

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: April 26, 2022

TO: Honorable Members of City Council
c/o City Clerk
City Hall, Room 395

ATTN: Councilmember Nithya Raman, Chair
Information, Technology, and General Services Committee

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SUBJECT: REPORT BACK ON IMPROVING ACCESS FOR HATE REPORTING THROUGH TECHNOLOGICAL SOLUTIONS AND STREAMLINING HATE REPORTING DATA CAPTURED BY 311 AND STREAMLINING DATE FROM VARIOUS SOURCES TO IMPROVE ANALYSIS

SUMMARY

In response to Council File (CF) 21-0984, this report provides an overview of the current hate reporting process existing barriers to hate reporting and data analysis, current expansion and improvement for hate reporting through 311, streamlining data, and solutions that address identified barriers.

RECOMMENDATIONS

That the City Council, subject to approval by the Mayor:

1. DIRECT CAO to identify funding and resources to build capacity for 311 staff to include delivery of trauma informed training for 311 staff handling hate reporting calls.
2. DIRECT CAO and CLA in consultation with CHRED to identify funding sources, including State funding opportunities to support hate reporting improvements, address needs of hate crimes victims, improve the efficacy of bystander interventions, and support research partnerships to study the feasibility of a reporting application (app).

3. INSTRUCT CHRED to identify academic partner(s) to initiate the necessary research.
4. INSTRUCT CHRED, ITA and LAPD to provide quarterly progress updates on implementation of expanded reporting fields and integration of hate reporting data.

BACKGROUND

In response to the sharp increase in hate crimes and hate incidents, particularly targeting AAPI, African Americans, immigrant populations, and LGBTQ communities, the following report examines barriers as well as the current hate reporting process for the City while also exploring on-going efforts to improve hate reporting and data aggregation for the City.

I. Barriers to Hate Reporting & Trend Analysis

The State of California Penal Code Section 422.55, defines a hate crime as a criminal act committed in whole or in part based on the victim's actual or perceived race or ethnicity, nationality, immigration status, religion, sexual orientation, disability, gender, gender identity or gender expression; or because the agency or institution is identified or associated with a person, or group of an identifiable or perceived race, nationality, religion, sexual orientation, disability, gender, gender expression, or gender identity. A hate incident is any non-criminal act including words directed against a person(s) based on that person's actual or perceived protected characteristics that is not punishable under the California Penal Code or federal law.

While the State of California has one of the most robust hate crimes laws, there is inconsistency in how these laws are implemented and how violations are reported by various agencies. This presents a greater challenge of not only under reporting, but a lack of consistent data collection and analysis. A review of hate crimes reporting practices in Los Angeles County suggests that practices for hate crimes recording and reporting vary across law enforcement agencies serving the area. Data collected by civil society organizations is not always reflected in the law enforcement data and vice versa. These accurate-data challenges make it difficult to establish trends that are timely and relevant. Hate crimes reports, such as the one published by the Office of the Attorney General and the County of Los Angeles, while very informative, present data sets and trends of previous years, which are informative for historical trend purposes. However, the need for real-time and consistent data to inform programming, policies, and needed interventions remains a challenge.

Some of the largest obstacles when it comes to understanding hate crimes data are the numerous barriers to reporting. Overall, mistrust of police was identified as the primary barrier to reporting hate. This is particularly the case for immigrant populations and LGBTQ groups. Another major barrier is community members not being able to recognize hate crimes or incidents as such. Limited knowledge and lack of understanding of hate crimes/incidents, as well as not knowing where and how to report, contribute to underreporting. Civil society organizations, such as Anti Defamation

League (ADL) and Stop AAPI Hate, are providing an additional avenue for hate reporting, particularly for individuals who are reluctant to contact law enforcement. However, as noted above, the data is not always reflected in law enforcement reported data.

The City of Los Angeles mostly relies on data reported by the Los Angeles Police Department (LAPD) to understand trends in bias motivated crimes. While LAPD is at the forefront of recording and responding to both hate crimes and hate incidents, these reports do not always account for civil society reported data or data being collected by other government agencies. For example, in 2020, LAPD documented 359 total hate crimes. Of those, 15 hate crimes and 9 incidents targeted Asian American Pacific Islanders (AAPI), for a total of 24 hate acts against this population in the City of Los Angeles. Meanwhile, the nonprofit Stop AAPI Hate reported 245 hate incidents experienced by Asian Americans and Pacific Islanders in Los Angeles County that same year from March to October. Similarly, the Anti-Defamation League (ADL) reported a total of 791 incidents - majority being antisemitic incidents and white supremacist propaganda.

In an effort to accurately assess the City's approach to hate crimes/incidents reporting, the Civil, Human Rights and Equity Department (CHRED) convened an internal City working group which included representatives from LAPD, CHRED, 311, and Information Technology Agency (ITA) to understand current City processes and to identify gaps as well as solutions in which additional tools can be leveraged to improve hate crimes or hate incidents reporting and data analysis for the City.

II. Current City Process for Reporting of Hate

Los Angeles Police Department: LAPD is currently the City's primary point of access to report both hate crimes and incidents. According to LAPD Special Order 32, "*Any acts or threats of violence motivated by hate or bias, including property damage, harassment, intimidation, or other crimes shall be viewed very seriously and given high priority.*" While there is no penal code for hate incidents, LAPD reports, tracks, and investigates hate incidents. All civilian and sworn LAPD personnel, who become aware of a crime or incident motivated by hate, shall report in a timely manner and investigate through the appropriate processes as detailed in Special Order 32.

Victims of hate crimes or incidents can report at any police station, or by calling one of the following:

- 911
- 877-ASKLAPD (877-275-5273)
- WeTip crime reporting hotline

Many victims do not recognize the elements of hate crime or incidents. This is often identified during the call to 911, LAPD, reporting hotline, or once an LAPD Officer responds to the location where the alleged crime occurred. If elements of a hate crime or incident are present, the call is elevated to a Priority I or Priority II depending on

circumstances and details provided by the caller. As defined in the LAPD Communications Division Manual, Priority I calls are those requiring immediate assignment as a result of life-threatening or urgent situations. Priority II calls are those that are of an urgent nature but not necessarily life-threatening. It is through the course of follow-up and investigation that bias motivated crimes are further identified and recorded in the LAPD Consolidated Crime Analysis Database (CCAD) for classification. Once the crime is reported and classified in the system, a detective is assigned for further investigation.

Hate crimes and hate incidents are treated with the highest priority, which requires follow-up and investigation within ten days of the date of reporting. This also ensures that victims are provided with additional information about their rights and additional resources and support. Upon confirmation by the investigating officer or detective that the elements of hate crime have been met, the case is presented to the District Attorney's Office for filing consideration.

LA for All Campaign and 311: In May 2020, at the direction of the City Council, CHRED launched the LA for All campaign. The campaign promotes the City's core value of inclusion while providing resources and encouraging hate crime and hate incident reporting. CHRED, with support from Public Works, Department of Cultural Affairs, and other stakeholders, launched several educational webinars, arts components, and trainings, including panel discussions, social media segments, TV highlights, and a total of nine "Know Your Rights & Bystander Training" workshops as part of the LA for All campaign.

In addition, CHRED in partnership with 311 launched a 311 hate reporting option in a limited capacity to initiate expanded access to reporting hate. By increasing reporting points of access, victims who may be reluctant to contact law enforcement or are not sure that a hate crime has occurred, have the option of reporting the incident to 311, the City's government's services and information line. While the 311 agents are not equipped to provide case management support to individuals experiencing trauma or indicating the need for social services, 311 agents can provide referrals to other useful services, including 211LA, where the aggregated data is being captured and is accessible to the City. Two of 311's primary functions with regards to hate reporting is to assist with initial assessments that are victim centered and route calls to the appropriate points of connection. 311 operates from 7:00 a.m. to 7:00 p.m. on weekdays, and 8:00 a.m. to 5:00 p.m. on weekends and holidays.

The LA for All campaign also includes 211LA as a reporting option. 211LA is a non-profit organization that provides care coordination and resources to Los Angeles County residents and community organizations seeking various health, human, and social services in Los Angeles County. In 2020, 211LA, in collaboration with the County of Los Angeles Commission on Human Relations, launched reporting and care coordination resources for victims of hate under the LA vs. Hate County initiative. Through this program, 211LA operators provide case management to residents who are impacted by hate and connect them with culturally appropriate social services to address their

needs. The 211LA operators are available 24/7 to serve residents of Los Angeles County.

III. City's Data Collection Methods

1. LAPD: When a hate report is generated by the LAPD Officer, hate crimes or incidents are tracked via the Consolidated Crime Analysis Database (CCAD). LAPD geographic Divisions manage analysis and trends that are specific to the Division. The Detective Bureau reviews overall trends throughout the City. Quarterly hate crimes or incidents reports are published for the Board of Police Commission. These reports are aggregated based on a number of categories including protected characteristics bias as well as sub-bias (i.e. anti-gender), and type of crime among others.
2. 311 Hate Reporting: Since the launch of 311 reporting in May 2021 via the LA for All campaign, 311 has the ability to track the number of reported hate on a monthly basis. The data is recorded by 311 using the MyLA311 Customer Relationship Management (CRM) system, which is used by 311 to submit and track citywide service requests and inquiries. The current 311 hate reporting fields are limited to five data fields for purposes of tracking and connecting individuals with social services via the 211LA care coordination resources. As such, the data does not provide enough information to inform trends and further analysis. 311 received a total of 40 hate incident reports between May and December 2021. Of those, 34 were referred to 211LA for case management, and three were referred to LAPD.
3. 211LA: The 211LA records data via its internal platform. As of April 2021, 211LA provides a monthly report to CHRED indicating the number and categories of hate reported to 211LA within the City's geographic areas, including reports originating at 311. The report only shares zip code, location type, type of harassment, and action taken. No personal identifying information is shared. Since the launch of hate reporting at 211LA in 2020, the City has been the largest source of hate reporting. 211LA received 201 hate reports that were within the City's geographical boundaries. In 2021, there were 295 reports to 211LA, an increase from the previous year.

It is important to note that hate reporting to 211LA and 311 may be anonymous to protect victims of hate and uphold confidentiality as necessary for trust building. Additionally, both 211LA and 311 have language access capabilities and can immediately connect to the appropriate language interpreter while attending to the caller simultaneously.

IV. Addressing Barriers

Based on the above analysis of the current City's process for reporting and collection of hate data the following barriers were identified:

- Under Reporting of Hate Crimes and Hate Incidents

- Limited Capacity of 311 as Hate Reporting Mechanism
- Lack of Uniformity in Reporting and Recording Data
- Deficiency in Citywide Coordination
- Limited Educational Outreach Strategies and Collaborations
- Insufficient Funding and Investment

In an effort to address these gaps, improvements must be made to the current reporting systems. Suggested improvements include: building 311 capacity, integrating 311 and LAPD data in a unified dashboard, exploring feasibility of additional reporting mechanisms, educating and encouraging reporting, strengthening public-private collaboration, establishing a citywide hate crimes coordination, and investing to ensure sustainability.

Build 311 Capacity and Expand Access to Report Hate: ITA, with support from LAPD and CHRED, is currently working to expand 311's reporting fields from the current five fields to fifty fields to align with LAPD and 211LA. The expanded reporting fields are currently being set-up using an intra-web form via the City's ServiceNow (SNow). SNow meets government security standards and certifications for cloud based systems and has been reviewed by the City's security office.

The SNow system protects data through role-based access controls to ensure that only designated system administrators, City 311 designated staff, and CHRED designated staff can access the information. The platform includes an audit log which tracks all changes to the data and identifies the person who made the change.

Calls to 311 to report hate will be referred to 311 supervisory level staff to ensure appropriate handling and confidentiality of data. The 311 supervisors will have access to collect and input information into the SNow database and assess the situation for the appropriate next steps, including referrals. After the information is entered into the SNow database, CHRED designated staff will only have access on a read-only basis to ensure data and information is not altered. It will not be publicly accessible, nor available to other City departments, including LAPD.

In situations where immediate threats of violence are present or the victim requests a police response for a hate related crime or incident, 311 will connect the caller to LAPD Communications Division via a seven digit number which will be routed to the 911 queue. This will minimize wait time and allow calls relating to hate reporting from 311 to be prioritized. The 311 supervisor will obtain verbal permission from the reporting party prior to any contact or transfer to LAPD.

Integrating 311 and LAPD Data on a Unified Reporting Dashboard: LAPD, 311, and 211LA each use their own respective platforms to record hate. In order to provide a unified reporting dashboard, the data from each system should be aggregated via data integrations. The data should be updated in real-time or near real-time (hourly, daily) depending on the system being integrated and the organization's data sharing policies. ITA will work with LAPD to access their existing systems for reporting incidents and crimes related to acts of hate. By aggregating the data collected in various systems a unified reporting dashboard can be created. A summary view will be made available to the public and a more detailed version for relevant City leadership and staff.

Explore Feasibility of Additional Reporting Mechanisms: At this time, reporting of hate is done via phone or direct personal contact to ensure privacy as well as appropriate and timely response particularly when there is immediate harm or public safety risks. The City can benefit from partnering with research and academic institutions to further understand the efficacy and feasibility for appropriate reporting mechanisms and ways in which they can be scaled up to widen access for reporting, to include youth and monolingual populations, while also providing appropriate and timely response. The City can leverage and build on existing models, such as the LA Metro's transit app, to further engage grassroots community-based organizations (CBOs). The CBOs will have the opportunity to provide input during the research and development phases to ensure the appropriateness and the applicability of such reporting mechanisms to diverse populations, particularly those who have been primarily targeted by hate crimes. The City must also address and explore aspects of public safety and liability risk mitigation prior to implementation of on-line or phone app reporting options.

By leveraging academic expertise, such as the RAND Corporation, University of California Los Angeles (UCLA), and California State University San Bernardino (CSUSB) Center for the Study of Hate and Extremism, in data collection and analysis, the City can expand its systems to include real-time data aggregation. Academic partners can also provide expertise for hate data aggregation and analysis to further enhance the City's data collection and analysis of hate trends. The City should explore and develop plans with academic partners for using and analyzing these data to enact policy change.

Partnership with research institutions is also needed to further understand intervention and prevention methods. For example, UCLA recently published a study on Intervention for Targeted Violence. The study focused on intervention by intimate bystanders. This model provides a deeper look at the role of family, friends, and community as the first mechanism for intervention. Building on this model, further research is needed to better understand the role of interventions and better inform bystander training intervention aspects. Currently, there is not enough research or data to better inform best practices for bystander education.

Strengthen Public-Private Collaboration: The City has and will continue to work directly with CBOs to address hate in all its forms. Based on data and research, CBOs

continue to provide trusted access to culturally appropriate resources. The City should expand existing collaborations by formalizing networks to include CBOs, private sector tech companies, and philanthropic organizations. Increased public-private partnerships could expand the support for victims and impacted communities and facilitate the creation of a hub to cultivate additional resources and funding to support direct services.

Engaging tech companies and social media platforms for positive social impact is a critical aspect of combating hate, which is often amplified via social media platforms. Tech companies and non-profit organizations aiming to understand ways in which these platforms can be used for social good can elevate and amplify the City's efforts in pushing forward hate prevention initiatives such as the LA for All campaign, as well as exploring additional tech solutions for hate reporting coordination.

Establish a Hate Crimes Coordinator: At this time, the City does not have a formalized central coordination mechanism in which all aspects of Citywide hate prevention efforts are well coordinated. Establishing a Citywide hate crimes coordinator will create a solution. The coordinator will serve as an internal point of coordination with LAPD, along with other City departments, county, state and federal agencies. This centralized point of coordination would serve as a clearing house for City policies related to hate prevention, interventions, educational initiatives, data collection, and data analysis. In addition, the coordinator will provide strategic coordination of public-private partners, funding sources, and academic partners.

Educate and Encourage Reporting: The LA for All campaign has been well received and became the largest anti-hate campaign in City history with assets in 18 languages. The multilingual Citywide campaign meets at the intersection of art, advocacy, and community - and stands up for an inclusive Los Angeles with physical assets on over 4,000 advertisement spaces throughout Greater Los Angeles, including LA Metro bus and rail, all six LAX terminals, 250 Department of Sanitation trucks, every branch of the Los Angeles Public Library, LA Convention Center digital billboards, LAFC Banc of California Stadium billboards, 50 Bureau of Street Lighting light poles, over 70 Recreation and Park facilities, LAUSD, and hundreds of multilingual posters distributed to businesses, community centers, Neighborhood Councils, and houses of worship across Los Angeles. However, more work is needed to expand awareness and encourage hate reporting. The City can maximize public education to residents by leveraging various outlets, including City departments, CBOs, and private partners, which may increase the awareness of educational opportunities, training on hate, reporting mechanisms, and available resources.

Funding and Investments: At this time, little to no funding is available to support the City's efforts to tackle hate. Some of the immediate actions proposed in this report, such as expanding access to hate reporting via 311 and building an internal webform to

capture or 311 and LAPD hate data reporting coordination, do not require immediate funding. However, building on these initial immediate steps will require funding for expansion, sustainability, and further coordination.

Funding will be required to expand reporting access, such as a hate reporting mobile app. Funding considerations must include development and costs for research, piloting, and promoting a mobile app for hate reporting. Funding is also needed to cover language access and City staffing costs to monitor hate reporting online or via a mobile app and to ensure timely response as well as appropriate risk mitigation for public safety.

Investments in capacity building and ongoing 311 staff development is required to ensure sustainability of reporting via the 311. On-going training and capacity building of 311 staff and supervisors is essential to improving the City's response to hate crimes/incidents. This is true both for ensuring the appropriate response system as well as delivery of referrals for support. Given the emotional nature of hate crimes and hate incidents, the psychological impact, and the potential for violence, recognizing signs of trauma is needed for effective and compassionate response. For these reasons, trauma-informed training is essential to ensuring that victims of hate are provided with quality care while minimizing retraumatization. The training must also include guidance on recognizing elements of hate crimes, assessing immediate risks and the need for LAPD response, ensuring reporting protocols are properly followed while also maximizing the privacy and confidentiality of victims, and building trauma-informed responses.

CHRED, in coordination with 311 and LAPD, has identified an initial training resource, which will serve as a one-time pro-bono introductory training to trauma informed approaches. During the training, LAPD will provide information on understanding hate crimes and hate incidents. ITA and 311 managements, with support from LAPD and CHRED, will deliver training and provide tools for intake, data recording, and referral protocols. Further training funding and resources for on-going staff capacity building will need to be identified and implemented.

211LA is a nonprofit organization, which largely operates on funding from the County of Los Angeles as well as other grants. Unfortunately, 211LA stands to lose its current County funding. A loss in funding will greatly affect hate crime and hate incident reporting and programming. For this reason, additional investments in 211LA case management are needed to support culturally appropriate responses and victim support.

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