

# Once again, FBI vastly underreports hate crimes in Salt Lake City and Utah

*State data show more than twice as many hate crimes and city stats show five times the FBI number.*

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Hate crimes in Utah last year were committed at a rate more than twice as high as documented in the most recent annual FBI compilation of crime statistics, according to state data. The disparity was even worse in the state's capital city.

State records report 45 hate crimes in Utah in 2019 compared to the FBI listing of just 18 cases statewide. It wasn't the first time a huge gap appeared between reported hate crimes and FBI data, which is believed to leave out hundreds of thousands of cases across the country.

In Salt Lake City, the FBI reported a single case, compared to five reported by local police.

The only hate crime in the capital noted by the feds was categorized as "anti-white" by the Salt Lake City Police Department. It involved the report of a woman who attended a New Year's party "where she was the only white person at the party," the department said in a statement. "She was assaulted by a Black female who had repeatedly mentioned her race throughout the night."

There wasn't enough information about the suspect to make an arrest so the case was closed without further action.

Contrary to what the FBI database would indicate, that wasn't the only hate crime reported to Salt Lake City police in 2019.

An anti-transgender assault was reported in February, an incident involving homophobic threats was reported in June, an anti-gay assault was reported in July and anti-Jewish intimidation was reported in August. The Salt Lake Tribune also reported on a February 2019 assault on a gay man that was caught on video in Salt Lake City, but that incident was not included in the police department's list of 2019 hate crimes.

Detective Michael Ruff said that while the police department voluntarily reports information to the FBI, it has to follow criteria from the federal agency about what qualifies for inclusion.

"It appears only one of our cases met their standard for inclusion, and that is the case that was sent to them," he said in an email. "Reasons a case may not meet that standard are varied, but one example could be the inability to follow up with a victim, thus making it difficult to determine what happened."

One hate crime expert said the FBI's data isn't a useful measure of the actual number of hate crimes in the country because many crimes never make it into the national database.

"The FBI's data is very much incomplete," said Emily Nicolosi, a researcher at the University of Utah.

"When police round up numbers and send them to the FBI, clearly the FBI is not capturing all hate crimes."

Nicolosi said in order for a hate crime to make it to the FBI, the victim must first bring it to the police. This often doesn't happen if a victim is scared or doesn't trust law enforcement. If a hate crime is reported, the responding officer must recognize it as a hate crime which depends on the training and biases in a given department.

She said she didn't know why only one of the five reported crimes in Salt Lake City made it to the FBI.

The fact that an anti-white hate crime made the cut did not surprise Jason Stevenson, spokesman for the American Civil Liberties Union of Utah.

In March 2019, the state passed a hate crime bill which gives local prosecutors more power to punish hate crimes. Stevenson and ACLU Legal Director John Mejia wrote a blog post in February of that year raising concerns about the legislation. At the time, they wrote that minority groups are most often the targets of hate crimes, but prosecutors don't limit their cases to crimes against minorities.

"Most people think of neo-Nazis and skinheads as the perpetrators of hate crimes, but the reality of how these crimes are prosecuted can be much more complex," they wrote. "Many defendants in hate crimes prosecutions have been people of color, including African-Americans, with white victims. This fuels a concern that prosecutors will, through conscious or unconscious bias, be more inclined to identify and pursue hate crimes against people from minority groups or people with disabilities."

Stevenson pointed to a case in early December where a man was sentenced on a hate crime charge for vandalizing a pro-police sign in Escalante as an example of the hate crime law not being enforced the way people might expect.

Lex Scott, of Black Lives Matter Utah, did not respond to a Tribune request for comment for this article but told The Tribune in 2019 that there are issues with how police report and classify hate crimes. She said she encourages people to report hate crimes to the FBI.

"Why would we ever expect racist police to forward hate crimes when they're racist in the first place? I'm not saying all police are racist," she said in the interview. "I'm saying all police have implicit biases, and until they understand advanced racial concepts and racial disparities, they will not fully understand how to see that a hate crime has been committed."

University of Utah professor Richard Medina, who created a hate crime tracking app with Nicolosi, said hate crimes against white people do happen, but those crimes don't always get taken as seriously as other hate crimes because white people occupy a position of power in the United States.

"I don't think there was some weird intentional reason that the FBI only put that one in their database," he said of the 2019 data for Salt Lake City. "I'm sure it was some procedural issue, but it is interesting that that's the only one that pops up here."

More hate crimes might be reported in the future because of the 2019 law, according to Salt Lake County District Attorney Sim Gill.

Gill said hate crimes are severely underreported. Before the law was passed there hadn't been a successful hate crime prosecution in Utah in 25 years, he said, adding that the new law represents the first time state prosecutors have had a workable statute to enforce. He said while his office didn't file any hate crime cases in 2019, prosecutors brought six cases in 2020.

Most of the cases are still going through the system, but one ended in a guilty plea last week. The suspect in that case yelled racial slurs at a Black man and pepper-sprayed him and then yelled anti-gay slurs at another man and pepper-sprayed him.

Gill said getting information to the community about the new hate crime law is important for helping police recognize hate crimes and giving victims confidence that such crimes will be prosecuted if they are reported.

Hate crimes deserve enhanced sentences because they target both the individual victim and the community to which they belong through fear and intimidation, he said.

“When a person is targeted for an attribute that is not within their control ... it is really about targeting and sending a chill to that community they belong to.”