

HATE CRIMES

Hate crimes are bias-motivated crimes that are defined differently by each of the States. Hate crimes may be directed against individuals, property, or groups. Specific groups are covered by various hate crime laws. The most comprehensive legislation involves crimes committed on the basis of:

- Race,
- Religion,
- Sexual orientation,
- Ethnicity,
- National origin, or
- Gender.

Such laws also cover intimidation, including criminal trespass, criminal mischief, harassment, menacing, and assault. Comprehensive laws criminalize institutional vandalism, which is defined as defacing or otherwise damaging:

- Any church, synagogue, or other building used for religious worship or other religious purposes;
- Any cemetery, mortuary, or other facility used to bury or memorialize the dead;
- Any school, educational facility, or community center;
- The grounds adjacent to and owned or rented by such facilities; and
- Any personal property in such facilities.

These laws also cover vandalism of an individual's property.

In some States, the use of a Nazi symbol on a church or synagogue or buildings used for religious purposes is deemed evidence of motivation to commit a hate crime. In other States, the perpetrator must use specific language or gestures to suggest a bias motivation.

The Connection Between Substance Abuse and Hate Crimes

Skinheads (neo-Nazis who shave their heads) are heavy users of alcohol, and some also use drugs. Heavy beer consumption often precedes incidents of Skinhead violence. In some instances, substance abuse actually results in Skinheads turning on each other.¹

While perpetrators of hate crimes are not routinely subjected to substance abuse testing, sometimes the investigation of the hate crime ties them to drug use. For example:

- In Taylorville, Illinois, on January 30, 1998, one of three men charged with battery and committing a hate crime was also charged with possession of drug paraphernalia.
- In Salisbury, North Carolina, on March 6, 1998, a man found with racist material at his home was charged with maintaining a dwelling to sell, store, or keep a controlled substance.

- In Jacksonville, Florida, on July 23, 1997, a man was charged with a hate crime, aggravated battery, possession of drug paraphernalia, and possession of LSD and psychedelic mushrooms. Four juveniles also were arrested.^{2,3}

Substance abuse can not only lead to violence but also can result from violence. Experts suggest that homosexual victims of violence seem to be at high risk for alcoholism, drug abuse, and suicide. However, additional research is needed.⁴ In addition, homosexuals who are victims of violence suffer from posttraumatic stress disorder. Symptoms include inability to concentrate, loss of trust in others, startled reactions, depression, anxiety, nightmares, and eating and sleeping disorders.⁵

A report on 59 focus group participants from a variety of racial and religious backgrounds showed that victims experienced ongoing fear and depression. This suggests that research may be needed to determine whether they are at higher risk for alcoholism and drug abuse.⁶

Victims in the United States

In 1990, Congress enacted the Hate Crime Statistics Act. In 1994, the Violent Crime Control and Law Enforcement Act amended the act to add both physical and mental disabilities as categories that could be considered a basis for hate crimes. The exact number of hate crime victims is not known, because data collection is still in the early stages. In addition, many incidents are not reported to law enforcement.

In 1990, the Crime Awareness and Campus Security Act was also passed. This act requests that colleges voluntarily report hate crimes. However, data have not been systematically collected on incidents that occur in schools or on campuses.⁷ Still, data collected by groups representing minorities suggest that the proportion of hate incidents on college campuses and among young people is increasing. Public Law 105-244, enacted in 1998, directs the Secretary of Education to report institutions that do not comply and establishes civil penalties for campuses that misrepresent data.

Recent statistics on hate crimes in the United States include the following:

- In 1999, the Federal Bureau of Investigation (FBI) received reports from 12,122 law enforcement agencies in 48 States and the District of Columbia. They reported 7,876 bias-motivated criminal incidents. The incidents involved 9,301 separate offenses, 9,802 victims, and 7,271 known distinguishable offenders.⁸
- Also in 1999, almost 67 percent of the reported incidents were crimes against individuals. These crimes include intimidation (35 percent), simple assault (19 percent), and aggravated assault (12 percent). Almost 30 percent of the reported incidents were crimes against property, and less than 1 percent of crimes were against society.⁸
- That same year, 17 people were murdered in hate-motivated incidents.⁸
- In addition, 55 percent of the reported hate crime incidents were based on race, 18 percent on religion, 17 percent on sexual orientation, 11 percent on ethnic/national origin, and less than one-half of 1 percent on disability and multiple reasons.⁸
- Also in 1999, Asian Pacific Americans experienced an increase in hate-related incidents in schools, increasing from 13 to 35 cases. Incidents in businesses increased from 37 to 40

cases. However, incidents in private homes decreased from 95 to 69 cases and incidents in public places declined from 45 to 38 cases.⁹

Furthermore, a study of hate crime incident reports in Los Angeles County public schools showed an increase of more than 50 percent in 3 years. The most common types of hate incidents reported were racial slurs and graffiti, which were more than twice as likely to occur as physical violence or destruction of property. African-American and Hispanic students were most likely to be the victims. They were about twice as likely as Asians to be victims and 25 to 30 times more likely than Native Americans.¹⁰

An audit of anti-Semitic incidents revealed that after a 30 percent decrease in 1999 and a 50 percent decline over the previous 5 years, anti-Semitic incidents on college campuses increased by 15 percent in 2000.¹¹ Finally, the National Council of La Raza states that Hispanics often do not report hate crimes because they distrust the police.⁴

Perpetrators

Only data on rate and type of bias crime have been collected on perpetrators. Some experts believe perpetrators are often affiliated with hate groups or gangs involved with hate groups. Others believe that half of all hate crimes are committed by teenagers and adults under 25 years (usually males), acting in informal groups.¹² They acknowledge, however, that perpetrators are influenced by hate group propaganda.

Only a very small percentage of the perpetrators of hate crimes are ever apprehended, and the only information the FBI collects systematically is related to race. In 1999, 68 percent of offenders were white, and 16 percent were black. Others were American Indian/Alaska Native (1 percent), Asian/ Pacific Islander (2 percent), and multiracial (4 percent). The race of the remaining perpetrators was unknown.⁷

According to the Intelligence Project of the Southern Poverty Law Center, 602 hate groups were active in the United States in 2000. These hate groups included:

- Ku Klux Klan, 110
- Neo-Nazi, 180
- Skinhead, 39
- Identity, 32
- Black Separatists, 48
- Neo-Confederate, 88
- Other, 105¹³

In addition, there were 194 active “Patriot” groups in 2000. Of these groups, 72 were militias, 3 were “common-law courts,” and the rest fit into a variety of categories such as publishers, ministries, and citizen’s groups. The Internet and other technologies have strengthened the movement, the goals of hardliners in all hate groups are converging, and many have gone underground. The “Patriot” groups increasingly overlap with the 602 active hate groups identified in 2000.¹³

According to the Anti-Defamation League, neo-Nazi Skinheads in the United States are loosely

linked networks of gangs operating in scattered communities. They have also linked with groups such as the Ku Klux Klan, Aryan Nations, the Church of the Creator, and White Aryan Resistance.¹⁴

One well-known researcher has categorized groups of offenders. Some offenders see certain groups as inferior and engage in violence against them for the thrill of it. Others believe that they are defending their “turf.” The third group of offenders is committed to advancing their supremacist ideology.¹⁵

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