

Evidence of Discrimination in Public Accommodations Based on Sexual Orientation and Gender Identity: An Analysis of Complaints Filed with State Enforcement Agencies, 2008-2014



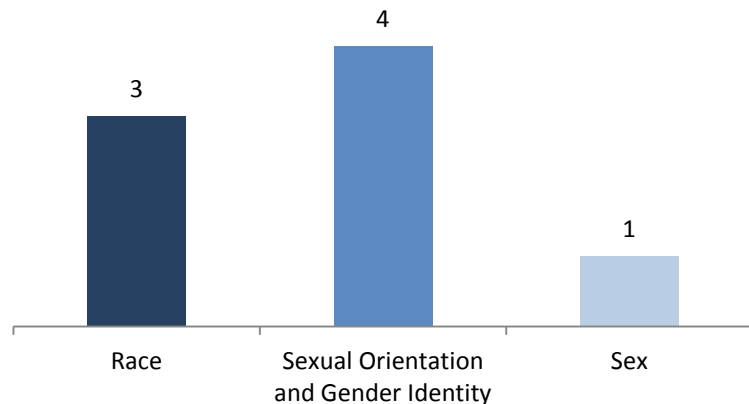
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February 2016

Executive Summary

As of February 2016, twenty-one states and the District of Columbia expressly prohibited discrimination in public accommodations on the basis of sexual orientation.¹ Seventeen of those states and the District of Columbia also expressly prohibited discrimination in public accommodations on the basis of gender identity.² This report measures how frequently these laws are used by LGBT people, compared to how frequently race non-discrimination laws are used by people of color, and sex non-discrimination laws are used by women.

National Population-Adjusted Complaint Rates (per 100,000)



An aggregation of all available state-level data shows that sexual orientation and gender identity public accommodations non-discrimination laws are used by LGBT people at rates similar to the use of race non-discrimination laws by people of color, and the use of sex non-discrimination laws by women. Nationally, on average, approximately 4 complaints of sexual orientation and gender identity discrimination in public accommodations are filed for every 100,000 LGBT adults each year, compared to approximately 3 complaints of race discrimination filed for every 100,000 adults of color, and 1 complaint of sex discrimination filed for every 100,000 women.

The findings refute the argument that discrimination against LGBT people does not occur often enough to establish a need for protective laws. Additionally, even with similar filing rates, sexual orientation and gender identity complaints will not overwhelm government agencies because the raw number of such complaints filed is low. Each year, on average, 93 complaints of sexual orientation or gender identity public accommodations discrimination were filed nationally, across all 16 states that provided data.

Introduction

In the U.S., nearly 9.5 million adults identify as LGBT.³ Just under half of these adults (48%) live in states that expressly prohibit public accommodations discrimination based on sexual orientation, and approximately 36% live in states that expressly prohibit public accommodations discrimination based on

gender identity.⁴ Over half (52%) of the LGBT adult population in the U.S. is not covered by state-level laws that provide express protection from public accommodations discrimination based on sexual orientation or gender identity.

This study analyzes public accommodations discrimination complaints filed with state enforcement agencies using a methodology similar to previous studies analyzing employment and housing discrimination complaints.⁵ The previous studies found that when adjusted for population size, sexual orientation and gender identity employment and housing non-discrimination laws are used by LGBT people at similar rates to the use of race non-discrimination laws by people of color and the use of sex non-discrimination laws by women. The results of this study and the prior studies, when combined with other research documenting discrimination against LGBT people, support that there is both a need for laws that prohibit discrimination on the basis of sexual orientation and gender identity, and that prohibiting these forms of discrimination will not overwhelm administrative enforcement agencies.

Consistent with the previous studies, we found that sexual orientation and gender identity public accommodations discrimination complaints are filed by LGBT people at similar rates to race discrimination filings by people of color and sex discrimination filings by women. The average annual filing rate for sexual orientation and gender identity public accommodations discrimination complaints is 4 per 100,000 LGBT adults, compared to 3 race discrimination complaints per 100,000 adults of color and 1 sex discrimination complaint per 100,000 women.

Methodology

This study largely replicates the methodology used in the three studies analyzing employment discrimination complaints and one study analyzing housing discrimination complaints.

First, we collected data on public accommodations discrimination complaints from the administrative agencies responsible for enforcing non-discrimination laws in states that prohibited sexual orientation or gender identity discrimination by statute at the time of data collection. Specifically, we collected data on the number of public accommodations discrimination complaints filed each year, from 2008 through 2014, based on race, sex, sexual orientation or gender identity. In many cases, state agencies made this information available in their annual reports published online. Where the data were not available online or only limited data were available, we contacted the state agencies directly and requested the information.

We were able to collect data, either online or through direct contact with the agencies, from 16 of the 21 states that prohibited discrimination based on sexual orientation or gender identity at the time of data collection (Appendix). For 11 states, we were able to gather complete data for all years; for the other five states we were able to gather data for at least four years. We did not obtain information about the number of complaints that alleged discrimination based on more than one of the studied characteristics. That is, we do not know the number of complaints alleging, for example, discrimination based on both sexual orientation and sex. For purpose of this analysis, complaints of discrimination based on multiple characteristics are counted as individual complaints under each characteristic.

Next, we divided the number of complaints filed each year on each basis by the number of people most likely to file these types of discrimination complaints in the state's population, and then multiplied that figure by 100,000 to get the rate of complaints filed per 100,000 adults. We assume that race discrimination complaints are most likely to be filed by people of color, sex discrimination complaints are most likely to be filed by women, and sexual orientation and gender identity complaints are most likely to be filed by LGBT people. We used yearly data from the American Community Survey (ACS) to find the population totals for women and adults of color each year. For the underlying population for race discrimination complaints, we included all non-whites and all Hispanic or Latino-identified adults in the population.

The ACS does not collect data on sexual orientation or gender identity, so it is not possible to determine the size of the LGBT population directly from ACS data. In order to estimate the number of LGBT adults in each state, we applied the percentage of people in the adult population who identified as LGBT in Gallup polling data collected between 2012 and 2014 to the number of people each state's adult population from yearly ACS data.

We subtracted the estimated number of transgender adults from the LGBT population in several states where gender identity complaint data were not available, so that our underlying population for purposes of adjusting sexual orientation complaints was LGB only. First, we subtracted transgender adults from the LGBT population for all years in four states because three of the states do not include gender identity in their non-discrimination statutes (New Hampshire, New York, and Wisconsin) and one state did not add the protections until October 2014 (Maryland), so these four states did not collect any data on gender identity discrimination complaints during the time period of this study.⁶ Second, we subtracted transgender adults from the LGBT population in two other states (Connecticut and Hawaii) for the years before gender identity protections were added to their laws.⁷ Finally, we subtracted transgender adults in California for one year of data (2011) because the state could not provide the number of complaints filed on the basis of gender identity for that year. We estimated the number of transgender adults in these states by applying the percentage of the U.S. population that identifies as transgender (0.3%)⁸ to the state's adult population.

This methodology was followed for each of the 16 states from which we were able to collect data on public accommodations discrimination complaints, across all years of complaint data. After all annual population-adjusted complaint rates were determined for a state, we averaged the annual rates by filing basis. This provided annual population-adjusted complaint rates for sexual orientation and gender identity complaints, race discrimination complaints, and sex discrimination complaints in 16 states.

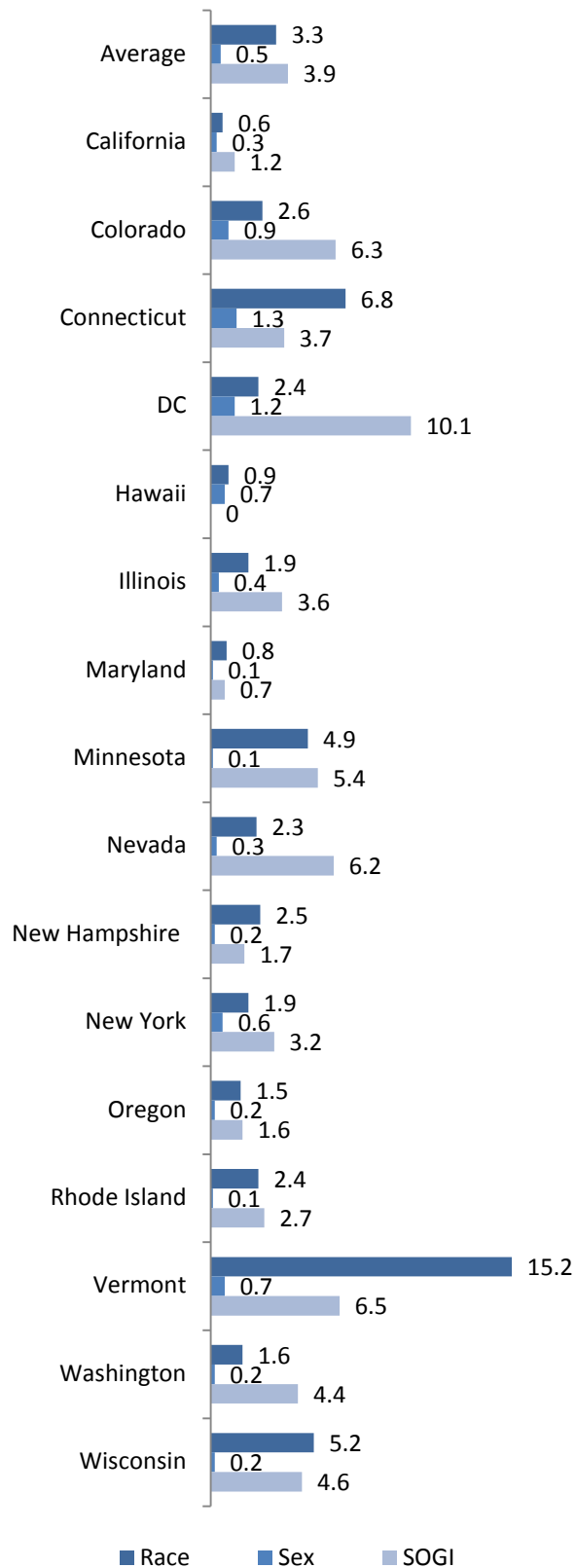
We were unable to analyze the per capita rate of gender identity complaints separately because few states were able to provide separate data on complaints filed on the basis of sexual orientation and complaints filed on the basis of gender identity. Most states combine these filing bases in their records.

Findings

When the size of the LGBT population is incorporated into the analysis of complaint rates, our measure shows that per capita sexual orientation and gender identity public accommodations discrimination complaints are filed at similar rates to sex and race discrimination complaints.

- At the national level, on average, approximately 1 to 4 complaints per 100,000 protected adults are filed per year: 4 complaints of sexual orientation and gender identity discrimination are filed for every 100,000 LGBT adults each year; 3 complaints of race discrimination are filed for every 100,000 adults of color; and 1 complaint of sex discrimination filed for every 100,000 women.
- The adjusted rate for sexual orientation and gender identity complaints is similar to, but slightly higher than, the adjusted rate for sex discrimination complaints.
- The adjusted rate for sexual orientation and gender identity discrimination is nearly the same as the adjusted rate for race discrimination complaints.

Population-Adjusted Complaint Rates (per 100,000)



Population-adjusted complaint rates provide an important context in which to analyze the raw complaint data

Population-adjusted complaint rates provide the context in which we can effectively analyze discrimination complaint rates based on race, sex, and sexual orientation and gender identity. The raw data alone suggest that the number of sexual orientation discrimination complaints is small compared to large numbers of complaints based on race and sex. However, even the most disparate adjusted rates significantly decrease the differences suggested by the raw data.

For example, in Illinois from 2008 through 2014, an average of 62 complaints of race discrimination in public accommodations and 22 complaints of sex discrimination in public accommodations were filed annually. By contrast, an average of 13 complaints of sexual orientation or gender identity discrimination in public accommodations were filed each year.

TABLE 1: Sex and Sexual Orientation & Gender Identity (Complaints Per 100,000 Adults)

	Sexual Orientation & Gender Identity	Sex
Average	3.9	0.5
California	1.2	0.3
Colorado	6.3	0.9
Connecticut	3.7	1.3
D.C.	10.1	1.2
Hawai'i	0	0.7
Illinois	3.6	0.4
Maryland	0.7	0.1
Minnesota	5.4	0.1
Nevada	6.2	0.3
New Hampshire	1.7	0.2
New York	3.2	0.6
Oregon	1.6	0.2
Rhode Island	2.7	0.7
Vermont	6.5	0.7
Washington	4.4	0.2
Wisconsin	4.6	0.2

Those raw numbers suggest that sex discrimination complaints are filed almost twice as often as sexual orientation complaints, and race discrimination complaints are filed almost five times more often than sexual orientation and gender identity complaints. But the number of adults of color in Illinois (3,437,000 in 2014) and the number of women in Illinois (5,097,000 in 2014) are both greater than the number of LGBT adults in the state (376,000 in 2014). Once we adjust the data for the population of each group, we are able to make more relevant comparisons. Adjusted rates show that annually, on average, approximately 1 complaint of sex discrimination in public accommodations was filed per 100,000 women, 2 complaints of race discrimination in public accommodations were filed per 100,000 adults of color, and 4 complaints of sexual orientation or gender identity discrimination in public accommodations were filed per 100,000 LGBT adults. Although a seemingly small number of sexual orientation and gender identity discrimination complaints were filed, they are actually filed by LGBT people at a higher frequency than both race discrimination complaints and sex discrimination complaints.

Sexual orientation and gender identity discrimination complaints are filed at a rate similar to, although on average slightly higher than, sex discrimination complaints

Table 1 compares the adjusted rate for sexual orientation and gender identity complaints with that for sex discrimination complaints in the 16 states for which data were collected. On a national level, the adjusted complaint rate for sexual orientation and gender identity is similar to, though on average slightly higher than, the adjusted complaint rate for sex discrimination complaints. In all 16 states, sexual orientation and gender identity complaints were filed at a slightly higher rate than sex discrimination complaints. The disparities in filing rates in across the states vary from approximately one to nine complaints per 100,000 protected adults each year.

Sexual orientation and gender identity discrimination complaints are filed at nearly the same rate as race complaints

Table 2 compares the adjusted rates for sexual orientation and gender identity complaints with that for race discrimination complaints in the 16 states for which data were collected. In nine states (California, Colorado, DC, Illinois, Minnesota, Nevada, New York, Rhode Island, and Washington), sexual orientation and gender identity complaints were filed at a higher rate than race discrimination complaints. In two additional states, sexual orientation and gender identity discrimination complaints were filed at nearly the same rate as race discrimination complaints (Maryland and Oregon). The disparities in filing rates in the remaining states varied from approximately one to nine more complaints of race discrimination than sexual orientation or gender identity discrimination per 100,000 protected adults each year.

TABLE 2: Race and Sexual Orientation & Gender Identity (Complaints Per 100,000 Adults)

	Sexual Orientation & Gender Identity	Race
Average	3.9	3.3
California	1.2	0.6
Colorado	6.3	2.6
Connecticut	3.7	6.8
DC	10.1	2.4
Hawai'i	0	0.9
Illinois	3.6	1.9
Maryland	0.7	0.8
Minnesota	5.4	4.9
Nevada	6.2	2.3
New Hampshire	1.7	2.5
New York	3.2	1.9
Oregon	1.6	1.5
Rhode Island	2.7	2.4
Vermont	6.5	15.2
Washington	4.4	1.6
Wisconsin	4.6	5.2

Comparison of findings to previous reports analyzing employment and housing discrimination complaints

Our finding that complaints of race, sex, and sexual orientation or gender identity discrimination in public accommodations are filed at similar rates is consistent with the findings of four previous studies that analyzed employment and housing discrimination complaints using a similar methodology: *Evidence of Housing Discrimination Based on Sexual Orientation and Gender Identity: An Analysis of Complaints Filed with State Enforcement Agencies, 2008-2014* (2016);⁹ *Evidence of Employment Discrimination*

Based on Sexual Orientation and Gender Identity: An Analysis of Complaints Filed with State Enforcement Agencies, 2008-2014 (2015);¹⁰ *Evidence of Employment Discrimination on the Basis of Sexual Orientation and Gender Identity: Complaints Filed with State Enforcement Agencies 1999-2007* (2008);¹¹ and *Do Gay Rights Matter?: An Empirical Assessment* (2001).¹²

The two most recent studies analyzing employment discrimination complaints found that, nationally, race, sex, and sexual orientation or gender identity complaints are filed at average rates of about 4 to 7 complaints per 10,000 workers per year. Generally, the complaint rates found in the oldest study, across all types of discrimination, were higher than the rates found in the two later studies. The 2001 study calculated a range for the sexual orientation complaint rate because data available at that time did not allow for reliable estimates of the size of the LGBT workforce in each state. The range was from 3.4 complaints to 18.2 complaints per 10,000 LGB workers. The rate of sex discrimination complaints found in the 2001 study was 5.4 complaints per 10,000 female workers, and the rate of race discrimination complaints was 20.2 complaints per 10,000 workers of color.

The study analyzing housing discrimination complaints also found that, nationally, race, sex, and sexual orientation or gender identity complaints were filed at similar rates. The study found that, on average, 3 complaints of sexual orientation or gender identity discrimination in housing were filed for every 100,000 LGBT adults each year; 5 complaints of race discrimination in housing were filed for every 100,000 adults of color each year; and 1 complaint of sex discrimination in housing was filed for every 100,000 women each year.

Like the previous studies, the present study found that complaints of race, sex, and sexual orientation or gender identity discrimination are filed at similar rates. The present study, however, found that sexual orientation and gender identity public accommodations complaints were filed at a slightly higher rate than both race and sex discrimination complaints. The studies of housing and employment complaints found that race discrimination complaints were filed at a slightly higher national rate compared to complaints of sexual orientation or gender identity discrimination, and complaints of sex discrimination were filed at a slightly lower national rate.

Potential Impact of Complaints Alleging More than One Type of Discrimination

From the data provided by the agencies, we were unable to determine how many complaints alleged discrimination based on more than one of the studied characteristics. For example, we could not determine how many complaints of gender identity discrimination also alleged sex discrimination. In the data provided, complaints alleging more than one type of discrimination were considered separate complaints of each type of discrimination. Because there may be overlap in complaints alleging discrimination based on sexual orientation or gender identity and another characteristic protected under state law (such as race, sex, or disability), the addition of sexual orientation and gender identity to existing state non-discrimination laws may result in fewer new complaints filed with state agencies than our estimate suggests.

Limitations on the separate analysis of gender identity public accommodations discrimination complaint rates

Various studies have found that transgender individuals experience substantially higher rates of discrimination than LGB people. However, due to inadequate data collection and recording methods, we were unable to analyze the rate of gender identity complaints filed by transgender people separately. This is a result of most states combining data on sexual orientation and gender identity discrimination filings. Of the 16 states that provided data for this study, only five states (Colorado, DC, Minnesota, Rhode Island, and Vermont) were able to provide separate data on gender identity complaints for at least four years. Additionally, there are no reliable data on the percentage of the population that identifies as transgender in each state, making it difficult to accurately estimate the underlying population numbers for a population-adjusted complaint rate. The omission of a separate analysis of gender identity discrimination complaints in this report indicates a need for further research on the transgender population.

Conclusion

When comparing population-adjusted rates for filing public accommodations discrimination complaints with state enforcement agencies, we find that LGBT people file complaints of sexual orientation or gender identity discrimination at a rate similar to women filing sex discrimination complaints and people of color filing race discrimination complaints. At the national level, based on the states with available data, the average adjusted complaint rates for each type of discrimination are around 1 to 4 complaints per 100,000 protected adults per year. Previous analyses of employment and housing discrimination complaints also found that race, sex, and sexual orientation or gender identity complaints are filed at similar rates across characteristics.

Endnotes

¹ These states are: California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington, and Wisconsin. For purposes of this report, DC is considered a “state.”

² All states listed above except Massachusetts, New Hampshire, New York, and Wisconsin.

³ AMIRA HASENBUSH, ANDREW R. FLORES, ANGELIKI KASTANIS, BRAD SEARS & GARY J. GATES, *THE LGBT DIVIDE: A DATA PORTRAIT OF THE SOUTH, MIDWEST & MOUNTAIN STATES* (2014), *available at* <http://williamsinstitute.law.ucla.edu/research/lgbt-divide-dec-2014/>.

⁴ See *id.* The LGBT population of Massachusetts was subtracted from the percentage of states with laws that prohibit gender identity discrimination cited in the report because the state does not prohibit discrimination based on gender identity in public accommodations, though it does prohibit such discrimination in other areas.

⁵ CHRISTOPHER RAMOS, M.V. LEE BADGETT & BRAD SEARS, WILLIAMS INST., *EVIDENCE OF EMPLOYMENT DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY: COMPLAINTS FILED WITH STATE ENFORCEMENT AGENCIES 1999-2007* (2008), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Badgett-Sears-Ramos-Empley-Discrim-1999-2007-Nov-08.pdf>; William B. Rubenstein, *Do Gay Rights Laws Matter? An Empirical Assessment*, 75 S. Cal. L. Rev. (2007), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Rubenstein-Do-Gay-Rights-Laws-Matter-2001.pdf>.

⁶ Connecticut added gender identity protections to its non-discrimination law in 2011, but the Connecticut Commission on Human Rights and Opportunities did not begin reporting gender identity complaints until fiscal year 2013. H.B. 6599, 2011 Gen. Assem., Jan. Sess. (Conn. 2011). *Compare* CONN. COMM. ON HUM. RIGHTS AND OPPORTUNITIES, *FISCAL YEAR JULY 1, 2011 TO JUNE 30, 2012: CASE PROCESSING REPORT, CUMULATIVE DATA* (2012), *available at* http://www.ct.gov/chro/lib/chro/2011-2012_Finished.pdf to CONN. COMM. ON HUM. RIGHTS AND OPPORTUNITIES, *FISCAL YEAR JULY 1, 2012 TO JUNE 30, 2013: CASE PROCESSING REPORT, CUMULATIVE DATA* (2013), *available at* http://www.ct.gov/chro/lib/chro/2012-2013_Finished.pdf. Hawaii clarified that the sexual orientation provisions of the state’s non-discrimination law also prohibit discrimination based on gender identity. H.B. 546, 26th Leg., Reg. Sess. (Haw. 2011).

⁷ S.B. 212, 2014 Gen. Assem., Reg. Sess. (Md. 2014).

⁸ GARY J. GATES, WILLIAMS INST., *HOW MANY PEOPLE ARE LESBIAN, GAY, BISEXUAL, AND TRANSGENDER?* 1 (2011), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Gates-How-Many-People-LGBT-Apr-2011.pdf>.

⁹ CHRISTY MALLORY & BRAD SEARS, *EVIDENCE OF HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY: AN ANALYSIS OF COMPLAINTS FILED WITH STATE ENFORCEMENT AGENCIES, 2008-2014* (2016), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Housing-Discrimination-Complaints-2008-2014.pdf>.

¹⁰ CHRISTY MALLORY & BRAD SEARS, *EVIDENCE OF EMPLOYMENT DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY: AN ANALYSIS OF COMPLAINTS FILED WITH STATE ENFORCEMENT AGENCIES, 2008-2014* (2015), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Employment-Discrimination-Complaints-2008-2014.pdf>.

¹¹ CHRISTOPHER RAMOS, M.V. LEE BADGETT & BRAD SEARS, WILLIAMS INST., *EVIDENCE OF EMPLOYMENT DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY: COMPLAINTS FILED WITH STATE ENFORCEMENT AGENCIES 1999-2007* (2008), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Badgett-Sears-Ramos-Empley-Discrim-1999-2007-Nov-08.pdf>.

¹² William B. Rubenstein, *Do Gay Rights Laws Matter? An Empirical Assessment*, 75 S. Cal. L. Rev. (2007), *available at* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Rubenstein-Do-Gay-Rights-Laws-Matter-2001.pdf>.

Appendix

Sexual Orientation and Gender Identity, Race, and Sex Discrimination Complaints Filed with State Enforcement Agencies

California	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted Rate (per 100,000)
Sexual Orientation & Gender Identity	NA	NA	NA	2	12	16	25	14	1.2
Race	NA	NA	NA	20	77	131	164	98	0.6
Sex	NA	NA	NA	8	19	38	61	32	0.3

Source: California Department of Fair Employment and Housing

Colorado	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted Rate (per 100,000)
Sexual Orientation & Gender Identity	2	2	5	7	15	11	14	8	6.3
Race	30	31	19	17	29	43	30	28	2.6
Sex	12	35	3	9	15	33	19	18	0.9

Source: Colorado Civil Rights Division

Connecticut	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted Rate (per 100,000)
Sexual Orientation & Gender Identity	5	2	0	0	3	7	7	3	3.7
Race	51	26	40	59	60	50	61	50	6.4
Sex	15	12	11	28	14	21	28	18	1.3

Source: Connecticut Commission on Human Rights and Opportunities

DC	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted Rate (per 100,000)
Sexual Orientation & Gender Identity	NA	NA	0	5	2	3	28	8	10.1
Race	NA	NA	0	8	7	7	17	8	2.4
Sex	NA	NA	4	3	2	5	3	3	1.2

Source: District of Columbia Office of Human Rights

Hawaii	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	0	0	0	0	0	0	0	0	0
Race	8	12	6	2	6	6	7	7	0.9
Sex	5	3	1	5	4	5	3	4	0.6

Source: Hawaii Civil Rights Commission

Illinois	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	4	4	10	24	16	18	18	13	3.6
Race	61	49	57	89	66	57	57	62	1.9
Sex	19	17	20	18	27	26	26	22	0.4

Source: Illinois Department of Human Rights

Maryland	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation	0	2	1	0	0	2	2	1	0.7
Race	16	21	17	12	14	11	21	16	0.8
Sex	2	4	4	1	4	2	3	3	0.1

Source: Maryland Commission on Human Relations

Minnesota	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	NA	NA	NA	4	12	4	6	7	5.4
Race	NA	NA	NA	29	39	30	21	30	4.9
Sex	NA	NA	NA	0	6	2	0	2	0.1

Source: Minnesota Department of Human Rights

Nevada	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	0	3	6	0	18	0	11	5	6.2
Race	3	9	3	9	12	2	11	7	2.3
Sex	2	4	2	6	2	0	3	3	0.3

Source: Nevada Equal Rights Commission

New Hampshire	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation	NA	NA	1	0	1	1	0	1	1.7
Race	NA	NA	0	0	0	1	9	2	2.5
Sex	NA	NA	0	3	2	1	0	1	0.2

Source: New Hampshire Commission for Human Rights

New York	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation	17	13	19	17	21	18	15	17	3.2
Race	117	112	118	104	105	150	121	118	1.9
Sex	47	47	41	47	58	43	35	45	0.6

Source: New York State Division of Human Rights

Oregon	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	0	3	1	1	5	6	3	3	1.6
Race	10	2	4	4	6	8	27	9	1.5
Sex	2	0	0	3	6	8	5	3	0.2

Source: Oregon Civil Rights Division

Rhode Island	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	1	NA	3	NA	0	0	1	1	2.7
Race	2	NA	3	NA	11	4	1	4	2.4
Sex	0	NA	0	NA	0	2	1	1	0.1

Source: Rhode Island Commission for Human Rights

Vermont	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	3	3	1	1	0	2	1	2	6.5
Race	3	4	2	5	8	2	2	4	15.2
Sex	2	1	1	1	4	1	3	2	0.7

Source: Vermont Human Rights Commission

Washington	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation & Gender Identity	11	5	10	8	15	12	4	9	4.4
Race	12	23	11	22	35	19	18	20	1.6
Sex	2	5	1	7	14	4	8	6	0.2

Source: Washington Human Rights Commission

Wisconsin	2008	2009	2010	2011	2012	2013	2014	Annual Average	Population-Adjusted (per 100,000)
Sexual Orientation	7	7	16	2	0	2	1	5	4.6
Race	39	30	31	26	35	28	28	31	5.2
Sex	5	7	5	3	2	11	4	5	0.2

Source: Wisconsin Civil Rights Bureau