



Representatives Casey Weinstein and Adam Miller

The Ohio House of Representatives

House Criminal Justice Committee

December 1, 2022

Chair LaRe, Vice Chair White, and Ranking Member Leland. Thank you for the opportunity to testify today on house bill 341. This legislation would create a Bureau of Hate Crimes within the Office of the Ohio Attorney General and authorize the Attorney General to prosecute hate crimes when necessary. The Bureau would also be tasked with investigating, preventing, and keeping statistics on hate crimes throughout the state.

We continue to see a steady increase in reported hate crime incidents each year. We saw a 12-year high in 2020 and early reports show continued dramatic increases in hate-based violence so far for 2021 and 2022. In Ohio, we saw a 55% rise. Major tragedies make national headlines. We've all heard of the Tree of Life synagogue shooting, the mass shootings in majority Black and Latino stores in Buffalo and El Paso, and the most recent deadly attack on the LGBTQ community in Colorado Springs.

These should horrify us all and move us to action, but we should be equally horrified at the tens of thousands of incidents that go unreported each year. The FBI's reporting program is voluntary, and many law enforcement agencies do not track or report hate crimes. In Ohio, only 578 out of 858 agencies participated in 2020. On top of that, the Department of Justice estimates that less than one third of hate crimes are reported to law enforcement. Reasons for underreporting vary: many law enforcement offices simply don't collect any information that would be needed to define a crime as a hate crime. Many victims don't report out of fear that nothing will be done or that they won't be believed or taken seriously.

Regardless of reason, this reporting gap sets a dangerous norm. We know that hate crimes are different than other kinds of crime because they affect more than just the victim—they intimidate entire communities.

By establishing a Hate Crimes Bureau we can begin to bridge this disparity. A dedicated division will also allow us to work together to address crimes motivated by hate in our state and more fully understand the scale of the problem and tackle it. In order for Ohio to thrive, we need to send a strong message that this state is welcoming and safe for all.

The Ohio Attorney General's office already has dozens of divisions and task forces dedicated to everything from consumer complaints and elder fraud to the Bureau of Criminal Investigation. The Civil Rights Division handles discrimination in employment, places of public accommodations, housing, credit and institutions of higher education. The Criminal Justice Division works exclusively on upholding death penalty sentences. A Hate Crimes Bureau would fill this gap and bring necessary awareness to the issue.

This bill would not change the established powers of the Attorney General. It simply ensures that the AG maintains the capacity to assist and advise law enforcement when facing hate crimes, reporting hate crimes, and preventing hate crimes through assistance and education. This bill allows the AG to prosecute a hate crime at the office's discretion matching other areas of the AG's authority like neglect and abuse in health care facilities. (ORC 109.86)

This bill would send a loud message that hate crime has no place in our state.

Thank you again for allowing us to testify on this critical issue, and we are happy to take questions at this time.