

2018 Distinguished Scholar Award
Division on Terrorism and Bias Crimes
American Society of Criminology

Introductory Remarks Given by Dr. Laura Dugan

The winner of the 2018 Division of Terrorism and Biased Crime Distinguished Scholar Award is Valerie Jenness and Ryken Grattet for their collaborative path-breaking scholarship on hate-crime. For over two decades they have produced innovative and impactful scholarship on the ways in which the law defines and responds to bias-motivated violence. Their work is sociological, criminological, theory-driven and policy-relevant. It has been funded by the National Academy of Sciences, presented as a congressional briefing, discussed in the media, and consequential for policy.

Almost two decades ago, in 1998, Professors Jenness and Grattet published a landmark article, “The Homogenization and Differentiation of Hate Crime Law in the United States, 1978-1995: Innovation and Diffusion in the Criminalization of Bigotry,” in the *American Sociological Review*. In this article, they skillfully examine the patterning and proliferation of hate crime legislation in the U.S. This article builds upon the growing body of historical case studies of crime control campaigns, develops a conceptualization of criminalization, and tests several models of criminalization as a process of policy innovation and diffusion. They rely on original data and event-history analysis to reveal that timing, the internal composition of the state, and the innovativeness of the policy culture affect the diffusion of hate crime law in the U.S. Also, in this article, they reveal that over time the variety of legal strategies diminishes as the domain and complexity of the content of hate crime law expands. This work, in essence, provides the first systematic examination of the criminalization of “hate” as a newfound legal category during the latter part of the 20th century.

Shortly thereafter, Professors Jenness and Grattet published an important book in the study of hate crime, *Making Hate a Crime: From Social Movement to Law Enforcement* (originally published in 2001 and reissued in 2004). *Making Hate a Crime* provides an analysis of hate crime as a newly institutionalized policy domain. Their analysis of the social organization and standing of hate crime and hate crime policy in the U.S. is motivated by a series of questions about how social problems, law, law enforcement practices, and criminal justice policy domains come into being, get transformed, and are institutionalized over time. To address these questions, *Making Hate a Crime* draws on both qualitative and quantitative data to examine the work of key actors in select institutional spheres comprising the policy domain of hate crime, including legislators who have made hate crime law and law enforcement officials who are charged with enforcing hate crime law. The analytic focus is on how at various moments in a larger social process—from the introduction and politicization of the term “hate crime” in the late 1970s to the continued enforcement of hate crime law at the end of the 1990s—the activities of select institutional players, especially lawmakers and criminal justice officials, have been informed by historically and culturally delimited ideologies, interests, and practices. The empirical focus is on how social movements have constructed the problem of hate-motivated violence, how politicians at both the federal and state level have made legislation that defines the parameters of hate crime, how appellate court judges decided the constitutional fate of hate crime law, and how law

enforcement officials—most notably police and prosecutors—classify and investigate bias-motivated incidents that may or may not get deemed hate crime.

With these foci in place, the book takes a fundamentally interdisciplinary approach heavily informed by the work of sociologists, political scientists, criminologists, and socio-legal scholars to delineate how the content of specific policies emerges from the broader social forces that surround them, both inside and outside the criminal justice system.

As the ideas contained in *Making Hate a Crime* circulated among diverse audiences, Professors Jenness and Grattet continued to produce high profile empirical analysis of the contours of hate crime politics, law, and law enforcement. Again drawing on original data and deploying a range of methodologies, their work appeared in top journals in sociology, criminology, and law and society journals. Individually and as a team, they have, for example, published hate crime work in the *Journal of Criminal Law and Criminology*; *Law & Society Review*; *Law & Critique*; *Sociological Perspectives*; *Social Problems*; *Gender & Society*, and *American Behavioral Scientist*).

Because of their visibility as hate crime scholars, Professors Jenness and Grattet were invited to present a summary of what social science knows about the causes, manifestations, and consequences of hate crime, as well as the criminal justice system's efforts to control it, at a U.S. Congressional briefing.

Also, their research was commissioned by the National Research Council's Committee on Law and Justice and presented at the Workshop on Crime Victims with Developmental Disabilities, sponsored by the National Academy of Sciences.

Further, their work has been translated into other languages, including German and Spanish, and made available to international audiences.

Related, Professors Jenness and Grattet were invited to present a summary of the book at a special conference on hate crime at the Birkbeck School of Law at the University of London, which allowed them to define "the American perspective" on hate crime, hate crime law, and the law enforcement efforts to an international audience.

Finally, findings and arguments contained in their have been discussed in a range of media outlets, including: *The Los Angeles Times*, Good Morning America, *Cable Network News* (CNN), National Public Radio (in both the U.S. and Sydney, Australia), and *The New York Times*.

Likewise, Professors Jenness and Grattet have routinely presented portions of this book at an array of domestic and international professional conferences and universities, as well as legislative bodies and community groups as diverse as the Ellensburg, Washington Police Department and the National Organization for Women.

As a division, we are proud to present this award to Professors Jenness and Grattet because of the impact that their work has had on our scholarly understanding of the sociological, legal, and law

enforcement responses to hate crime; and because of their success in disseminating their work to important audiences that include the media, legislators, and law enforcement.