Hate Crime:
Causes, Consequences and Trends

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Outline

- Background
- Definition
- Hate or Bias Crime. Characteristics
- Typology of Hate Crime Offenders
- Current Challenges
- Future Considerations

Definition

- Any **criminal incident** motivated **entirely or in part** by bias towards a **person's difference**

Hate Crime or Bias Crime

- **Bias Crime** more accurately reflect the criminal Incidents we will be discussing
- **Hate Crime** is used in statutes, criminal cases, Media and
- My two books

Hate Crimes Characteristics

- Are hate crimes different?
  - They impact a broad group not an individual
  - They are meant to terrorize all members of victim groups
- They are message crimes
  - Send a message that we don't want you in our neighborhood, workplace or school
- Interchangeability
  - Any member of the group can be targeted

Bias Incident Definition

- A Bias Motivated Incident
  - An incident that does not rise to the level of a crime
- Examples
  - Calling a fellow student an ethnic or racial slur
  - Ethnic jokes targeting a characteristic of a co-worker

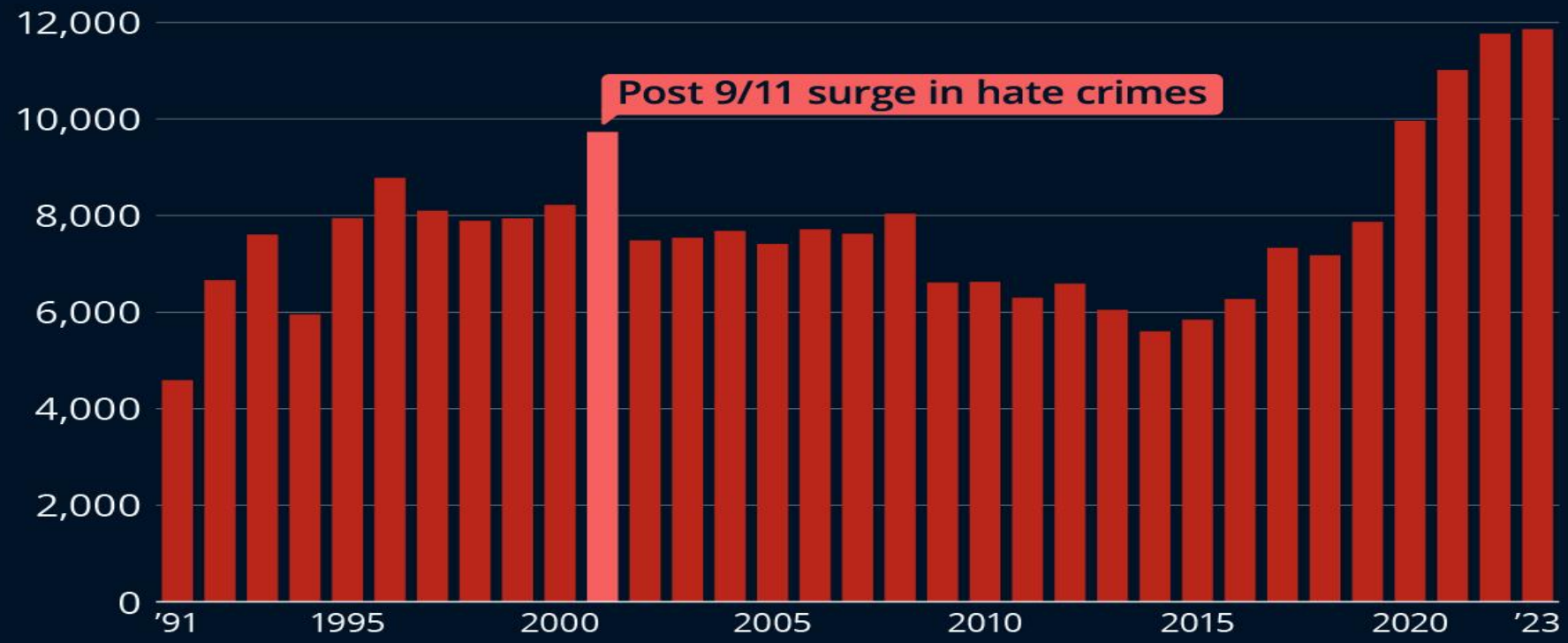
Background

- 1983 – Boston Police Department Community Disorders Unit (CDU)
- 1990 – Hate Crime Statistics Act (HCSA)
  - Authorized national hate crime data collection
  - Established national definition of hate crimes
- 1991 – First year of FBI data collection, reporting, and training
- May 2024 – White House Conference Keynote Address

What are the National Trends in Reported Bias Crime?

FBI Sees Upward Trend in Reported Hate Crimes

Number of hate crime incidents reported to the FBI in the United States



The FBI defines a hate crime as a "crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability".

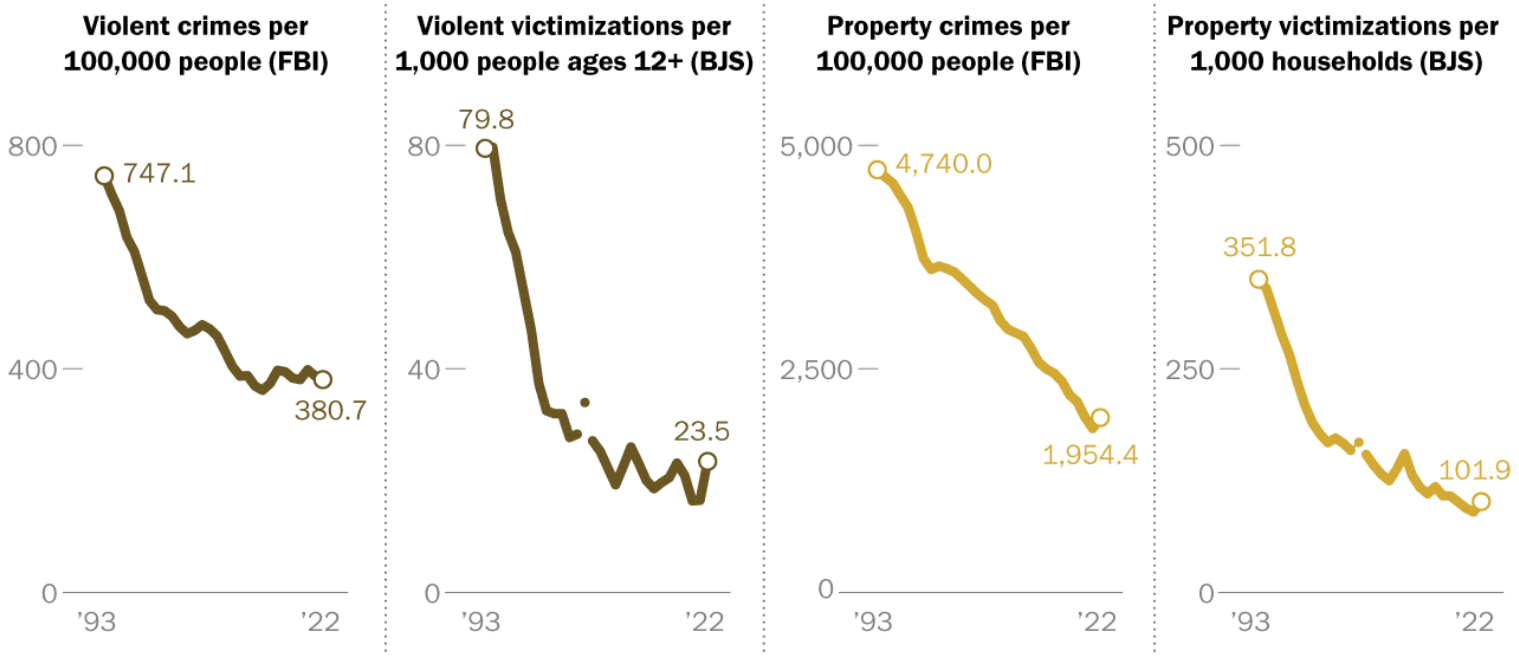
Source: FBI

statista

Violent Crime 1993 - 2022

U.S. violent and property crime rates have plunged since 1990s, regardless of data source

Trends in U.S. violent and property crime, 1993-2022



Note: FBI figures include reported crimes only; BJS figures include unreported and reported crimes. 2006 BJS estimates are not comparable to those in other years due to methodological changes.
Source: Federal Bureau of Investigation (FBI), U.S. Bureau of Justice Statistics (BJS).

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Sources of Data on Bias Crimes

FBI Crimes reported to local police

National Crime Victimization Survey (NCVS)

NCVS Survey of Households (Census)

Sources of Bias Crime Data

• FBI	2019	8,559
• NCVS	2019	305,391

Limitations of Data

FBI

- Reported Crime
  - Fear of Police
- Misclassification

NCVS

- Forgetting
- Victim unsure of Bias Motivation

In 2022, 56% of hate crimes were motivated by race, ethnicity, or ancestry.

Reported hate crimes, 2022

- Table showing Categories of Crimes, the number associated with them, the % of the total, and the YtoY change from 2021
- Source: Federal Bureau of Investigation

Table with 4 columns and 7 rows. Sorted descending by column "Number of hate crimes"

Bias type category	Number of hate crimes	% of total, 2022	2021 to 2022 % change
Race/ethnicity/ancestry	6,570.00	56%	−1%
Religion	2,044.00	18%	27%
Sexual orientation	1,947.00	17%	14%
Gender identity	469.00	4%	33%
Multiple bias	347.00	3%	11%
Disability	171.00	1%	11%
Gender	95.00	1%	−2%

Property Targeted in Bias Crimes

- Offenders use Property to send message of bias or we don't want you here
  - Anti-Semitic Crimes often use property
    - Synagogue or Cemetery
- Approximately 46% of all Bias Crime are property crimes

- Can continue or escalate causing severe distress

Personal Bias Crimes

- Involve Excessive Violence
  - FBI Trains local law Enforcement to look for bias motivation in cases that involve excessive violence
- James Byrd Case

Few Offenders are Convicted

- Data from 2023 “Hate Crime in California” Report

• Offenses	2,359	
• Referred for Prosecution	679	(2.8%)
• Case Filings rejected	463	224 cases
• es filed as Hate Crimes	322	(141 filed other charges)

Few Offenders are Convicted

- Hate Crimes with dispositions (at time of Report) 120
- Conviction as Hate Crime

  62 (52%)
- Conviction as another Crime

  43 (35%)
- Acquitted

  15 (12%)
- Of cases Referred for Prosecution 9.1% were convicted as hate crime

Prisons School for Hate

- Groups Form for protection by race or ethnicity
- Groups have limited interactions
- Ideologies often include white supremacy

Typology of Hate Crime Offenders

Thill-Seekers

Defensive Attackers

Retaliatory Attackers

Mission Attackers

Typology of Hate Crime Offenders

Thrill Hate Crimes

- Most common Typology in our research (approx. two-thirds of all offenses involved)
- Group of offenders / single victim
- Situationally available weapons
- Offenders think it is “fun” or just “exciting”
- Potential to deter ……. relatively high

Defensive Hate Crimes

- Perceive themselves as defending their turf
  - Neighborhood
  - College Campus
  - Workplace
- Group of offenders or single offenders
- Escalating offenses
  - “Till victim gets message”
- Potential to Deter …… (Moderate)

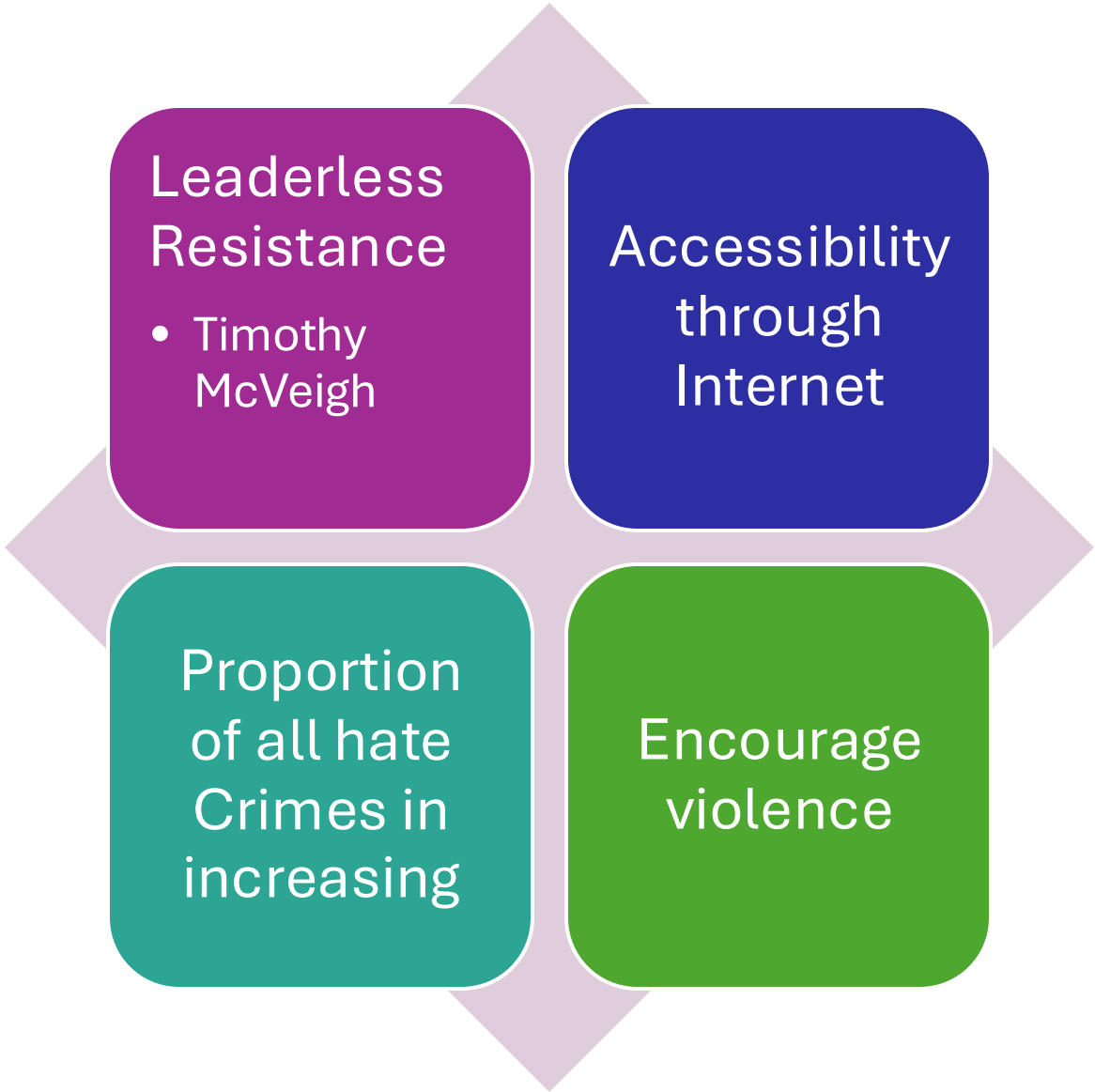
Reactive Hate Crimes

- Reaction to a real or perceived incident
  - Attack in a community
- Group of offenders or single offenders
- Can escalate with groups or individuals seeing the perceived offenders as deserving punishment
- Potential to Deter ….. Moderate
  - Role of Law Enforcement is crucial

Mission Hate Crimes

- On a life mission
- Belongs to or follows organized hate group
- Most dangerous (including followers)
- Marginal members of society
  - Looking for someone to blame for their life circumstance
- Very Rare but appear to be increasing
- Potential to deter ……very low

Mission Hate Crimes



Points and Recommendations to White House

Successes and Turning Points

- Recognition of the reality and impact of hate crimes by Police, Prosecutors, and Judges
- Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009
- Improved understanding of impact of hate motivated violence

Current Challenges: Data Collection

Data currently exist from multiple sources: all are flawed

Hate crimes appear to be increasing

Fewer police agencies are submitting hate crime data

Current Challenges: Public Dialogue

State level legislation targeting undocumented

State level legislation limiting what can be taught in K-12 schools and colleges/universities

Political language that dehumanizes groups

Current Challenges: Online Hate

Internet is being used to recruit and radicalize offenders and to perpetrate hate crimes

GAO found 1:3 internet users report experiencing hate speech on the internet

K-12 schools are increasingly reporting bias-based bullying and harassment via internet

Current Challenges: Guns

Historically guns were seldom the weapon of choice in hate crimes

Charleston SC (Emanuel African Methodist Church) (9 Killed 3 wounded)

Pittsburg PA (Tree of Life) (11 Killed 6 wounded)

Buffalo NY (Tops Friendly Market) (10 Killed 3 wounded)

Increased gun use can change the character of bias crime

Current Challenges: Group Coalition

January 6, 2021 showed how previously unrelated groups can come together

January 6 groups came together in a variety of protests

COVID Lockdown protests

BLM counter protests

Anti- Government protests (Michigan)

“Stop the Steal” rallies

21% of those arrested on January 6 had direct links to one of these groups

79% had no known affiliation to any organized hate or anti-government group.

Current Challenges: External Events

Hate Crimes often spike after events

September 11, 2001 Attacks

Immigration Rhetoric

President Obama's election

Analysis released by Center for Study of Hate and Extremism

16 largest Cities 2019-2020 7% decrease in reported Hate Crimes

150% increase in Anti Asian Hate Crimes

Tied to rhetoric involving the source of the Covid Pandemic

Future Considerations: Definition of Hate Crime

- Today, we ask the following question: *"Was this a hate crime?"*
  - Answering this question is often a challenge for police, prosecutors, and judges (Little crosses case)

- Should we change the question to: *"What role did bias play in the crime?"*
  - But for bias, would this crime have played out the same way?

Potential Benefits of Broader Definition of Hate Crimes

- Police may identify more victims
- School officials may be less afraid to react to hate crimes
- Judges may be more willing to use non-prison-based sentences

- Move away from a Criminal Justice based definition of hate crimes

Strategies to Prevent hate or Bias Crimes

- More than Criminal Penalties
- School Based Programs
  - Massachusetts Hate Crime Resource Guide
- Community Interaction Opportunities
  - Program for offenders in Massachusetts
- Support programs to increase reporting

Strategies to Support Victims

- Public declaration that we will not tolerate bias crimes like those by high-ranking officials
- Police and school administrators taking the crime seriously and providing protection
- Supportive statements from neighbors, co-workers, fellow students etc.

Questions, Comments, Suggestions

Current Challenges: Data Collection

- Underreporting by police agencies, schools, and victims
- Misclassification by police officers, school administrators, and victims
- Different definitions across data collection sources
- Few agencies, institutes, and organizations collect information on “bias incidents” (e.g., K-12 schools)
- United Against Hate Community Outreach Program DOJ