

## HATE CRIME

**Course Topic:** Hate crime is often in the news, locally and globally. During the latter part of the 20<sup>th</sup> century it became a taken for granted feature of violence and crime in the U.S. and abroad, and now it is assumed to be part and parcel of the crime and criminal justice landscape. It is a fact of history and decidedly modern social problem connected to systematic discrimination, changing and strained intergroup relations, legal mobilization, and bias motivated violence. As such, it presents a paradox: on the one hand, the behaviors we think of as hate crime are as old as humankind; on the other hand, the notion of “hate crime” as special type of crime is a fairly recent invention. At the turn of the 20<sup>th</sup> century, *The National Law Journal* noted that the 1990s may go down in history as the “the decade of hate—or at least of hate crime” (Rovella 1994:A1) and shortly thereafter Levin and McDevitt (2002) referred to bias-motivated violence as a “rising tide of bigotry and bloodshed.” By the summer of 2016, journalists and others were observing and asking “Attacks on police are hateful, but are they hate crimes?”,<sup>1</sup> which is just one more example of the evolution of hate crime. These observations attest to public concern with the perpetration of violence motivated by hate or bias, as well as contemporary legal and extra-legal efforts undertaken. With this in mind, this course focuses on hate crime as a specific type of violent conduct and criminal activity, as well as social control efforts designed to curb such violence.

**Course Objectives and Key Questions:** The purpose of this course is to examine the causes, manifestations, and consequences of hate crimes, as well as the larger social context within which they occur, are reacted to, and increase or decline in prevalence. Throughout the course we will treat the study of hate crimes as a window through which a variety of social structures and processes can be rendered visible and amenable to examination, especially those related to social stability, social change, and social control. Specifically, this course addresses a set of interrelated questions about the politics and dynamics of intergroup violence born of bigotry and manifest as discrimination. For example:

- Why did bias-motivated violence and its attendant categories of victimization come to the forefront and get recognized as a serious social problem in the U.S. in the latter part of

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<sup>1</sup> <http://www.latimes.com/opinion/editorials/la-ed-police-hate-20160816-snap-story.html>

the 20<sup>th</sup> century, given that violence directed at people because of their real or imagined characteristics is as old as humankind?

- Why is it that injuries against some people—Jews, people of color, gays and lesbians, and, on occasion, women and those with disabilities—are increasingly recognized by the law and in the public's mind as a "hate crime," while other types of bias-motivated violence continue to go unnoticed?
- What is the nature of the acts that constitute hate crimes? Who commits hate crimes and why? Who is most likely to be victimized by hate crimes and why? In what ways are hate crimes similar to and dissimilar from other types of crime?
- How are efforts to curb hate crime connected to larger social movements? Under what conditions and how do communities in which hate crimes occur respond to such acts?
- What types of behaviors seem to be getting center stage in both public and policy discussions of hate crimes? Conversely, what types of behaviors evoke the attention of those charged with controlling hate crimes and/or protecting civil liberties?
- Who are the relevant political players and what organizations, institutions, and constituencies are associated with both the proliferation and the social control of hate crimes? Finally, how have social control efforts been undertaken, and to what degree have they been effective?

**Course Organization:** To address the questions identified above, this course is organized around three general themes:

1. conceptualizing and measuring hate crimes,
2. the social context of hate crimes, and
3. the social regulation of hate crimes.

Since no single conceptual framework or theoretical position can adequately account for the complexity of the production, maintenance and control of hate crimes, this course draws upon an array of classical and contemporary theoretical work, empirical research, and case studies to address the questions identified above and to raise related questions.

**Course Requirements:** Along with participating in class and reading the required material, the following constitute course requirements:

1. Respond in a *thoughtful and engaging* way to at least ten of the posted “forum” questions on-line (worth 20% of your grade). *Thoughtful and engaging* includes moving beyond merely reviewing course material, confirming or contesting what others post, and/or offering your opinion (informed or not). The goal is to analyze the material and explain your analyses in a clear and cogent way in light of the prompt provided by the forum and to engage with your colleagues in the forum in a way that advances the collective conversation. It is particularly impressive if you can bring to bear new material such that the conversation is enhanced and becomes more informed and more informative. Students will be assigned to one of two discussion groups to facilitate meaningful dialogue and attendant forum posts.
2. Complete two short writing assignments from a total of six possible options (each worth 20% of your grade). Due at end of weeks 4, 6, 8 (x2), 9, & 10.
3. A final exam (worth 40% of your grade).
4. All students are required to abide by the following honor code: “I promise not to plagiarize or cheat in any way in this course, C219. On my honor, I will uphold the highest standards of honesty and integrity.” A violation of this code will result in failing the course.

Although not required, you are encouraged to engage with each other and the instructor via Skype and via VirBELA. VirBELA is an innovative learning technology that will hopefully enhance the level of engagement in the class. Your engagement via VirBELA will count as another way to demonstrate active engagement with the course. For more information, see: <http://www.virbela.com/about.html>.

**Suggestions:** I encourage you to engage in collaborative learning. Also, I encourage you to contact the instructor and the Teaching Assistants (TAs) as often as is necessary to do well in this course. Do not wait until problems are exacerbated or concerns are outdated to seek assistance. If you extend the effort, we are willing to help you do well in this course. Any student who feels he/she may need an accommodation based on the impact of a disability should contact the instructor privately to discuss his/her specific needs. Also, contact the Disability Services Center at 949-824-7494 as soon as possible to better ensure that such accommodations are implemented in a timely fashion.

**The Teaching Assistants:** The TAs for this course are Emma Conner ([econner@uci.edu](mailto:econner@uci.edu)) and Amanda Fisher ([afisher1@uci.edu](mailto:afisher1@uci.edu)). Each TA will oversee a discussion group of students and they are available to provide assistance via Skype, phone, or VirBELA.

**Course Materials:** The following constitute required reading for this course:

1. *Hate and Bias Crime: A Reader*, edited by Barbara Perry (BP)
2. *In the Name of Hate: Understanding Hate Crimes*, by Barbara Perry (BP)
3. Articles posted to the web page for the course.

The two required books are available for purchase on Amazon.com.

**Course Outline and Assigned Readings:** The outline below indicates what we will be doing and when we will be doing it. Due dates and topics are not chiseled in stone; all topics and dates are tentative and subject to change. If changes are made, they will be announced online. It is your responsibility to check for “Announcements from the Professor” online routinely.

## I. INTRODUCTION: THINKING ABOUT HATE CRIMES

### A. *Thinking About Hate Crimes (Week 1)*

1. *Hate as Cultural Justification for Violence*, by Jack Levin and Gordana Rabrenovic
2. The Violence of Hatred, Introduction to *In the Name of Hate* (BP)
3. *How Hate Crimes Hurt More: Evidence from the British Crime Survey*, by Paul Iganski and Spiridoula Lagou
4. Consequences for Victims: A Comparison of Bias and Non-Bias-Motivated Assaults, Chapter 10 of *Hate and Bias Crime: A Reader* (BP)
5. Connecting the Past to the Future: Hate Crime in America, Chapter 1 of *Hate and Bias Crime: A Reader* (BP)
6. Beyond Black on White: Minority on Minority Violence,” Chapter 5 of *In the Name of Hate* (BP)

*B. Conceptualizing Hate Crimes (Week 2)*

1. Thinking More Clearly About Hate Motivated Crimes, Chapter 3 of *Hate and Bias Crime: A Reader* (BP)
2. *The Emergence, Content, and Institutionalization of Hate Crime Law: How a Diverse Policy Community Produced a Modern Legal Fact*, by Valerie Jenness
3. Defining and Measuring Hate Crime, Chapter 1 of *In the Name of Hate* (BP)
4. Gender Bias Hate Crimes: A Review, Beverly McPhail, Chapter 19 of *Hate and Bias Crime: A Reader* (BP)
5. Examining the Boundaries of Hate Crime Law: Disabilities and the “Dilemma of Difference,” Chapter 20 of *Hate and Bias Crime: A Reader* (BP)

*C. Measuring Hate Crimes (Week 3)*

1. *Defining and Measuring Hate Crime: A Potpourri of Issues*, by Susie Bennett, James Nolan, and Norman Conti
2. Racial Harassment and the Process of Victimization: Conceptual and Methodological Implications for the Local Crime Survey, Chapter 4 of *Hate and Bias Crime: A Reader* (BP)
3. Improving the Quality and Accuracy of Bias Crime Statistics Nationally: An Assessment of the First Ten Years of Bias Crime Data Collection, Chapter 5 of *Hate and Bias Crime: A Reader* (BP)

*D. Epidemiological Portraits of Hate Crime (Week 4)*

1. *Racist Violence Against Native Americans*, by Barbara Perry
2. Anti-Muslim Retaliatory Violence Following the 9/11 Terrorist Attacks, Chapter 13 of *Hate and Bias Crime: A Reader* (BP)
3. Victim Experiences in Hate Crimes Based on Sexual Orientation, Chapter 18 of *Hate and Bias Crime: A Reader* (BP)
4. The Mainstreaming of Hate: A Report on Latinos and Harassment, Hate Violence, and Law Enforcement Abuse in the 90s, Chapter 15 of *Hate and Bias Crime: A Reader* (BP)
5. Racial Violence Against Asian Americans, Chapter 16 of *Hate and Bias Crime: A Reader* (BP)

6. 2001 Audit of Anti-Semitic Incidents, Chapter 17 of *Hate and Bias Crime: A Reader* (BP)
7. *Hate Crime Against Persons with Disabilities*, by Frank J. Lane, Linda R. Shaw, and Martin Kim
8. *Anti-Lesbian, Gay, Bisexual, and Transgendered Victimization in Canada and the United States: A Comparative Study*, by Ellen Faulkner

## II. THE CONTEXT OF HATE CRIMES: UNDERSTANDING HATE CRIMES

### A. Social Context: Individual Level Theories/Societal Level Theories (Weeks 5 and 6)

1. *The Sociology of Hate: Theoretical Approaches*, by Barbara Perry
2. Examining Hate Motivated Aggression: A Review of the Social Psychological Literature on Hate Crimes as a Distinct Form of Aggression, Chapter 8 of *Hate and Bias Crime: A Reader* (BP)
3. *In the Name of Hate: Understanding Hate Crimes*, by Barbara Perry (read remainder of book)
4. Accounting for Hate Crime: Doing Difference, Chapter 6 of *Hate and Bias Crime: A Reader* (BP)
5. Black Church Arson in the United States, 1989-1996, Chapter 12 of *Hate and Bias Crime: A Reader* (BP)
6. Constructing Whiteness: The Intersections of Race and Gender in U.S. White Supremacist Discourse, Chapter 24 of *Hate and Bias Crime: A Reader* (BP)
7. *The Urban Ecology of Bias Crime: A Study of Disorganized and Defended Neighborhoods*, by Ryken Grattet

### B. Social Context: Moral Entrepreneurs, Moral Panics and Movements (Week 7)

1. *From the Klan to Skinheads: A Critical History of American Hate Groups*, by Mark S. Hamm
2. *Rebranding Hate in the Age of Obama*, by Eve Conant
3. Defenders of the Faith: Hate Groups and Ideologies of Power, Chapter 21 of *Hate and Bias Crime: A Reader* (BP)
4. Becoming a Racist: Women in Contemporary Ku Klux Klan and Neo Nazi Groups,

Chapter 23 of *Hate and Bias Crime: A Reader* (BP)

III. SOCIAL CONTROL OF HATE CRIMES: CONSIDERING RESPONSES

A. *Community and Social Movement Responses (Week 8)*

1. The Emergence and Implications of American Hate Crime Jurisprudence, Chapter 27 of *Hate and Bias Crime: A Reader* (BP)
2. *School-Based Anithate Initiatives*, by Lindsay J. Friedman, Esther Hurh, Nicole Manganelli, and Stephen Wessler

B. *Social Control: Law Enforcement and Legal Recourse (Week 9)*

1. Hate Crimes, by Valerie Jenness (in M. Tonry's *Crime and Public Policy*)
2. *Policing and Surveillance*, by Jeannine Bell
3. Policing Hatred: Police Bias Units and the Construction of Hate Crime, Chapter 28 of *Hate and Bias Crimes: A Reader* (BP)
4. *Hate Crime Prosecution*, by Richard A. Devine and Alan J. Spellberg

C. *Social Control: Constitutional Basis for Hate Crime (Week 10)*

1. *Judicial Rhetoric, Meaning-Making, and the Institutionalization of Hate Crime Law*, by Scott Phillips and Ryken Grattet
2. *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992) (available at: <http://laws.findlaw.com/us/505/377.html>)
3. "Responding to Neighborhood Hate Crimes," Chapter 6 in *Hate Thy Neighbor: Move-in Violence and the Persistence of Racial Segregation in American Housing* (2013), by Jeannine Bell.
4. *Wisconsin v. Mitchell*, 508 U.S. 476 (1993) (available at: <http://laws.findlaw.com/us/508/476.html>)

D. Final reading: *Hate Crime as a Human Rights Violation*, by Barbara Perry and Patrik Olsson