	9	3	1	7
Linn	3	21	23	18
Malheur	2	1	4	1
Marion	40	23	32	31
Morrow	-	2	-	-
Multnomah	47	59	63	89
Polk	8	1	4	1
Sherman	-	-	2	2
Tillamook	1	3	-	1
Umatilla	14	6	4	6
Union	8	1	-	3
Wallowa	-	-	-	-
Wasco	-	1	6	6
Washington	35	44	62	23
Wheeler	-	-	-	-
Yamhill	7	4	2	4
Total Defendants	357	306	324	315

Note. Illustrates defendant level bias crime counts, multiple bias charges per arrest counts as one arrest. Assumes one defendant when no arrest is listed per incident/case.

Table A33. NIBRS 2023 Bias Crimes by Bias Motivation and Victim Demographics

Victims' Demographics	Bias Motivation						
	Race	Disability	National Origin	Gender Identity	Religion	Sexual Orient	Gender
Gender							
Female	68	1	-	6	11	15	1
Male	110	5	4	5	13	49	-
Unknown/Not Reported	2	-	-	2	-	1	-
Race							
AI/AN	1	-	2	-	-	1	-
Asian	9	-	-	-	1	-	-
Black/AA	75	-	-	-	1	3	-
Hispanic/Latino	9	-	-	-	-	-	-
NH/OPI	2	-	-	-	-	1	-
Unknown	18	1	1	-	8	2	-
White	66	5	1	13	14	58	1
Age							
20 and under	40	4	1	2	1	10	-
21-24	8	-	-	1	-	5	1
25-34	35	-	1	4	1	15	-
35-44	39	1	-	5	7	12	-
45-54	29	1	2	1	8	10	-
55+	25	-	-	-	7	11	-
Not Reported	4	-	-	-	-	2	-
N/A (Not Individual or LE)	42	-	2	3	14	16	-
Total Victims	222	6	6	16	38	81	1

Table A34. NIBRS 2023 Anti-Race Bias Crimes by Victim Demographics

Victims' Demographics	Anti-Race Bias Motivation						
	Total	Black	Hispanic	White	Asian	Multi Racial	Arab
Gender							
Female	68	26	14	12	2	4	-
Male	110	38	29	5	7	4	3
Unknown/Not Reported	2	1	1	-	-	1	-
Race							
AI/AN	1	-	1	-	-	-	-
Asian	9	2	-	-	7	-	-
Black/AA	75	48	1	1	-	1	-
Hispanic/Latino	9	-	9	-	-	-	-
NH/OPI	2	1	-	-	-	-	-
Unknown	18	3	3	4	1	2	1
White	66	11	30	12	1	6	2
Age							
20 and under	40	16	10	4	2	1	-
21-24	8	1	2	-	1	-	1
25-34	35	12	7	2	1	5	-
35-44	39	19	9	3	2	1	-
45-54	29	7	10	3	2	1	2
55+	25	10	4	4	1	1	-
Not Reported	4	-	2	1	-	-	-
N/A (Not Individual or LE)	42	8	7	3	1	6	1
Total Victims	222	73	51	20	10	15	4

Table A35. NIBRS 2023 Anti-Sexual Orientation Bias Crimes by Victim Demographics

Victims' Demographics	Anti-Religion Bias Motivation				
	Total	Gay	Lesbian	Bisexual	Unspecified
Gender					
Female	15	2	6	-	7
Male	49	26	2	1	23
Unknown/Not Reported	1	-	-	-	1
Race					
AI/AN	1	1	-	-	-
Asian	-	-	-	-	-
Black/AA	3	1	-	1	1
Hispanic/Latino	-	-	-	-	-
NH/OPI	1	1	-	-	-
Unknown	2	-	-	-	2
White	58	25	8	-	28
Age					
20 and under	10	3	1	-	6
21-24	5	4	-	-	1
25-34	15	4	6	1	7
35-44	12	6	-	-	6
45-54	10	5	1	-	4
55+	11	6	-	-	5
Not Reported	2	-	-	-	2
N/A (Not Individual or LE)	16	-	-	-	16
Total Victims	81	28	8	1	47

Table A36. NIBRS 2023 Anti-Religion Bias Crimes by Victim Demographics

Victims' Demographics	Anti-Religion Bias Motivation			
	Total	Muslim	Jewish	Christian
Gender				
Female	11	5	5	-
Male	13	1	8	1
Unknown/Not Reported	-	-	-	-
Race				
AI/AN	-	-	-	-
Asian	1	-	-	-
Black/AA	1	-	-	1
Hispanic/Latino	-	-	-	-
NH/OPI	-	-	-	-
Unknown	8	4	4	-
White	14	2	9	-
Age				
20 and under	1	-	1	-
21-24	-	-	-	-
25-34	1	1	-	-
35-44	7	2	2	1
45-54	8	-	7	-
55+	7	3	3	-
Not Reported	-	-	-	-
N/A (Not Individual or LE)	14	-	13	-
Total Victims	38	6	26	1

LEDS Tables

Table A37. LEDS 2000-2023 Bias (I and II) Arrests by Year

Year	ORS 166.165 Bias I	ORS 166.155 Bias II	Total Bias Crime Cases
2000	25	32	57
2001	26	44	70
2002	28	36	64
2003	31	43	74
2004	31	51	82
2005	33	33	66
2006	19	54	73
2007	16	54	70
2008	22	52	74
2009	16	31	47
2010	26	48	74
2011	15	50	65
2012	13	37	50
2013	17	27	44
2014	12	36	48
2015	10	26	36
2016	11	28	39
2017	5	40	45
2018	13	50	63
2019	14	74	88
2020	24	56	80
2021	50	69	119
2022	50	70	120
2023	54	84	138

Table A38. LEDS 2020-2023 Bias (I and II) Arrests by Month

Month	2020		2021		2022		2023	
	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.165 Bias I	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II
January	-	8	2	7	2	3	2	4
February	2	5	3	2	6	2	3	6
March	1	1	2	5	5	3	11	1
April	-	2	6	5	4	8	5	9
May	2	5	1	4	6	9	2	7
June	4	7	7	13	8	11	2	8
July	1	9	6	5	5	8	6	11
August	5	4	6	9	2	5	9	7
September	2	6	6	5	4	4	4	10
October	4	6	2	4	1	5	4	9
November	1	1	5	4	5	4	2	4
December	2	2	4	6	2	8	4	8
Total	24	56	50	69	50	70	54	84

Table A39. LEDS 2020-2023 Bias (I and II) Arrests by County

County	Year			
	2020	2021	2022	2023
Baker	-	-	-	-
Benton	1	7	2	2
Clackamas	1	9	16	9
Clatsop	1	-	2	2
Columbia	-	1	3	4
Coos	-	-	-	1
Crook	-	2	-	1
Curry	1	-	2	1
Deschutes	1	5	3	7
Douglas	1	-	1	-
Gilliam	-	-	-	-
Grant	-	-	-	-
Harney	-	-	-	-
Hood River	-	3	-	2
Jackson	3	2	5	6
Jefferson	-	1	-	-
Josephine	1	1	-	2
Klamath	2	2	1	4
Lake	-	1	-	-
Lane	11	10	5	10
Lincoln	2	3	1	5
Linn	2	5	9	8
Malheur	2	1	2	1
Marion	17	9	11	12
Morrow	-	-	-	-
Multnomah	18	32	33	37
Polk	1	1	2	1
Sherman	-	-	-	-
Tillamook	-	-	1	-
Umatilla	1	1	-	1
Union	-	-	1	1
Wallowa	-	-	-	-
Wasco	-	-	1	5
Washington	14	21	17	14
Wheeler	-	-	-	-
Yamhill	-	2	2	2
Total	80	119	120	138

Note. Illustrates defendant level bias crime counts, multiple bias charges per arrest counts as one arrest.

Table A40. LEDS 2020-2023 Bias (I and II) Defendants: Most Frequent Co-Occurring Charges

ORS Number	ORS Description	2020	2021	2022	2023
163.190	Menacing	27	30	36	32
166.065	Harassment	24	33	36	33
166.070	Aggravated Harassment	1	13	7	6
166.025	Disorderly Conduct II	28	28	18	27
166.220	Unlawful Weapon Use	14	16	27	19
163.160	Assault IV	9	18	19	27
163.175	Assault II	1	6	6	6
163.165	Assault III	3	9	-	5
162.315	Resisting Arrest	6	10	9	13
164.365	Criminal Mischief I	5	7	3	7
164.345	Criminal Mischief II	4	9	16	13
164.354	Criminal Mischief III	7	6	7	5
164.245	Criminal Trespass II	8	9	10	8
166.116	Interfering with Public Transportation	3	5	1	3
162.247	Interfering with Peace Officer	9	4	3	1
166.155	Bias II[‡]	3	8	2	8
	Total Arrests	80	119	120	138

Note. Specific co-occurring charges were counted only once per case; thus, if a case had 2 harassment charges, it was counted once.

[‡] Bias I cases with a co-occurring Bias II charge.

Odyssey Tables

Table A41. Odyssey Bias (I and Bias II) Cases Filed 2000-2023

Year	ORS 166.165 Bias I	ORS 166.155 Bias II	Total Bias Crime Cases
2000	18	34	52
2001	21	45	66
2002	18	31	49
2003	19	43	62
2004	22	41	63
2005	27	30	57
2006	22	35	57
2007	15	41	56
2008	20	51	71
2009	7	26	33
2010	12	45	57
2011	5	39	44
2012	5	29	34
2013	8	21	29
2014	7	25	32
2015	9	29	38
2016	6	36	42
2017	3	31	34
2018	6	55	61
2019	15	69	84
2020	34	49	83
2021	64	69	133
2022	57	54	111
2023	68	61	129

Table A42. Odyssey Bias (I and II) Cases Filed 2020-2023 by County

County	Year			
	2020	2021	2022	2023
Baker	-	-	-	-
Benton	1	7	3	6
Clackamas	2	14	9	5
Clatsop	-	1	1	3
Columbia	-	1	2	3
Coos	1	-	1	-
Crook	-	-	-	-
Curry	-	1	1	-
Deschutes	3	5	1	7
Douglas	1	-	1	-
Gilliam	-	-	-	-
Grant	-	-	-	-
Harney	-	-	-	-
Hood River	-	2	-	-
Jackson	2	6	6	4
Jefferson	-	1	-	-
Josephine	1	1	2	1
Klamath	-	3	-	3
Lake	-	-	1	-
Lane	6	3	2	5
Lincoln	3	4	-	2
Linn	1	6	7	5
Malheur	4	1	2	4
Marion	10	7	11	11
Morrow	-	-	-	-
Multnomah	32	45	36	48
Polk	2	1	3	2
Sherman	-	-	1	-
Tillamook	-	-	1	-
Umatilla	-	1	-	1
Union	-	-	-	1
Wallowa	-	-	-	-
Wasco	-	-	1	4
Washington	14	20	18	12
Wheeler	-	1	-	-
Yamhill	-	2	1	2
Total	83	133	111	129

Note. Illustrates defendant level cases, multiple bias charges per case counts as one case.

Table A43. Odyssey 2020-2023 Bias (I and II) Cases: Most Frequent Co-Occurring Charges

ORS Number	ORS Description	2020	2021	2022	2023
163.190	Menacing	33	47	39	44
166.065	Harassment	29	45	28	44
166.220	Unlawful Use of a Weapon	25	33	34	35
163.160	Assault in the Fourth Degree	14	29	21	31
166.025	Disorderly Conduct in the Second Degree	27	35	14	14
164.365	Criminal Mischief in the First Degree	2	7	5	10
164.354	Criminal Mischief in the Second Degree	10	21	17	19
164.345	Criminal Mischief in the Third Degree	2	5	6	6
162.315	Resisting Arrest	5	17	6	10
163.195	Reckless Endangerment	5	2	6	6
163.115	Murder	2	-	1	1

Note. Specific co-occurring charges were counted only once per case; thus, if a case had 2 harassment charges, it was counted once.

Table A44. Odyssey Bias (I and II) Cases Filed 2020-2023: Case Status

Demographics	Year			
	2020	**2021**	**2022**	**2023**
Any Conviction	**64**	**90**	**69**	**35**
BC Conviction	49	55	37	22
Non-BC Conviction	15	35	32	13
No Conviction	**12**	**27**	**20**	**28**
Civil compromise	-	-	3	1
Dismissed	12	27	17	27
Open	**7**	**16**	**22**	**66**
Total	83	133	111	129

Table A45. Odyssey Bias (I and II) Cases Filed 2020-2023: Status of Disposed Cases

Case Outcome	2020		2021		2022		2023	
	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II
BC Conviction	17	32	23	32	16	21	9	13
Non-BC Conviction	9	6	21	14	20	12	6	7
Dismissed/Diverted	5	7	15	12	10	10	14	14
Open	3	4	5	11	11	11	39	27
Total	34	49	64	69	57	54	68	61

Table A46. Odyssey Bias (I and II) Cases Filed 2020-2023: Days to Disposition

Days to Disposition	2020		2021		2022		2023	
	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II
Mean	379.23	335.44	263.51	320.53	116.96	206.81	116.10	88.79
Median	271	263	204	316.5	83	178	98	66
Total	31	45	59	58	46	43	29	34

Table A47. Odyssey Bias (I and II) Cases Disposed 2020-2023: Days to Disposition

Days to Disposition	2020		2021		2022		2023	
	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II	ORS 166.165 Bias I	ORS 166.155 Bias II
Mean	438.83	480.39	187.87	304.33	256.31	400.17	294.64	330.52
Median	119	129	143	251	154.5	335	206	195
Total	18	41	39	40	62	65	44	64

Table A48. DOC 2000-2023 Bias (I and II) Convictions by County

County	Conviction Year			
	2020	**2021**	**2022**	**2023**
Baker	-	-	-	-
Benton	-	1	1	1
Clackamas	3	2	3	6
Clatsop	-	-	1	-
Columbia	-	-	-	1
Coos	-	-	-	-
Crook	-	-	-	-
Curry	-	-	-	-
Deschutes	-	2	1	1
Douglas	-	-	-	-
Gilliam	-	-	-	-
Grant	-	-	-	-
Harney	-	-	-	-
Hood River	-	-	-	-
Jackson	-	1	2	-
Jefferson	-	-	-	-
Josephine	-	-	1	-
Klamath	-	-	-	1
Lake	-	-	-	-
Lane	-	1	-	-
Lincoln	-	-	-	-
Linn	-	1	1	-
Malheur	-	1	-	-
Marion	2	3	3	4
Morrow	-	-	-	-
Multnomah	8	6	11	10
Polk	-	1	-	-
Sherman	-	-	-	-
Tillamook	-	-	-	-
Umatilla	-	-	-	-
Union	-	-	1	-
Wallowa	-	-	-	-
Wasco	-	-	-	1
Washington	5	5	6	3
Wheeler	-	-	-	-
Yamhill	-	1	-	-
Out of State	4	4	2	3
Total	22	29	33	31

Table A49. DOC 2000-2023 Intimidation/Bias (I and II) Convictions by Year

Year	ORS 166.165 Bias I	ORS 166.155 Bias II	Total Bias Crime Cases
2000	6	1	7
2001	9	6	15
2002	8	3	11
2003	14	7	21
2004	3	5	8
2005	8	6	14
2006	14	5	19
2007	13	3	16
2008	12	10	22
2009	6	3	9
2010	2	4	6
2011	2	4	6
2012	6	4	10
2013	3	5	8
2014	1	2	3
2015	3	4	7
2016	4	2	6
2017	4	9	13
2018	2	9	11
2019	6	18	24
2020	11	11	22
2021	14	15	29
2022	21	12	33
2023	20	11	31

Table A50. DOC 2000-2023 Intimidation/Bias (I and II) Convictions by Sentence Types

Year	Prison	Jail Only	Probation Only	Jail & Probation	Total Bias Crime Cases
2000	1	2	3	1	7
2001	3	-	11	1	15
2002	2	-	5	4	11
2003	8	-	11	2	21
2004	3	-	5	-	8
2005	2	1	8	3	14
2006	5	-	11	3	19
2007	8	-	6	2	16
2008	6	-	15	1	22
2009	1	-	6	2	9
2010	4	-	2	-	6
2011	1	-	5	-	6
2012	3	-	5	2	10
2013	2	-	5	1	8
2014	-	-	2	1	3
2015	3	-	4	-	7
2016	3	-	3	-	6
2017	3	-	10	-	13
2018	-	-	11	-	11
2019	3	-	20	1	24
2020	5	-	16	1	22
2021	6	-	21	2	29
2022	7	-	25	1	33
2023	5	2	23	1	31
Total	84	5	233	29	351

Table A51. DOC 2000-2023 Intimidation/Bias (I and II)
Convictions by Defendant Gender

Year	Male	Female	Total
2000	7	-	7
2001	14	1	15
2002	11	-	11
2003	21	-	21
2004	8	-	8
2005	13	1	14
2006	17	2	19
2007	15	1	16
2008	17	5	22
2009	7	2	9
2010	6	-	6
2011	6	-	6
2012	10	-	10
2013	8	-	8
2014	2	1	3
2015	6	1	7
2016	6	-	6
2017	10	3	13
2018	9	2	11
2019	20	4	24
2020	20	2	22
2021	26	3	29
2022	28	5	33
2023	25	6	31
Total	312	39	351

Table A52. DOC 2000-2023 Intimidation/Bias (I and II) Convictions by Defendant Race

Year	White	Black/AA	AI/AN	Hispanic/ Latinx	Asian
2000	6	-	-	1	-
2001	12	1	-	2	-
2002	8	-	-	3	-
2003	12	6	2	1	-
2004	8	-	-	-	-
2005	12	1	-	-	1
2006	14	-	2	3	-
2007	7	6	1	2	-
2008	15	1	4	2	-
2009	7	-	-	2	-
2010	5	1	-	-	-
2011	5	-	-	1	-
2012	7	-	-	3	-
2013	6	1	1	-	-
2014	2	1	-	-	-
2015	6	1	-	-	-
2016	4	-	1	1	-
2017	8	3	-	2	-
2018	9	1	-	1	-
2019	18	2	-	4	-
2020	16	3	1	1	1
2021	28	-	-	1	-
2022	28	1	1	2	1
2023	26	2	1	2	-
Total	269	31	14	34	3

Table A53. DOC 2000-2023 Intimidation/Bias (I and II) Convictions by Defendant Age

Year	Mean Age	20 and under	21 to 24 Years	25 to 34 Years	35 to 44 Years	45 to 54 Years	55 +
2000	26.14	3	1	1	2	-	-
2001	31.07	2	4	5	3	-	1
2002	25.36	4	3	2	1	1	-
2003	24.71	4	9	6	2	-	-
2004	29.63	1	2	3	1	1	-
2005	35.43	3	2	3	2	2	2
2006	30.11	6	5	1	3	3	1
2007	29.00	8	-	1	4	3	-
2008	29.41	3	4	8	7	-	-
2009	26.78	2	3	1	3	-	-
2010	38.67	-	1	1	2	2	-
2011	33.00	1	1	2	1	-	1
2012	30.70	3	3	1	1	1	1
2013	32.75	1	2	1	2	2	-
2014	31.00	-	2	-	-	1	-
2015	32.43	1	-	3	3	-	-
2016	35.83	-	-	3	2	1	-
2017	38.92	1	2	2	5	1	2
2018	41.55	-	2	1	3	4	1
2019	35.75	-	4	7	8	5	-
2020	42.59	1	1	4	5	7	4
2021	41.69	1	1	9	8	4	6
2022	37.73	2	4	8	9	6	4
2023	38.55	3	-	7	11	7	3
Total	34.32	50	56	80	88	51	26

Table A54. DOC 2020-2023 Bias (I and II) Convictions by Defendants Demographics

Demographics	Year			
	2020	**2021**	**2022**	**2023**
Gender				
Male	20	26	28	25
Female	2	3	5	6
Race				
White	16	28	28	26
Black/AA	3	-	1	2
AI/AN	1	-	1	1
Hispanic/Latinx	1	1	2	2
Asian	1	-	1	-
Age				
18 to 20	1	1	2	3
21 to 24	1	1	4	-
25 to 34	4	9	8	7
35 to 44	5	8	9	11
45 to 54	7	4	6	7
55 and older	4	6	4	3
Mean Age	*42.59*	*41.69*	*37.73*	*38.55*
Total	22	29	33	31

Table A55. DOC 2020-2023 Bias (I and II) Convictions: Most Frequent Co-Occurring Charges

ORS Number	ORS Description	2020	2021	2022	2023
166.220	Unlawful use of weapon	3	2	8	3
163.160	Assault in the Fourth Degree	2	2	1	1
163.165	Assault in the Third degree	-	-	2	1
163.175	Assault in the Second Degree	1	2	2	4
163.190	Menacing	3	-	2	1
164.365	Criminal mischief in the first degree	1	-	-	2
162.315	Resisting arrest	-	2	-	1
163.187	Strangulation	-	1	2	-
166.065	Harassment	1	2	-	-
166.070	Aggravated harassment	-	-	1	1
163.208	Assaulting Public Safety Officer	-	1	-	-
164.354	Criminal mischief in the second degree	-	1	1	-
163.732	Stalking	-	1	-	-
	Total Convicted Defendants	22	29	33	31

Note. Specific co-occurring charges were counted only once per case; thus, if a case had 2 harassment charges, it was counted once.

Table A56. DOC 2020-2023 Bias (I and II) Convictions: Prison Sentence Length Based on Sentence Start Date

Prison Length of Stay	Year			
	2020	2021	2022	2023
12-24 months	5	5	3	4
25-60 months	0	0	4	1
>60 months	0	1	0	0
Total	5	6	7	5

Table A57. DOC 2020-2023 Bias (I and II) Convictions: Probation Sentence Length Based on Sentence Start Date

Probation Length of Stay	Year			
	2020	2021	2022	2023
18 mons	6	19	24	25
19-24 months	6	4	2	0
25-36 mons	6	3	0	0
> 3 years	1	0	0	0
Total	19	26	26	25

Table A58. DOC 2020-2023 Bias (I and II) Convictions: Prison Length of Stay Based on Release Date

Prison Length of Stay	Year			
	2020	2021	2022	2023
12-24 months	0	5	8	4
25-60 months	0	1	0	0
>60 months	0	1	0	1
Total	0	7	8	5

Table A59. DOC 2020-2023 Bias (I and II) Convictions: Probation Length of Stay Based on Release Date

Probation Length of Stay	Year			
	2020	2021	2022	2023
18 mons	7	2	11	3
19-24 months	4	5	6	5
25-36 mons	1	3	4	5
> 3 years	2	2	4	2
Total	14	12	25	15

Table A60. Bias Crimes Reported to the Department of Justice Hotline, NIBRS and Justice System in 2023 by County

County	Hotline	NIBRS	CJS
Baker	-	-	-
Benton	10	8	6
Clackamas	37	26	16
Clatsop	1	2	3
Columbia	4	1	6
Coos	3	3	3
Crook	-	-	1
Curry	-	-	1
Deschutes	36	23	11
Douglas	12	2	-
Gilliam	-	-	-
Grant	-	-	-
Harney	-	-	-
Hood River	-	1	2
Jackson	23	6	11
Jefferson	1	-	-
Josephine	-	2	4
Klamath	6	10	9
Lake	3	-	-
Lane	234	39	15
Lincoln	6	7	8
Linn	24	18	10
Malheur	1	1	4
Marion	12	31	19
Morrow	-	-	-
Multnomah	214	89	64
Polk	4	1	3
Sherman	4	2	-
Tillamook	7	1	-
Umatilla	2	6	2
Union	1	3	1
Wallowa	-	-	-
Wasco	11	6	6
Washington	122	23	23
Wheeler	-	-	-
Yamhill	10	4	3
Other/Unknown	13	-	-
Total	801	315	231

Table A61. NIBRS 2023 Arrestees By Reporting Law Enforcement Agency

Law Enforcement Agency	Arrested	Not Arrested	Total
Albany Police Department	9	12	21
Ashland Police Department	2	2	4
Beaverton Police Department	-	1	1
Bend Police Department	1	20	21
Canby Police Department	1	2	3
Cannon Beach Police Department	-	1	1
Clackamas County Sheriff's Office	3	13	16
Clackamas State Police	-	1	1
Columbia State Police	1	1	2
Coos Bay Police Department	-	1	1
Corvallis Police Department	1	3	4
Eugene Police Department	9	25	34
Forest Grove Police Department	-	3	3
Grants Pass Police Department	1	2	3
Gresham Police Department	3	8	11
Hermiston Police Department	-	2	2
Hillsboro Police Department	-	2	2
Hood River Police Department	-	1	1
Jackson County Sheriff's Office	-	1	1
Keizer Police Department	1	1	2
Klamath Falls Police Department	7	8	15
La Grande Police Department	1	1	2
Lake Oswego Police Department	1	2	3
Lane County Sheriff's Office	3	6	9
Lincoln City Police Department	1	3	4
Lincoln County Sheriff's Office	1	2	3
Linn County Sheriff's Office	1	4	5
McMinnville Police Department	1	1	2
Medford Police Department	1	2	3
Molalla Police Department	-	1	1
Multnomah County Sheriff's Office	2	5	7
Newberg-Dundee Police Department	1	1	2
Newport Police Department	1	2	3
North Bend Police Department	-	2	2
Ontario Police Department	-	1	1
Oregon City Police Department	-	2	2
OSU Dept of Pub Safety	-	5	5
Pendleton Police Department	-	1	1
Phoenix Police Department	1	1	2
Polk County Sheriff's Office	1	1	2
Portland Police Bureau	18	72	90
Portland State University Police Department	-	4	4
Redmond Police Department	-	3	3
Salem Police Department	15	21	36
Sandy Police Department	-	3	3
Sherman County Sheriff's Office	-	2	2
Sherwood Police Department	-	2	2
Springfield Police Department	3	7	10
Stayton Police Department	1	1	2
Sutherlin Police Department	1	1	2

(Table A61 continued on next page)

Law Enforcement Agency	Arrested	Not Arrested	Total
The Dalles Police Department	5	5	10
Tigard Police Department	1	7	8
Tillamook Police Department	-	1	1
Tualatin Police Department	-	1	1
Umatilla County Sheriff's Office	2	2	4
Umatilla State Police	-	1	1
Union County Sheriff's Office	-	2	2
Warrenton Police Department	-	1	1
Wasco County Sheriff's Office	-	1	1
Washington County Sheriff's Office	5	7	12
West Linn Police Department	-	2	2
Winston Police Department	1	1	2
Woodburn Police Department	-	1	1
Yamhill County Sheriff's Office	-	2	2
Total	107	303	410

Table A62. Odyssey 2020-2023 Bias (I and II) Cases: By Reporting Law Enforcement Agency

Law Enforcement Agency	Year			
	2020	**2021**	**2022**	**2023**
Albany Police Department	1	4	7	4
Ashland Police Department	-	3	3	-
Astoria Police Department	-	-	-	1
Beaverton Police Department	-	4	4	2
Bend Police Department	2	3	1	5
Canby Police Department	-	-	-	2
Cannon Beach Police Department	-	1	-	-
Central Point Police Department	-	2	1	-
Clackamas County Sheriff's Office	-	9	6	3
Clatsop County Sheriff's Office	-	-	-	2
Columbia County District Attorney	-	-	-	1
Coos Bay Police Department	1	-	-	-
Coos County Sheriff's Office	-	-	1	-
Corvallis Police Department	-	7	2	4
Curry County Sheriff's Office	-	1	-	-
Deschutes County Sheriff's Office	-	1	-	1
Douglas County Sheriff's Office	1	-	1	-
Eugene Police Department	6	3	1	3
Federal Protective Service	-	1	-	-
Forest Grove Police Department	1	-	2	-
Gold Beach Police Department	-	-	1	-
Grand Ronde Tribal Police Department	-	-	1	-
Grants Pass Police Department	1	-	2	1
Gresham Police Department	2	5	1	3
Hillsboro City Police Department	4	2	4	3
Hood River County Sheriff's Office	-	1	-	-
Hood River Police Department	-	1	-	-
Hubbard Police Department	1	-	-	-
Independence Police Department	-	-	1	-
Josephine County Sheriff's Office	-	1	-	-
Keizer Police Department	-	-	1	1
King City Police Department	-	-	-	1
Klamath County Sheriff's Office	-	1	-	-
Klamath Falls Police Department	-	2	-	3
LaGrande Police Department	-	-	-	1
Lake County District Attorney	-	-	1	-
Lane County Sheriff's Office	-	-	1	2
Lincoln City Police Department	1	4	-	1
Lincoln County Sheriff's Office	-	-	-	1
Linn County District Attorney	-	-	1	-
Linn County Sheriff's Office	-	2	-	1
Madras Police Department	-	1	-	-
Marion County Sheriff's Office	3	-	1	2
McMinnville Police Department	-	1	1	1
Medford Police Department	2	1	2	3
Milwaukie Police Department	1	1	-	-
Monmouth Police Department	-	-	-	1
Multnomah County Sheriff's Office	2	5	4	1
Newberg Police Department	-	1	-	1
Newport Police Department	1	-	-	-
Ontario Police Department	4	-	1	2
Oregon City Police Department	1	4	3	-

(Table A62 continued on next page)

Law Enforcement Agency	Year			
	2020	2021	2022	2023
Oregon State Police Department	1	2	3	4
OSU Department of Public Safety	-	-	-	1
Philomath Police Department	1	-	-	1
Polk County Sheriff's Office	-	-	1	-
Port of Portland Police Department	-	1	-	-
Portland Police Department	25	30	24	39
Redmond Police Department	1	1	-	1
Salem Police Department	6	7	8	7
Scappoose Police Department	-	1	-	-
Seaside Police Department	-	-	1	-
Sherman County Sheriff's Office	-	-	1	-
Sherwood Police Department	-	1	1	-
Silverton Police Department	1	-	-	-
St Helens Police Department	-	-	1	-
The Dalles Police Department	-	-	-	1
Tigard Police Department	3	1	1	1
Tillamook Police Department	-	-	1	-
Toledo Police Department	1	-	-	-
Tualatin Police Department	3	1	-	-
Umatilla Co Sheriff's Office	-	1	-	1
Wasco County District Attorney	-	-	1	3
Washington County District Attorney	-	1	-	-
Washington County Sheriff's Office	3	9	6	5
Wheeler County Sheriff's Office	-	1	-	-
Woodburn Police Department	-	1	-	1
Unknown	3	3	7	7
Total	83	133	111	129

Appendix B: BRH Core Values, Guiding Principles, and Selected Procedure Materials

The BRH submitted excerpts of its core values, guiding principles, and procedure materials to aid CJC in interpreting and analyzing the Hotline's data. Staff, interns, and volunteers reference these materials during training and data entry of reports. In Appendix B, "we" and "our" refers to the Hotline.

Bias Response Hotline Core Values
In establishing foundational priorities, the BRH has prioritized nine main tenets in its structure and services: accessibility, belief, trauma-informed care, person-centered approach, promoting safety, cultural humility and responsiveness, equity, compassion/empathy/care, and solidarity. It is so important that the Hotline establishes and earns trust by showing victims that advocates are patient, trauma-informed, listening ears, ready to support, and knowledgeable to refer folks to additional resources if they choose. If advocates honor their boundaries and wishes, and protect their stories, the BRH hopes to continue to show that it is a safe place to share their experiences and realities.

The Hotlines prioritize access so that victims who choose to reach out have the opportunity to receive support services. Our website is screen-reader accessible and readily available in 9 languages (English, Spanish, Arabic, Korean, Simplified Chinese, Vietnamese, Russian, Ukrainian, and Somali), and can be translated into additional languages upon request. Hotline advocates are bi- or multi-lingual and bicultural to meet language needs and reflect culture. The Hotlines use Language Link and IRCO's International Language Bank to provide interpreters in over 240 languages. We utilize the Collective of Indigenous Interpreters of Oregon for interpretation and translation in K'iche', Q'anjob'al, Akateco, Chuj, Mixteco Bajo, Purépecha, and Mam. We accept all Relay calls. Many victims of bias and sanctuary law violations have endured and been scarred by repeated bias victimization throughout their lifetimes and perhaps have never had a safe place to receive support for their experiences. The Hotlines start from a place of acknowledging the challenges of reaching out and try to reduce the barriers to accessing support. The Bias Response Hotline created a Public Service Announcement (PSA) in late 2019,[115] and started airing the PSA in January 2020, messaging that Oregon is not a place for hate, and that advocates are available to support victims and witnesses in the aftermath of a bias incident. The PSA is updated as needed, and continues to run, educating Oregonians that there is now a place to report and receive support for those who have experienced or witnessed bias. For example, in April 2024, the ODOJ Civil Rights Unit began its You Belong campaign deployed in three languages, (English, Mandarin, and Vietnamese); radio ads; social media ads in 7 languages; billboards in Portland, Gresham, Beaverton, and Medford; and a social media influencer campaign. The Sanctuary Promise Hotline created a PSA in Fall 2022, which continued to air in 2023, sharing information about Oregon's sanctuary status and safely reporting suspected violations to the Sanctuary Promise Hotline. Our Hotlines and web portal do not require that a reporter provide personal information such as name, phone number, email address, or other identifying information, acknowledging that many reporters want the protection and safety of anonymity.

At the core of the Hotline is the foundational principle of belief. All Hotline callers and experiences shared are believed. The Bias Response Hotline does not engage in investigations, and it is not the Hotline advocate's role to evaluate evidence or judge decisions shared by the reporter. Victims feel and experience belief, and never doubt or judgment, from the Hotline advocates. The Sanctuary Promise Hotline offers investigation as a next step for reported sanctuary law violations; however, the investigator's findings have no bearing on the support, resources, and advocacy available from Hotline advocates.

The Hotlines aim to provide trauma-informed care, which means the Hotlines' structure and services are welcoming, engaging, and acknowledging of the trauma experienced by those reporting to the Hotline.

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[115] https://www.doj.state.or.us/oregon-department-of-justice/bias-crimes/about-the-law/.

Hotline policies follow the Substance Abuse and Mental Health Services Administration's (SAMHSA) four Rs in that they 1) Realize the widespread impact of trauma and understand potential paths for recovery; 2) Recognize the signs and symptoms of trauma in clients, families, staff, and others involved with the system; 3) Respond by fully integrating knowledge about trauma into policies, procedures, and practices; and 4) seek to actively Resist re-traumatization".[116] Hotline advocates are fully trained in trauma-informed care and all Hotline practices and responses reflect this ideology. Advocates understand the prevalence and impact of trauma among victims and reporters to the Hotlines. Advocates commit to providing victims safe space and allowing for emotional safety on the Hotline. The Hotline operates from an empowerment and strengths-based model, focusing on strength, resilience, options, and choices in an effort to facilitate healing and avoid re-traumatization.[117]

As a significant shift from traditional systems' responses, the Hotlines aim to be person-centered. Each victim, witness, and reporter to the Hotlines is viewed and treated as a nuanced human being with many facets to their life, and a unique identity, experiences, culture, and heritage that we respect and honor. Callers are treated as a person first, as well as someone who has experienced harm, and have autonomy and empowerment to make decisions in the aftermath of a bias incident or sanctuary law violation. For those who choose only to engage with the Hotlines, there is no investigation or criminal justice process with a defendant/offender on whom to focus, and therefore victims' needs, voice, safety, and choice drive Hotline responses. Victims and reporters are acknowledged for whatever stage they are in, validated and affirmed no matter their response to the traumatic experience, empowered with options for next steps, and given choice and control in taking those steps. With the exception of mandatory reports of child abuse, elder abuse, and abuse of a person who is disabled and in danger of further abuse, Hotline reporters choose to whom, when, and where to share their experience as well as what they do after accessing the Hotlines.

A person-centered approach thus requires a victim-centered approach – as opposed the typical defendant centered approach for those who choose to engage in systems. Inasmuch as we have control or power on the Hotlines, we advocate for victim-centered responses; for decades, peer-reviewed research has shown that victims experience greater feelings of justice as well as pathways to healing if their needs are prioritized, their rights are honored, and they have control in sharing their experience and voice.

Every reporter who chooses to engage with the Hotlines works with an advocate to establish a safety plan. Hotline advocates assist victims and reporters in creating a personalized, individual plan to address specific safety concerns resulting from the hate or bias incident or sanctuary law violation, manage risk factors of reencountering hate or bias activity and/or immigration officials, identify natural or personal support resources, and collaborate with the victim to establish actions and options to increase safety and well-being. This includes safety in the community and at home, safety and privacy online, safety and immigration-official-avoidance in day-to-day life, as well as choice in accessing civil and criminal justice systems in state, federal, and/or tribal courts. The Hotlines recognize that bias and sanctuary law violations are physically dangerous, create feelings of emotional vulnerability, and intend to otherize and separate individuals from larger communities. Victims and reporters are offered the opportunity to establish a specific safety plan during each call to the Hotlines.

Hotline advocates practice cultural humility and aim to provide services in a culturally responsive and relevant manner. Hotline advocates recognize and reflect on the privilege and power that come from being part of a system and that may exist in their own cultural identities. Advocates approach each call

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[116] Substance Abuse and Mental Health Services Administration. (2012). SAMHSA's Working Definition of Trauma and Principles and Guidance for a Trauma-Informed Approach; Hopper, E. K., Bassuk, E. L., & Olivet, J. (2010). *Shelter from the Storm: Trauma-Informed Care in Homelessness Services Settings*.
[117] Ibid.

with openness, self-awareness, and humbleness in an effort to recognize the caller's intersectionality and to investigate and explore together opportunities of empowerment in making next decisions and steps. Seeing the victim or reporter as a whole, nuanced person with many contributing life experiences that impact and create an individual with a specific cultural identity, and avoiding generalizations that can come from cultural competency, guide Hotline advocate response. As part of being person-centered, advocates continue to learn about identities and cultures, and regularly ask victims and callers to help identify what supports, processes, and steps would best meet the caller's cultural and individual needs.

Equity is part of our vision as well as drives our daily practice on the Hotlines. We are not here to treat everyone the same; rather we are here to see people as individuals and help meet individualized needs, acknowledging our communal responsibility in addressing harm while avoiding saviorism and disempowerment. To build equitable communities and spaces, we start with services and support on the Hotlines according to individualized needs. This requires acknowledging and honoring intersectionality, identifying needs, and working towards meeting those needs, with the purpose of advancement and opportunities. This also requires acknowledging multi-generational trauma, histories of oppression, and implications of that oppression, while working to address barriers and bridge gaps for reporters and victims. We commit to multi-lingual and culturally sensitive systems of support. We brainstorm creative solutions, staff cases regularly, and push ourselves and each other to think outside the box. In our systems and structuring work, we reflect: Who is missing from the picture? Who is not represented? The answers to these questions require us to go to communities rather than having communities come to us, and to create or find ways to uplift these voices.

Compassion/empathy/care starts within: we exercise these values for ourselves, for each other, and certainly for community members and clients. The language we choose, tone we use, and grace we grant sets the foundation for the environment of care we are cultivating within our team and our Hotline programs. We always aim to see the humanity in everyone, grant space for people to feel and share, and allow true identity and self to shine through. This requires much trust of each other and vulnerability on the Hotlines, and thus we always lead with assumptions of best intent in our interactions. Our internal work requires us to check our own biases and be comfortable with non-time, silence, and allowing space to process. Each day, we show up aiming to see each human with feelings and experiences of suffering, knowing we must take care of ourselves to do this work, and allowing ourselves opportunity to continue to build empathic capacity within ourselves.

Finally, solidarity is our value that reflects our belief that we are individuals, and we are one community. Solidarity means: name the injustices, provide a safe space, walk with people. This statement summarizes our Hotlines concisely. The burden for change must not fall on communities impacted by inequity; we as allies and people in positions of power must step up and acknowledge and use our privilege for communal good, without taking voice from individuals. Our work aims to ease the burden of harm that stems from bias and sanctuary law violations, which first requires validation, and then action when given permission, or promoting communities to speak for themselves, ceding space without foregoing responsibility and commitment.

A dedicated BRH Coordinator started in her role on March 30, 2020. Since that time, in consultation with community partners and the Hate Crimes and Bias Incidents Steering Committee, pursuant to Section 8 (5)(a)(A), now ORS 147.380 (5), DOJ coordinated with CJC to develop a standardized intake process for all reports of bias crimes and bias incidents, collect all necessary data elements, and provide the data to CJC.

Determining Bias
Hotline advocates do not investigate reports of bias to the Hotline. Centered on the tenet of belief, the advocate categorizes the report into one of the categories described below.

Bias Crime

Bias crimes are codified under ORS 166.155 (bias crime in the second degree), 166.165 (bias crime in the first degree); the summary definition under ORS 147.380 (1)(a) states:

"Bias crime" means the commission, attempted commission or alleged commission of an offense described in ORS 166.155 or 166.165.

In sum, a bias crime involves damage to or tampering with property; offensive physical contact; an explicit threat of harm to a person, their family, or their property; placing someone in fear of imminent serious physical injury; or causing physical injury, targeting the person in part or in whole due to their perceived protected class (race, color, national origin, sexual orientation, gender identity, religion, or disability). From January 2022, the DOJ began differentiating between felony and misdemeanor hate crimes. This report analyses felony and misdemeanor hate crimes reported in 2022 under the broader category, *bias crime*.

Misdemeanor Bias Crime

A misdemeanor bias crime under Oregon law is called Bias Crime in the Second Degree (Bias II) and codified under ORS 166.155. Generally, if reported to law enforcement, prosecuted in the local circuit court by a district attorney or deputy district attorney, and disposed in a conviction, misdemeanor crimes are punishable with a maximum of 364 days in jail. Bias II is when someone: tampers with or damages property, puts their hands on another person, spits on another person, or threatens to harm someone, their family, or their property, **and** their conduct is based in whole or in part on bias against the victim's actual or perceived protected class.

Felony Bias Crime

A felony bias crime under Oregon law is called Bias Crime in the First Degree (Bias I) and codified under ORS 166.165. Generally, if reported to law enforcement, prosecuted in the local circuit court by a district attorney or deputy district attorney, and result in a conviction, felony crimes (at the C felony level) are punishable with a maximum of 5 years in prison. Bias I is when someone: threatens another person with a weapon, or causes physical injury to another person, with or without a weapon, **and** their conduct is based in whole or in part on bias against the victim's actual or perceived protected class. Consistent with SB 577 language, this report used the terms *felony bias crime* to refer to Bias I offenses and *misdemeanor bias crime* to refer to Bias II offenses.

Bias Incident

Bias incidents are defined by both statute (ORS 147.380) and Oregon Administrative Rule (OAR 137-065-0200). ORS 147.380 states:

"Bias incident" means a person's hostile expression of animus toward another person, relating to the other person's perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. "Bias incident" does not include any incident in which probable cause of the commission of a crime is established by the investigating law enforcement officer.

The OAR further clarifies the definition of bias incident as follows:

A Bias incident means a hostile expression of animus toward another person, their family, property, and/or pet, relating to the other person's actual or perceived race, color, national origin, sexual orientation, gender identity, disability, and/or religion of which criminal investigation or prosecution is impossible or inappropriate.

(1) "Hostile expression of animus" means a person's act, process, or instance of:

(a) Representing or conveying

(b) Deep-seated ill will, antagonism, or hostility, even if controlled;

(c) In actions, words, or some other medium;

(d) Toward another group, community, person, their family, property, or pet.

Bias against Unprotected Class
Bias against unprotected class means a person is targeted based solely on another identity outside of the seven statutorily protected classes. Examples in 2020 through 2022 include, female gender, housing status and political affiliation were the most frequently targeted unprotected classes. In 2023, examples include equity workers and age, in addition to female gender, housing status and political affiliation.

Bias Criteria Not Met
Bias criteria not met, or *no bias*, means the reporter does not identify targeting or is calling for a reason other than reporting or seeking services for a bias or hate incident.

Repeat Report
Repeat report means the same caller reports the same incident multiple times.

Unable to Determine
Unable to determine means the information provided to the Hotline did not include enough information regarding the conduct or protected class involved. Often, this occurs when someone calls the Hotline voicemail after hours and says, "I need to talk to someone about bias, call me back," but does not answer or return the call from the Hotline and did not leave any other information regarding bias, protected class, or the nature of the conduct.

To determine the classification of the reported event, Hotline advocates inquire:
1. Was a protected class under ORS 147.380, 166.165, or 166.155 implicated in whole or part?
2. Was there a hostile expression of animus based on a protected class in whole or in part?
3. Does the victim/witness/reporter believe the defendant was motivated by bias?

Hotline advocates look for "yes" answers to classify reported event as a bias incident or hate crime.[118]

Response Procedure
The BRH established a process vetted by the Hate Crimes and Bias Incidents Steering Committee to ensure nine tenets of service (accessibility, belief, trauma-informed care, person-centered approach, promoting safety, cultural humility and responsiveness, equity, compassion/empathy/care, and solidarity; see Core Values above) are incorporated when responding to reports received via any reporting avenue. When the Hotline advocate contacts the reporter or victim, the advocate begins the call with an informed consent process, reviewing the scope of the Hotline program to ensure the victim can make an informed decision about engaging with the Hotline and consents to proceeding with the call. Information shared by the advocate includes that:
- the Hotline serves as a support and information and referral Hotline, and does not have the authority to open an investigation, or prosecute or sanction someone for perpetrating bias;
- advocates are mandatory reporters of child abuse, elder abuse, and some situations of abuse of a person with a disability;
- the Hotline collects de-identified data to share with the CJC and ultimately the legislature and public;
- public records requests may require DOJ to share non-identifying information from each report; and
- advocates are not able to engage with callers who are represented by an attorney without attorney permission.

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[118] Modeled after the Vera Institute's Bias Crime Assessment Tool (BCAT), https://www.ojp.gov/pdffiles1/nij/grants/252011.pdf

If the victim consents to proceeding with the Hotline call, Hotline advocates listen, providing trauma-informed and culturally responsive emotional support. Advocates collect data and categorize the character of the bias conduct, using the following definitions:

- Assault – hands-on contact that causes offense or injury, including physical or sexual abuse.
- Harassment – language or conduct intended to alienate, offend, or degrade, including stalking, mimicking, mocking, threats, and hate speech.
- Vandalism – graffiti, damage to, or tampering with someone else's property.
- Institutional – system-wide excluding, offensive, degrading, or discriminatory conduct by a public or private sector organization, often resulting in loss of access to economic, social, and/or political resources.
- Refused service/accommodation – individual conduct intending to exclude or not meet stated needs; can be in a public or private business setting.
- Doxing – publicly publishing or sharing personal, private, or identifying information about another individual with malicious intent.
- Swatting – calling 911 on another person in an attempt to bring about unnecessary law enforcement response or consequence to that person.
- Exploitation – treating someone unfairly in order to benefit from the vulnerabilities stemming from their protected class.
- Murder – the intentional killing of another person.

The Hotline is victim-centered and victim-driven. This means that a victim who calls the Hotline does not have power and agency further stripped from them in the aftermath of a hate crime or bias incident by automatic reporting to police or any other civil rights system. Hotline advocates are trained to listen to needs expressed, ask questions to explore additional needs, and provide options that allow the victim to choose and control what happens next. Peer-reviewed research has shown that victims experience greater feelings of justice as well as pathways to healing if their needs are prioritized, their rights are honored, and they have control in sharing their experience and voice.

In addition, victim-centered means that Hotline data is recorded per victim. If five victims experience the same biased conduct, the Hotline records five experiences of bias victimization, or five bias incidents or bias crimes, depending on the conduct. This is the opposite model of the criminal justice system, which is defendant- or criminal-driven. In the criminal justice system, one defendant targeting five victims results in one criminal case, potentially with multiple charges within that one case. The Hotline model seeks to de-center defendants, and center victims.

BRH advocates engage in extensive safety planning with the reporter, as outlined above. If resources and referrals are requested and/or identified as a necessary option, advocates provide options, including reporting to law enforcement. Advocates may also follow-up with systems such as law enforcement to address concerns and issues if the victim requests. Advocates provide case management for those requiring, needing, or requesting ongoing support as they navigate systems and look to meet needs in the aftermath of bias. For those not requiring case management, advocates inquire if the reporter would be open to additional outreach approximately one week after their initial report as an opportunity to check in, revise the safety plan, and see if there are new or additional needs that Hotline advocates could provide.

Qualitative Data
In 2023, the Hotline began collecting qualitative data from each report, whether an advocate engaged with the reporter or victim, or not. While government likes and responds to quantitative data to determine the extent of a problem and create policy, this lens often loses sight of the humanity of each human being, family, and community impacted by hate and bias. Hotline advocates engaged in extensive research, planning, and training in 2022 to develop and implement in 2023 three qualitative data categories:

resilience, impact (indirect/later), and harm (direct and immediate). Reporting and an analysis of this qualitative data is forthcoming from the Hotline, with technical assistance by the CJC.

Case Management
The Hotline does a needs assessment with each reporter to determine if case management is of interest or of need. This can occur during disclosure of the bias or the advocate has made a determination of bias (incident or crime). The Hotline does not provide case management for findings of bias criteria not met or, generally, bias against a non-protected class unless the reporter indicates suicidal ideation. The advocate and reporter together design a case plan, which includes frequency of contact (multiple times per week, weekly, or fortnightly). Advocates staff cases among the hotline team as a whole, or sometimes they are handled directly by the Program Coordinator, depending on the complexity of needs, the person's experience and setting of bias, or sometimes their identity. The Hotline maintains a file with progress notes on a pre-designed form and advocates routinely follow-up on the case plan throughout the Hotline's case management to determine if the reporter has new needs, changing needs, etc. When the Hotline refers a reporter to a CBO, there is no release form is signed to permit the CBO to share info with the Hotline, unless the CBOs' policies require this. Each CBO decides whether to provide updates to the Hotline (i.e., sometimes the CBO provides updates, sometimes they do not). Some CBOs offer case management and similar services to the Hotline; in these cases, the advocate will ask the reporter if they want check ins from the Hotline to continue, or to solely work with the CBO. In most instances, the reporter chooses to continue accessing services from the Hotline, the referral is then treated as one piece of the case plan, and the Hotline continues with case management.

Hotline Services
The Victims of Crime Act (VOCA) is a federally funded program that supports direct assistance and services to crime victims and survivors, including bias crime victims. In providing services and support to victims, Hotline advocates work with reporters and victims to determine what their needs and goals are in the aftermath of a bias incident. At the victim or reporter's direction and/or need, the Hotline provides the following VOCA services:
- emergency crisis, financial, medical, language/interpretation and criminal justice assistance,
- information about the criminal and civil justice systems,
- information about accessing victim rights,
- referrals to victim service programs,
- referrals to other community and governmental programs that offer services, support, and resources, and
- coordination with outside organizations to provide services and individual advocacy to assist in securing rights, remedies, and services from other agencies for victims.

Identifying Targeted Protected Class
Unlike the targeted class data found in NIBRS, the Hotline does not investigate to confirm the defendant's perception and instead records the reporter's perception of the defendant's bias motivation, which may be based on specific words, slurs, gestures, expressions, and even the victim/reporter's prior victimization experiences. For example, the swastika may be experienced in different ways: most victims will perceive it as anti-religious bias, while some callers may experience this as anti-disability bias, or anti-LGBTQ bias. The ADL has specifically asked the Hotline to make an anti-Jewish religion finding in these cases, even if the victim does not label it as such. If the victim requests a return call, the advocate will make additional findings on targeted protected class based on how the victim experienced the hate symbol. In cases where the reporter's perception is not available (some reporters or victims choose to report anonymously or request no return call), the Hotline advocate's training, knowledge, perception, and/or experience dictate the finding of targeted protected class. For example, if a victim submits an anonymous web report that a classmate is flying a confederate flag off their car in the school parking lot,

the report may describe the incident targeting as race and color based. If no phone number is included in the report, the Hotline advocate would make a finding of anti-Black/AA bias.

Appendix C: Bias Crimes Case Processing

There are several challenges in implementing a new criminal justice data collection system. The bias crimes included were modified by SB 577 and were effective as of July 15, 2019. One change to the definition of the crimes was the addition of gender identity as a bias motivation. With the law change, there is learning curve for LE and other stakeholders in the criminal justice system to process cases with the modified definitions of these crimes. The bias crimes data collection model is a starting point for District Attorneys' Offices to collect data on bias crime cases. As the data are collected the model may be further refined. One potential challenge is that charges can be modified at different points with the case resolution process. For example, charges can be modified at the case issued, indicted, plea, or trial stages of the process. In addition, there will likely be cases that include a charge for Bias Crime in the Second Degree, which is a misdemeanor, and other felony charges. These cases will follow the felony process even though the bias crime included is a misdemeanor. The data collection model will also need to capture charges for attempts of bias crimes. There may be certain sentencing information that is not captured in electronic data, e.g., sentencing enhancements, which may only be available by an individual case look-up process and bias crime case referrals filed with non-bias charges only, which may be stored in DAs' internal data management systems and not entered into Odyssey.
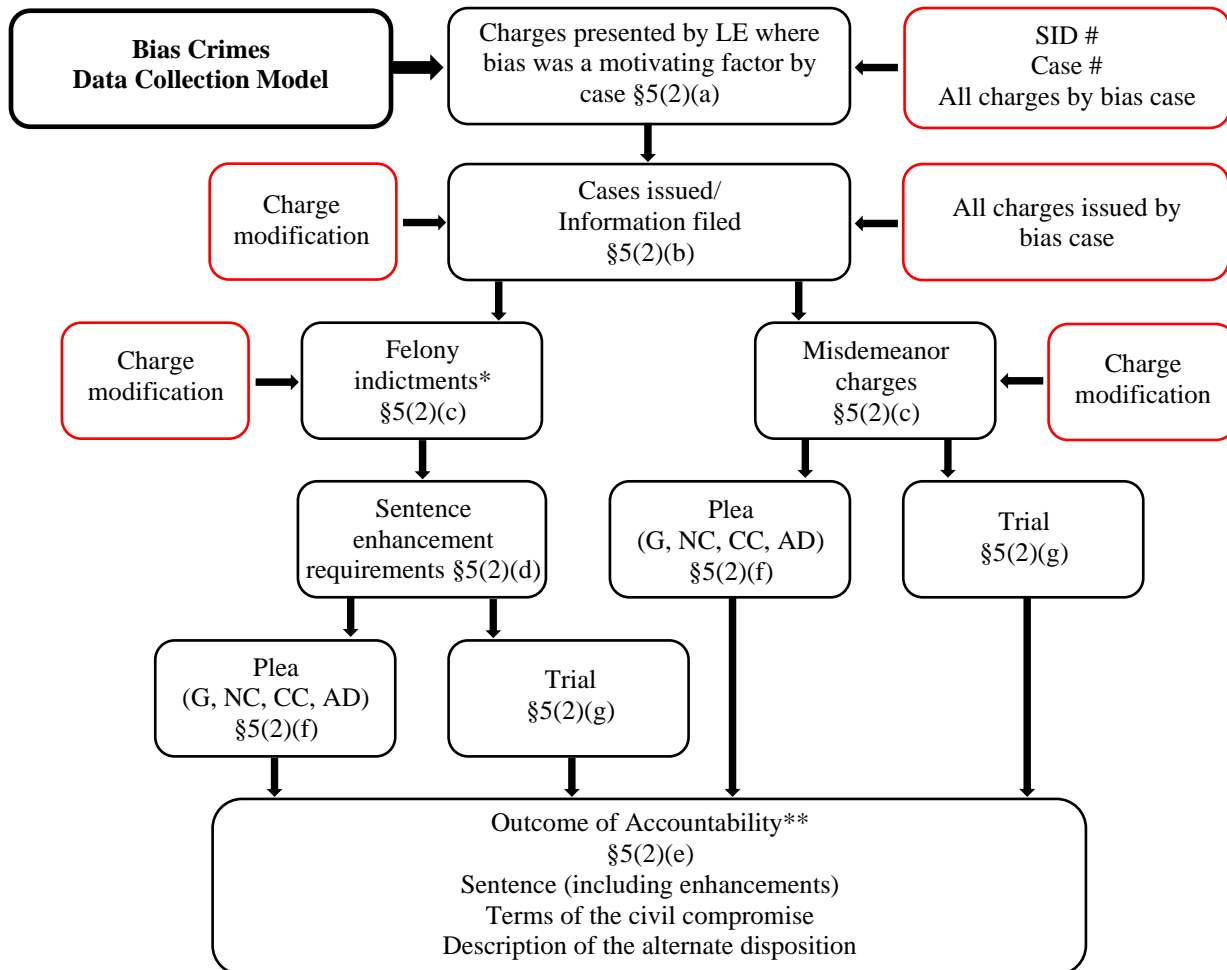
*These cases could be misdemeanors (Bias Crime II) which occurred in the same incident as a felony.
** Dismissal (for a multitude of reasons) is another possible outcome at any point in the process.