

Youth Participation in Hate-Motivated Crimes: Research and Policy Implications

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Center for the Study and Prevention of Violence

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INTRODUCTION

The increasing involvement of youths in serious and often violent crimes over the past several years has captured the headlines as well as the attention of academics, legislators, and policy makers. Confronted with the need to understand the general problem of violence and specifically the involvement of youths in violence, two major efforts were undertaken in 1990 to systematically examine violence and understand its causes, prevalence, and consequences. The efforts were led by the American Psychological Association (APA) and the National Research Council (NRC). Among its major endeavors, the APA convened the Commission on Violence and Youth, which was established with the goal of organizing research findings and forming policy to address issues of youth participation in violence (American Psychological Association Commission on Violence and Youth, 1994). Similarly, the NRC organized the Panel on the Understanding and Control of Violent Behavior with the objective of assessing existing knowledge on the causes, prevention, and control of violent behavior (Reiss & Roth, 1993). Both organizations provided summary reports on the available data and recommendations that addressed the general etiology, prevention, and control of violence, and both commissioned papers to examine specific forms of violence.¹

Among the many facets of violence examined in these papers were the role of genetics and its developmental contributions to violent behavior, the individual-psychological influences on violence, and the impacts of communities and social institutions on the occurrence of violence. Also examined were the effects of various prevention, control, and treatment interventions in the criminal justice and public health arenas. Given the wide array of topics, these analyses provided the most complete review of the violence literature since the work of President Lyndon Johnson's National Commission on the Causes and Prevention of Violence in 1968. However, other than making brief allusions, the papers written by these panels did not address hate-motivated violence, or violence committed because of the perpetrator's dislike of the victim's race, religion, sexual orientation, or other innate characteristics.²

In this paper we attempt to address this shortcoming through a detailed analysis of existing research and current understanding of the many issues, conceptual dilemmas, and trends of hate-motivated crimes in the United States.³ We draw on many recent scholarly opinions, empirical research, and theoretical writings on hate-motivated crimes not only to evaluate the emerging issues of these crimes but particularly to examine the participation and role of youths over time in this type of behavior. We first discuss definitions and competing conceptualizations of hate-motivated crimes, how legislative bodies and researchers have defined and operationalized hate crimes, and how their differing notions have influenced policy and research in the area. Then we briefly trace the history of hate crimes in the United States and examine the historical patterns and participation of youths in these incidents. Next we discuss the contemporary trends of hate-motivated crimes using data from various sources, including reports from advocacy organizations, official records, school surveys, newspapers, and magazines. Through an analysis of official police data from New York City, we draw comparisons between bias-motivated incidents with youthful offenders and incidents with adult offenders. In addition, we make comparisons between bias-motivated crimes and nonbias-motivated criminal incidents committed by youths through an examination of the nature of the incidents, the characteristics of the offenders, and the characteristics of the victims. We also review studies

examining adolescent attitudes on race relations, the emergence of adolescent hate groups, and the extent of ethnviolence in high schools and on college campuses. Finally, we review the contemporary prevention and control mechanisms used to deter and treat hate-motivated offenders and conclude with a discussion of areas that need further research and theory development.

Awareness of Hate Crimes: Trends and Definitions

Crimes and violence motivated by one's hatred toward another's real or perceived race, ethnicity, national origin, religion, sexual orientation, or other innate characteristics are unilaterally condemned as unjustified attacks on an individual's or a group's right to live and act with diversity in a pluralistic society.⁴ Such crimes have been committed for centuries, though it was not until the 1980s that they gained conceptual recognition as a separate category of criminal offenses currently labeled as hate- or bias-motivated crimes. The awareness of hate-motivated crimes and the problems they pose to a society has no doubt increased since the 1980s due in great part to the expanding documentation and publicity of these incidents. This awareness in the United States did not happen overnight but is a consequence of expanding efforts by many sectors of society to bring the problem to the fore.⁵

Private advocacy organizations such as the Southern Poverty Law Center (SPLC), the Anti-Defamation League (ADL), and the National Gay and Lesbian Task Force (NGLTF), among others, have been instrumental in bringing hate-motivated crimes to the forefront through their extensive documentation of hate incidents.⁶ From this documentation, these organizations have postulated that the frequency and seriousness of hate-motivated crimes in the United States has been increasing, particularly since the mid-1980s. In 1992, for example, the ADL reported a record number of anti-Semitic incidents in the United States, the largest increase recorded since in 1988 (Anti-Defamation League, 1992). In a report published in 1993, the SPLC, similarly, showed 1992 as the most lethal year for hate crimes on record. It reported 31 bias-motivated murders in 1992, and that number excluded the 41 murders that occurred during the Los Angeles riots (Southern Poverty Law Center, 1993). These reports depicted an era of rapid decline in civil tolerance in the United States and a rise in the seriousness of hate-motivated incidents directed toward an increasing number of ethnic, religious, and social groups.⁷

The print and broadcast media have also played an important role in increasing the country's awareness of hate-motivated crimes, though perhaps they also fueled the reemergence of conservative right-wing youth organizations in the 1980s.⁸ The media have provided significant local and national coverage of serious violent incidents in which the attacks were motivated by the offenders' hatred toward some racial or religious group. For instance, most major newspapers and broadcast news organizations ran numerous stories of the racial incidents that occurred in the New York City communities of Howard Beach, Bensonhurst, and Crown Heights. The extensive coverage increased awareness of these and other hate-motivated crimes, but at the same time it brought the criticism that the weekly news magazines and the broadcast media provided channels through which hate groups such as the Nazi skinheads and the White Aryan Nation could espouse their beliefs. Between 1988 and 1991, youth-directed skinhead groups appeared in more than 50 national magazine articles, in two movies (Hamm, 1993), and on three major talk shows (Anti-Defamation

League, 1988b). Advocacy groups vehemently opposed these programs, accusing the media of legitimizing the positions of hate groups by providing them the means to express their views without having their expressions questioned by opposing parties (United States Commission on Civil Rights, 1990). Despite this downside, a recent analysis of media coverage on hate groups found that the coverage tended to give fair attention to the problem and likely increased the nation's vigilance against hate-motivated crimes.⁹

As a result of reports from advocacy organizations and the media, several state legislatures and the U.S. Congress began to hear testimonies of victims and debate the appropriateness of enacting statutes to address hate crimes. These formal political reactions, in turn, perhaps heightened the awareness of hate-motivated crimes as the criminal justice system began enacting laws designed to respond in some manner or another to many forms of hate-motivated crimes. The Congress, legislatures in 47 states, and the District of Columbia all passed hate-crime specific statutes by the late 1980s. Municipal councils in such large cities as Chicago and New York enacted ordinances addressing hate crimes, and over 200 universities established rules against unacceptable racially motivated behavior.¹⁰ Most of the new legislation closely resembled the Model Hate Crime Bill, which was developed and promoted in legislatures throughout the country by the ADL (Anti-Defamation League, 1988a). This bill sought for the protection against vandalism of certain buildings and locations including places of worship, cemeteries, schools, and community centers that represent various ethnic groups and likewise levied for more punitive punishments for crimes committed because of the offenders' hatred toward the victims' race, ethnicity, religion, or sexual orientation.

The Oregon legislature was the first governing body to pass hate-crime legislation, doing so as a response to increases in racially motivated assaults, cross burnings, and synagogue vandalism in the early 1980s (Morsch, 1991). Oregon's legislation heightened punishments for criminal mischiefs, harassments, assaults, and menacing when the acts were committed because of the victim's color, religion, or national origin. By 1990, 21 states had adopted statutes based on, or similar to, the ADL's model bill (Anti-Defamation League, 1990b), and many other states had enacted legislation similar to Oregon's. Generally, the new statutes and legislation prescribed as unlawful once lawful actions, increased the severity of sanctions for traditional criminal violations, and allowed victims or the state to collect civil damages if an act was determined to be motivated in part by hatred or bias toward the victim's race, sex, religion, or sexual orientation. These state legislative responses gained quick acceptance despite the traditional criminal law position that evidence of motive is not required when establishing the elements of a crime (Gross, 1979; Jacobs, 1993; Packer, 1968). In addition, the U.S. Congress in 1990 passed a hate-crime bill that mandated the Federal Bureau of Investigation (FBI) to systematically collect information on hate-motivated crimes.

Criminal justice decision makers consequently began to place central importance on attaching hate as a motivation for criminal acts. By establishing racial or religious *hate* as the component of an incident, the police were able to gain political impetus for expanding financial resources to law enforcement agencies.¹¹ For example, following the increase in crimes thought to be related to organized hate groups in the late 1970s, several large police departments including those in New York City and Boston created special hate crime investigative units in their departments to solely

and specifically deal with hate incidents. Smaller police departments also expanded their resources to deal with hate crimes by training officers within the departments to investigate these incidents (Garofalo, 1991; Levin & McDevitt, 1993; Ward, 1986), and still others created separate accounting systems to track the number of hate-motivated crimes. By 1989, the Police Executive Research Forum, the Police Foundation, the National Black Police Association, and the National Association of Blacks in Criminal Justice all supported legislation mandating the collection of information on hate crimes (“Support Growing,” 1989). Apparently, the motive of “hate” was deemed so powerful and threatening by federal and state legislatures that many were willing to create different judicial mechanisms and expand police resources to vigilantly stop the spread of hate-motivated incidents.

Despite all the legislative and policy activities orchestrated since the early 1980s to address hate incidents, definitions of hate crimes remain unclear and vary across jurisdictions. To date, states and the federal government have not reached a clear consensus on what is meant by hate crimes, who is to be included among the protected groups, what types of activities constitute “hate incidents,” and what conditions are necessary or sufficient to label a crime as hate motivated. Hate-crime definitions are fraught with special interest involvement and political rhetoric, and laws and policies instituted to deal with hate crimes vary accordingly. These problems are addressed in the next section.

Problems of Definitions and Data Limitations

The types of incidents defined as hate crimes, the groups given protection, and the mechanisms for collecting data vary throughout the United States as a result of diverse sociopolitical goals. These inconsistencies often lead to informational limitations, which consequently limit the capacity to assess the impact of hate crime policies and to perform analyses on the distribution, nature, and consequences of hate crimes. In this section we delineate specific difficulties engendered by these definitional problems.

Who Are the Protected Groups?

Operational definitions of hate crimes have been inconsistent across jurisdictions, particularly with regard to identifying who are the protected groups. Different jurisdictions responding to specific contextual needs have developed unique regulations for identifying and categorizing bias-related incidents. Some local law enforcement agencies such as the New York City Police Department (NYPD), for example, use narrow definitions of bias-motivated crimes. The NYPD defines a bias crime as an “offense or an unlawful act that is motivated in whole, or in part, by a person’s, a group’s, or a place’s identification with a particular race, religion, ethnicity or sexual orientation” (Garofalo & Martin, 1989). The Baltimore County Police Department operating under the guidance of Maryland’s Hate Incident Data Collection Program, defines bias incidents more broadly. Under Baltimore’s statutes, a bias incident is *any* act motivated by hatred toward a person’s race, ethnicity, and religion--whether criminal or noncriminal (Governor’s Task Force on Violence and Extremism, 1987).¹² The NYPD thus investigates only criminal offenses against race, religion, ethnicity, and sexual orientation, whereas the Baltimore County Police Department investigates all reported criminal and noncriminal hate-motivated incidents against race, ethnicity, and religion. However, hate-motivated incidents against gays and lesbians in Baltimore County are not considered hate

crimes, whereas in New York City crimes against gays and lesbians have been designated as bias-motivated crimes since 1985.

Further analysis of state and federal statutes reveals few agreements on who should be included among protected groups. In some jurisdictions, recent definitions guiding data collection efforts have included among the protected groups individuals who are different from the majority not only in color but also in creed, ancestry, sexual orientation, physical or mental ability, national origin, and gender. For instance, the California Attorney General's Commission on Racial, Ethnic, Religious, and Minority Violence broadly defined hate-motivated crimes as

any act of intimidation, harassment, physical force, or threat of physical force directed against any person, or family, or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, sex, age, disability, or sexual orientation, with the intention of causing fear or intimidation, or to deter the free exercise or enjoyment of any rights or privileges secured by the Constitution or the laws of the United States or the State of California whether or not performed under the color of the law (Attorney General's Commission, 1987).¹³

The New York State Governor's Task Force on Bias-Related Violence adopted a similar definition. These broad definitions of hate crimes encompass social groups not included in either the New York City or Baltimore County statutes mentioned earlier; nor are many of these social groups included in the Federal Hate Crime Statistics Act. The disparity between the New York State Governor's Task Force definition and New York City's guidelines highlights the difficulty inherent in making intelligible comparisons between states and jurisdictions.

Despite such disparities, however, some groups have been consistently protected by all levels of government. These include racial, ethnic, and religious groups (Garofalo & Martin, 1990). The disparities occur with the inclusion of additional social groups in federally or locally protected categories. Women, the disabled, the aged, and homosexuals have all been considered for inclusion in new statutes and hate-crime procedures, but consensus has often been hard to come by. The question of whether to include homosexuals among the protected groups has triggered more controversy than has surrounded the inclusion of any other group.¹⁴ This specific issue was debated for 5 years by the U.S. Congress when it was considering enacting a national collection system to count hate crimes. The original bill passed by the House and sent to a committee in 1985 did not include crimes against gays and lesbians (Berrill, 1986). Only after extensive lobbying by gay rights advocates and backing by some representatives and law enforcement personnel was the Federal Hate Crime Statistics Act revised to include the collection of data on crimes directed against individuals because of their sexual orientation (National Gay and Lesbian Task Force, 1987). The Act (Pub. L. No. 100-275, 104 Stat. 140, 1990) calls for the U.S. Attorney General to collect and report statistics on crimes based on prejudice against race, religion, sexual orientation, or ethnicity. However, the Act was not passed until a caveat was added (Fernandez, 1991) declaring that "nothing in the Act creates a right for an individual to bring an action of discrimination based on homosexuality" (Pub. L. No. 100-275, 104 Stat. 140, 1990).

Similarly, state legislation and data collection systems have not always incorporated anti-homosexual incidents as a distinct category for data collection or homosexuals as a group worthy of equal protection. In 1993, only 13 states with hate-crime data collection guidelines included anti-homosexual incidents in their hate-crime categories (Levin & McDevitt, 1993). Of the states reporting data to the Uniform Crime Reporting (UCR) Program in 1990, Connecticut, Massachusetts, Minnesota, New Jersey, New York, and Oregon included anti-homosexual incidents in their reports, but Florida, Maryland, Pennsylvania, Rhode Island, and Virginia did not. Interestingly, in New York, where data on bias crimes, specifically those against the victim's sexual orientation, ethnicity, race, and religion, are reported, the state legislators did not pass a bill that would have made bias crimes a new and separate crime category in the state's penal statute. Sponsors of the bill blamed Republicans for opposing the legislation simply because it included homosexuals among the protected groups. Republicans acknowledged their fear of legitimizing the homosexual lifestyle, contending that such legitimation would open the school doors to alternative lifestyles and gay teachers (Jacobs, 1992a; "Where Republicans Stand," 1992).

In addition to the controversy on who should be included among protected groups, debate has also ensued about whether a victim can belong to a racial "majority." Some scholars have argued that victims of hate-motivated crimes who belong to a racial majority should not be categorized as hate-crime victims, regardless of the apparent universal agreement in legislation on the inclusion of all races, ethnicities, and religions in hate-crime classifications. These scholars contend that only those who belong to a "disfavored minority" can be victims of hate crimes (Fleischauer, 1990; Hernandez, 1990; Von Hirsch, personal communication, 1992).¹⁵ Use of this yardstick for analyzing general hate-crime trends would result in the exclusion of many incidents reported to the UCR; for example, it would exclude nearly 50 percent of the incidents reported in 1990 in Florida, Connecticut, Maryland, Massachusetts, Minnesota, New Jersey, Pennsylvania, Rhode Island, and Virginia (Federal Bureau of Investigation, 1993). Similarly, many of the racially motivated murders reported by the Klanwatch Project of the Southern Poverty Law Center would be excluded. According to the SPLC, 46 percent of the racially motivated murders since 1991 have been committed by blacks against whites, Asians, and Hispanics (Applebome, 1993a). Policies favoring only certain racial categories, some argue, would inevitably lead to more controversial situations. The exclusion of white victims in hate-crime definitions is seen by many as a new double standard against whites.¹⁶

A related problem arises when a bias-motivated incident occurs between members of two or more minority groups rather than by someone of the majority against a person in the minority. In places such as New York and Los Angeles, where economic and social dislocation of African-Americans by Asians, Hispanics, and other ethnic groups is a continuous problem, instances of conflict between minority groups are occurring with increasing frequency (Johnson & Olver, 1994). The incident in Crown Heights, New York, where African-Americans and Hasidic Jews rioted against each other for several nights provides a notable example of a situation in which both groups were victims and perpetrators at the same time. Who gets counted as the hate-crime victim and who gets charged as the perpetrator in these situations can seriously influence the manner in which the criminal justice system responds to the incident. Other incidents may present even more complications, such as when the perpetrator and the victim of a hate crime are of the same race but from different ethnic groups. Examples include recent incidents in which a Filipino assaulted a Japanese student because of ethnic

hatred and in which black Haitians harassed a black Jamaican storekeeper in Brooklyn, New York, again because of ethnic hatred. These incidents would not be classified as hate crimes if the arguments on the “majority-minority” statuses of offenders and victims were accepted and implemented into current laws. Yet these incidents appear to have many of the same divisive effects as the Howard Beach incident, including the escalation of intergroup conflicts and retaliatory assaults and murders. Combinations of diverse racial, ethnic, and religious groupings create a complex web of intra- and intergroup conflicts in a growing multiethnic society (Jacobs, 1992b). Accordingly, any attempts at developing a plan to combat these ethnic, racial, and religious conflicts must address not only actions by the majority against the minority but also conflicts between minority groups.

Data Inconsistencies: Official and Private Data Collection Patterns

Because of inconsistencies in definitions, hate-crime data collection rules lack uniformity across jurisdictions. This shortcoming leads to significant difficulties in comparing the distribution of hate crimes across locations (Federal Bureau of Investigation, 1993). For example, though Baltimore County and New York City both report that racial incidents make up the majority of hate crimes in their respective jurisdictions, closer examination reveals that Baltimore County reports over 20% more of its hate crimes as being racially motivated than does New York City. Garofalo and Martin (1993) have suggested that this difference can in part be explained by the procedures through which the two locations collect hate-crime reports. As mentioned earlier, Baltimore County does not include anti-gay crimes among its bias-motivated incidents, but in New York City, anti-gay offenses are considered hate crimes. If New York City eliminated its anti-gay category, racial crimes would account for over 70% of its total number of hate crimes (Garofalo & Martin, 1993).

Inconsistencies in definitions within states also lead to many operational problems among law enforcement personnel, policy makers, and researchers.¹⁷ In fact, patterns of hate-motivated incidents may be obscured because of these inconsistencies. Among the operational problems is police confusion over correctly classifying hate incidents, confusion that results from the incongruence of hate-crime definitions used by state agencies and commissions (which often use broad definitions for hate crimes) and local municipalities (which use narrower definitions). When hate incidents occur, local law enforcement personnel have to make several evaluative decisions in a short period of time to classify the incident. The police have to first evaluate whether the incident falls under local municipal ordinances for bias motivation. Then, if the incident is determined to be bias motivated, they have to evaluate the indictability of the offense under state law before finally reporting the incident to the UCR as a bias incident. Inconsistencies in definitions of hate crimes across these levels, however, can make the evaluation erroneous. Jacobs and Eisler (1993) have suggested that differences in evaluation by police officers can lead to unreliable and invalid classifications.

Another concern is the extent to which reports and data represent with some level of objectivity the true nature and distribution of bias incidents. Many of the data collected and reported in the media come from advocacy organizations’ annual reports—for example, the ADL’s annual audit of anti-Semitic incidents and the NGLTF’s annual report on violence, victimization, and defamation.

Because many of these organizational reports document cases in which victims have had some contact with the organization for assistance, the data may have a sampling bias toward those who seek help. In certain cases, data are collected proactively through mail surveys, but again, participants are often limited to the organizations' membership lists, satellite organizations, and convenience samples from group activities or places of business that members frequent. Because many of these organizations are advocacy groups, the extent to which the data collected represent a comprehensive profile of hate-crime incidents is unclear. It is also unclear whether standard procedures in research methods or analysis were utilized. Moreover, advocacy groups often modify their data collection procedures or change the size of their survey samples over time. For example, more than half of the groups contributing information to the NGLTF's national gay and lesbian victimization study in 1988 did not do so in 1989, and others provided documentation for the first time in 1989 (National Gay and Lesbian Task Force, 1990). Accordingly, no means exist to verify the validity and reliability of the reported data. Inconsistent reporting patterns create major problems in determining real changes in the numbers of hate incidents over time. Because the data cannot be statistically corroborated, differences over time may just as likely be the result of different reporting patterns as of actual increases or decreases in the number of incidents.

A related problem is unequal reporting patterns across protected groups. Like nonbias crimes, hate crimes are often not reported, which is especially problematic when the nonreporting is not random but specific to particular groups of people. Members of a specific victimized group may believe that the system cannot help them or that specific incidents are not serious enough to warrant police response. Members of some victimized groups, moreover, may prefer not to identify themselves as members of the group for fear of government reprisals or further personal victimizations. These types of nonreporting can lead to erroneous and misleading representations of the actual distributions of hate crimes within and across geographic areas.

Research suggests that reporting errors are particularly notable for crimes against gays and lesbians. Studies have shown that gays are more prone to being extorted and "bashed" than members of other social or ethnic groups because they hesitate to report hate incidents. Fear of exposing their sexuality to relatives, friends, neighbors, or employers is the most common reason for the underreporting. Moreover, past experiences have shown gays that the justice system may be more insensitive to their plight than to other bias-related incidents (Harry, 1982; Sullivan, 1992). The underreporting is clearly evident. In Minneapolis, for example, crimes against one's sexual orientation accounted for nearly 25% of all the hate incidents reported to the Minnesota Governor's Task Force but fewer than 3% of the hate incidents reported to the police (Lane, 1990). In New York City, likewise, the Gay and Lesbian Anti-Violence Project counted more than 6 times as many attacks against gay people in 1991 than was documented by NYPD's Bias Crime Investigation Unit (Kleinfeld, 1992). Surveys of lesbians and gays further confirm the underreporting of hate incidents by this group. Self-report gay victimization studies in Philadelphia and New York City revealed that over 70% of the people sampled who described hate victimization did not report the incident to law enforcement agencies (Berrill, 1992; James, 1991). Illegal immigrants also typically underreport victimization, not only because of cultural and language barriers but also, and probably mainly, out of fear that reporting may lead law enforcement officials to discover their illegal status and deport them (Kleinfeld, 1992).

Yet another limitation to accurate analysis ensues from inaccurately equating the risk of victimization with the frequency of hate incidents. Of course, the likelihood of a bias incident occurring in a given area depends to some degree upon the density of ethnic groups in the same area. Yet what is the risk beyond this factor? An alternate way of asking the question of which group is victimized the most is to ask which group is most at risk of victimization relative to its total population in the community (Berk, Boyd, & Hammer, 1992). McDevitt (1989) found that in Boston, after controlling for the size of the city's population, Asians were in fact the most likely ethnic group to suffer from hate crimes. Research on the ecological factor in hate crimes using data collected during the 1960s showed that certain cities in the United States with relatively high proportions of Jews had larger numbers of anti-Semitic vandalism incidents. More recent analyses of anti-Semitic incidents by the ADL continue to support this trend. The ADL (1989b) reported that of the vandalism incidents it documented, most came from populous states and major urban centers, where Jews and their institutions are noticeably present. Even in local municipalities, the distribution of bias incidents also varies by the population density of certain social and ethnic groups. Three quarters of New York City's anti-gay crimes, for instance, occur in the borough of Manhattan, where a large gay community resides.¹⁸ Likewise, the disproportionate number of anti-Semitic incidents in Brooklyn as compared to the rest of New York City reflects the borough's large Jewish population (Maxwell, 1992). Since the number of victimizations is almost always correlated with the total number of the minority group population in the area, frequencies of victimizations do not often reflect the "risk" of victimization. Thus, any analysis and interpretation of the distribution of bias-motivated crimes, especially in assessing the risk to target groups, must account for the area's density of various ethnic groups. Even these estimates may be problematic when assessing risk for groups characteristically known to have underestimated population sizes, such as homosexuals and illegal immigrants.

These difficulties in defining and collecting data on hate crimes have significantly hindered cross-jurisdictional comparisons of the nature of and official responses to hate crimes.¹⁹ In a study of the New York City and Baltimore County police departments' responses to hate crimes, for example, many problems of jurisdictional comparisons were encountered that, in the final analysis, only a few cases could be used for cross-site comparisons. The most pressing problem, as mentioned earlier, was that Baltimore County did not count anti-gay crimes as hate crimes and also included some noncriminal cases in the police records. Other data collection problems—such as insufficient numbers of cases in some categories and inconsistency in the measurement processes through which some data were collected—also made comparisons difficult, if not impossible. Similar problems occur with the FBI's Uniform Crime Report data, because states collect data under different jurisdictions (some mandated by state laws, others by order of the Attorney General) and with different data collection protocols. Some states, for instance, collect information only for one victim and one offender in each incident, whereas other states collect information for several victims and several offenders (when possible) in an incident. Several of these problems are discussed in more detail in the final section of this paper.

Historical Nature of Hate Crimes

In this section we discuss the nature of youth participation in hate crimes through several periods in U.S. history. To obtain information on hate-crime trends over time, particularly among youths, we analyzed a vast assortment of data, including data from traditional areas of scholarly work on group violence, reports from government agencies, documents disseminated by private organizations, and studies found in popular nonfiction reports of investigative journals. The following brief historical interpretation of the patterns of hate violence should make clear that the racial and ethnic conflicts experienced by youths and adolescents of the 1980s and the 1990s are by no means unprecedented or unique.

Conflicts among social groups, organizations, and individuals have dominated much of the history that spans beyond the life of the country. In fact, virtually every era of U.S. colonial and national history is cluttered with incidents of intergroup violence (Brown, 1975; Grimshaw, 1969), much of which, some argue (Brown, 1989), involved struggles for dominant control by different social groups. Newton and Newton's (1991) chronology of racial and religious violence, for example, contains over 8,000 incidents spanning the five centuries of U.S. history. In every period in the history of the United States, it appears, one group or another has experienced unpopularity and victimization, having been perceived as a threat to the economic and political order by the ruling groups (Grimshaw, 1969). Gurr (1989) reported that between the 1760s and the 1900s citizens in newly settled areas organized as many as 500 vigilante movements to dispense violent justice against new immigrants.

What is not so well understood or known is the participation of youths and adolescents, and the extent of their participation, in group violence. Little scholarly work has been conducted and very little documentation is available regarding the extent of adolescent participation in any forms of hate violence. The meager data that are available do not provide many insights into the frequency with which youths participated in hate crimes before the 1980s. Historical information on the hundreds of racially motivated incidents rarely provides details on the perpetrators beyond their race.²⁰ However, evidence indicates that some youths, especially white males, were known to have participated to some degree in attacks against their black neighbors and against gay men, as well as in vandalizing Jewish establishments.

Grimshaw (1969) reported that eyewitnesses saw youths ranging in age from 12 to the late teens participating in the 1951 Cicero, Illinois, riots, which occurred after several black families moved into the city. Eyewitnesses reported two groups of youths were seen among the roughly 1,000 rioters. One group was "clean-cut, fresh-looking, and apparently residents of the area," and the other was described as "a distinctly different type, harder and tougher-looking and far more dangerous-appearing." Grimshaw argued that the ethnocentric attitudes of the families and community during the time resulted in the youths not being stopped and even at times being encouraged to participate in the group violence of the nature mentioned. Adults were evidently supportive of the vandalism and in some situations actually urged or initiated the aggression. Grimshaw stated that the willingness of the supposedly socially responsible adults to permit substitute figures to act out adult aggression was a significant aspect of hate violence during this time (Grimshaw, 1969).

Other evidence of adolescent participation in hate crimes was reported by Comstock (1991), who cited a 1978 column in the *San Francisco Chronicle* in which the column's author described his life as a youth in the 1930s. The author recalled that he was among a group of high school boys from New York City who often went hunting for "fags" as a sport. Typical incidents involved six or seven boys systematically searching certain areas of the city for gay men. According to the writer, the boys were driven by their religious beliefs, known prejudice held by the community against gays, and the understanding that they would not receive punitive damages if they were caught. Comstock added that the

age and gender of the perpetrators; their belief in the virtue of their behaviors, their confidence in the backing of their [religion]; their pursuit in outnumbering their victims; the perceived vulnerability of their targets; the planning and manner of attacks; and the cooperation of and participation of the police were some features that were also dominant in the patterns of anti-gay/lesbian violence after the war [World War II]. Except that the prejudice... in the 1940s and 1950s was louder and more concretely expressed. (Comstock, 1991)

The most extensive research to date on adolescent participation in hate crimes came after a series of anti-Semitic incidents in the early 1960s. The incidents followed the well-publicized vandalism of a synagogue in Cologne, Germany, on Christmas day in 1959 (Deutsch, 1962). Within one day of the vandalism, similar incidents were reported in the United States, and within a month, over 30 countries had reported 2,500 incidents of vandalism against Jewish properties (American Jewish Committee, 1961; Ehrlich, 1962). The ADL reported that by March 1960, 236 U.S. cities were victimized with 637 anti-Semitic incidents. Eighty-four percent of the incidents involved the use of swastikas or other anti-Jewish slogans, and 59% of the target locations were Jewish structures. Others were public schools, libraries, college buildings, and Christian churches.

The majority of these incidents were committed by white boys from working-class backgrounds who were between the ages of 10 and 21 and were affiliated with Catholic or Protestant groups (Deutsch, 1962; Ehrlich, 1962; Stein & Martin, 1962). Few adults, and only two youths from other racial or ethnic backgrounds, participated in the incidents (Stein & Martin, 1962). Most of the vandalism was committed within a group context, from "play groups" to organized hate gangs (American Jewish Committee, 1961). Caplovitz and Rogers (1961) found that only 14% of the 154 persons arrested throughout the United States for these vandalism incidents acted alone, and only one of the 17 incidents in New York City involved a lone offender (American Jewish Committee, 1961; Stein & Martin, 1962).

Early interpretation of these incidents by the public, the media, and civil and religious leaders characterized them as a "fad" by "irresponsible youths craving for attention" and described the incidents as part of the growing problem of juvenile delinquency (American Jewish Committee, 1961). However, two specific clusters of offenders emerged upon further analysis of the incidents and of survey data from the arrested perpetrators. The first cluster consisted of nearly half of the adolescents arrested. These adolescents seemingly committed the acts partly for sheer expression of random hostility toward Jews and partly because of the publicity given to the epidemic. They were characterized as young boys (ranging from 9 to 15) from intact homes who had no previous history

of delinquency and seemed to have acted out “wanton vandalism” in generally less organized play groups. Many of the adolescents were aware of anti-Semitic stereotypes, such as those suggesting that Jews are all rich people who control the government, though none seemed to have a real understanding of the meaning behind a swastika or any real knowledge of the recent history associated with Nazi Germany (Deutsch, 1962).

The other cluster of perpetrators were older adolescents who had poor school records, had prior histories of delinquency, and held various levels of hostility toward all minority groups. This group, for the most part, came from homes with no fathers, and many of the adolescents had unstable personalities characterized by strong feelings of inferiority and sadistic tendencies (American Jewish Committee, 1961; Caplovitz & Rogers, 1961). They seemed to have both strong anti-Semitic attitudes and a strong Nazi orientation, that is, militarism and an authoritarian lifestyle (Deutsch, 1962). Interviews of those arrested revealed that this group seemed to have been acting out strongly held predispositions toward Jews and were using the incidents as a means to publicize the positions of their neo-Nazi groups (Deutsch, 1962).

The membership of the second group in organized Nazi-aligned groups became apparent during in-depth investigations of their cases. The ADL identified participation in 24 neo-Nazi gangs, 13 of which were not known before the incidents. Surveys of the arrested perpetrators found that nearly 40% belonged to some Nazi-oriented gang (Deutsch, 1962), and investigation of several of these gangs revealed that their Nazi model was developed from books, movies, magazine stories on Nazi Germany, popular lyrics of pro-Nazi music (American Jewish Committee, 1961), and some anti-Semitic, anti-black, and anti-Catholic literature (Deutsch, 1962). Unlike contemporary research on youth hate groups (Anti-Defamation League, 1988b), however, the investigation did not find any connection between these groups and adult hate groups or other political interest groups. The researchers felt that the youths were predominantly focused on the symbolisms of the Third Reich—the uniforms, flags, and slogans—and were running their groups without adult Nazi-gang affiliations. This research provides an indication that present-day youth hate groups are not a new phenomenon in the United States. Apparently, neo-Nazi oriented groups have been in existence in various forms since the mid-1940s.

Further analysis of the survey data by Deutsch (1962) revealed that when the perpetrators were divided along socioeconomic lines, strong feelings of prejudice toward blacks were found among a majority of the lower-class sample. These youths came from areas with significant social disorganization mostly brought about by the changing migration patterns and the deindustrialization of the urban areas. They lived in areas into which large proportions of blacks and rural whites had migrated and in which the old ethnic neighborhoods had drastically changed. Their families were often directly affected by problems associated with the rapidly shrinking base of industrial semi-skilled employment. Many of the white male youths stated that their career goals were to join the military, since it was the only satisfactory career still open to them. According to Deutsch, the youths were “overwhelmed by changes they cannot understand and for which they did not ask” (Deutsch, 1962). The stranger at the gate had come in, and what was geographically their “turf” had been taken over by new immigrants. These changes, Deutsch extrapolated, created an atmosphere of “frustration, threat, and uncertainty,” which easily led to prejudice and hate toward any outgroups.

The youths believed that by eliminating “outsiders” they would be able to establish a better life (Deutsch, 1962).

Ecological analyses of the incidents have also suggested a relationship between the composition of the community and the number of incidents. The most consistent finding across all of the study sites was a strong positive relationship between the number of incidents and the size of the community’s Jewish population. Ehrlich (1962) found that as the number and percentage of Jews in communities outside of New York City increased, vandalism in these communities also increased. Stein and Martin’s (1962) analysis of the New York City incidents found that 75% of the arrested perpetrators lived in predominantly Jewish neighborhoods. Despite their geographic proximity, however, a significant social distance existed between the local Christian and the Jewish youths. Stein and Martin (1962) found that “many of the Christian boys studied had no Jewish friends and seldom associated with either Jewish children or adults.” Interestingly, anti-Semitic incidents both inside and outside the New York City area often occurred in communities of higher socioeconomic status (Ehrlich, 1962; Stein & Martin, 1962). This finding suggests that the rate of anti-Semitic incidents varies inversely with the rate of anti-black incidents, with the latter primarily occurring in low socioeconomic rural areas. Ehrlich (1962) concluded that the relationship may “reflect significant differences in the socio-cultural bases of the minority-majority group relationships in the area.” Although prejudice may be a highly generalized psychological expression, the translation of this prejudice into overt aggression may well be filtered by the accessibility of socially approved targets.

The small amount of historical documentation that does exist on the participation of youths in hate crimes suggests that adolescents became involved in social conflicts during the period of significant social changes in the United States following World War II. Theories focusing on the importance of race and ethnic relations have suggested that social change through industrialization and modernization will diminish the significance of racial and ethnic categories and lead to more heterogeneous societies. With the changing structure of society from small, rural social units to large, impersonal bureaucratic institutions, people’s relationships and commitments should be directed away from internal racial groups to the nation state. However, historical evidence does not appear to support these theories. Although the country has consistently moved toward greater centralization and bureaucratization, it has continued to witness cycles of social conflict grounded in ethnic and racial differences. Evidence suggests that the contemporary period continues with a pattern of modernization juxtaposed with persistent intergroup conflicts. It appears that after over 200 years of migration and assimilation, the extensive ethnic and racial diversity in the United States has not decreased the levels of intolerance, and centuries of hatred continue to motivate racial and ethnic tensions in cultural encounters (Bensinger, 1991). Some scholars have even argued that after a long period of migration and assimilation in the United States, ethnic and racial identities are reemerging into full-scale social movements (Marger, 1994).

Youths and Hate Crimes in Contemporary Times

Recent Trends in Hate-Motivated Crimes

Reports of anti-Semitic, racist, and other bigoted incidents have increased since the early 1980s, as illustrated by various data sources. In this section we examine these data sources and begin reviewing literature that specifically addresses youth participation in hate-motivated incidents, their participation in hate groups, and the attitudes they hold toward people of other racial and ethnic groups. Reports collected by special interest organizations and data derived from official records and surveys indicate that by 1990, racial, religious, and other bias-motivated violence was an increasing part of the crime dilemma in the United States. Reports published in the mid-1980s suggest that this cycle of hate violence may have begun in the late 1970s. These claims are supported by data from various sources. The National Anti-Klan Network, for instance, documented an average of 200 incidents of racial violence per year between 1978 and 1983 (National Institute Against Prejudice and Violence, 1986), and the ADL documented a yearly increase of nearly 300 anti-Semitic incidents between 1979 and 1982.²¹ In addition, the Center for Democratic Renewal documented over 3,000 acts of hate-motivated violence between 1980 and 1986 (Anti-Defamation League, 1993a; Lane, 1990).

More recent information collected by the same as well as other special interest organizations has indicated that the yearly hate-crime rates have sharply increased since the late 1980s. In 1993, the Southern Poverty Law Center reported a yearly rise in the number of hate incidents since 1988, with 1992 marking the highest number of hate-motivated murders and assaults in the 13 years since the SPLC began compiling data (Southern Poverty Law Center, 1993). The ADL, likewise, reported an increase in the number of anti-Semitic incidents such as vandalism, harassments, threats, and assaults during the same 5-year period, that is, from 1988 to 1992 (Anti-Defamation League, 1993a). Moreover, the ADL reported a sixfold increase in 1992 from its 1988 count of anti-Semitic episodes on college campuses (Anti-Defamation League, 1993a).

Studies of crimes against gays and lesbians showed similar trends. Annual nationwide surveys by the National Gay and Lesbian Task Force showed an increase in the number of anti-gay incidents every year since 1985, from a low of 2,042 incidents that year to over 7,000 incidents each year between 1987 and 1990 (Dean, Shanyu, & Martin, 1992; National Gay and Lesbian Task Force, 1990). Surveys of victim assistance agencies in Boston, Chicago, Los Angeles, Minneapolis, New York, and San Francisco likewise indicated significant increases in the number of victims served. The New York City Gay and Lesbian Anti-Violence Project, for example, recorded a near threefold rise in the number of clients who had been victimized between 1984 and 1990 (Berrill, 1992). Other advocacy groups, including the American-Arab Anti-Discrimination Committee, the National Asian Pacific American Legal Consortium, and the Japanese American Citizens League, have also documented annual increases in the number of incidents against their constituencies since they began collecting data in the mid-1980s (Ekin & Gorchev, 1992; Japanese American Citizens League, 1993; National Asian Pacific American Legal Consortium, 1994).

Official reports tabulated by federal agencies have shown parallel patterns to those reported by private advocacy groups. The U.S. Department of Justice reported a 550% increase in the number of hate crimes between 1978 and 1980, with a number of these incidents perpetuated by the Ku Klux Klan (Governor's Task Force on Violence and Extremism, 1987). From 1980 through November 1985, the Justice Department prosecuted an average of nine cases of racial violence per year, with the actual number significantly increasing toward the mid-1980s (National Institute Against Prejudice and Violence, 1986). The Department's Community Relations Services inquired into 276 racial incidents in 1986, which was over 100 more incidents than in 1982 (National Organization of Black Law Enforcement Executives, 1985; United States Commission on Civil Rights, 1990).²²

State and local law enforcement agencies have also reported yearly increases in the number of bias-motivated incidents in their localities. In 1981, Maryland became the first state to require the systematic collection of information on racial, religious, and ethnic incidents. A 5-year analysis of Maryland's data indicates a general increase in the severity of reported incidents. The number of assaults increased from 28 in 1981 to 140 in 1985. By 1985, over 40% of the state's reported racial, religious, and ethnic incidents resulted in physical injury (Governor's Task Force on Violence and Extremism, 1987). Seven years after Maryland enacted this policy, New Jersey also started to distinguish bias- from nonbias-motivated crimes in its UCR reports. Between 1988 and 1992, the number of bias-motivated incidents reported to the police in that state increased on average by 22%, compared to an annual average increase of only 1% for all offense reports.²³ In 1988, the state's attorney general reported 593 bias incidents, and by 1993 that number had more than doubled to over 1,325 (New Jersey Department of Law and Public Safety, 1989, 1993). Pennsylvania, likewise, has tabulated police reports on bias crimes since 1988. That state's frequency of hate crimes increased each year from 1988 to 1992 by nearly 30%, from a low of 181 incidents in 1988 to a high of 378 in 1992 (Hargrove, 1993; Waters, 1991). According to Pennsylvania's attorney general, this increase in hate crimes outpaced increases in any other single crime category in the state during the same 5-year period (Hargrove, 1993). Similar trends were observed in Massachusetts, where hate crimes increased from 358 incidents in 1990 to 480 in 1992 (Federal Bureau of Investigation, 1993; Lehigh, 1993). This increase in the number of incidents in Massachusetts is surprising, since bias crimes were reported to have declined in Boston during the early 1980s (Wexler & Marx, 1986). In Los Angeles, the County Commission on Human Relations also recorded an increase in hate crimes during the 1980s. There, hate crimes rose slightly from 1980 to 1982, leveled off until 1986, and then increased yearly, reaching a record high of 275 incidents in 1990 (Los Angeles County Commission on Human Relations, 1991).²⁴

Analysis of these reports appears to support claims that the 1980s was a period of heightened group tensions, where racial, religious, and gender-related conflicts became more frequent and serious than at any other time since the urban riots of the 1960s. The trends, moreover, appeared consistent across federal, state, and local jurisdictions and private organizations reported similar patterns. However, because of the definitional problems cited earlier and the novelty of hate crime statistics, it is best to use caution when interpreting the data. Reporting artifacts as well as specific political and social trends may have influenced the apparent increase in hate crimes. With regard to the former, an increase in hate crimes a few years after the establishment of data collection mechanisms may be as much due to the better collection mechanisms established as to actual increases in hate crimes. For

that reason, researchers often juxtapose national, statewide, and local trends to get a better view of evolving patterns. As seen from the data cited, several states and the federal hate crime reporting system appear to substantiate increases in hate crime incidents over the past decade. But specific political and social trends may also have affected the reported hate-crime rates, including the effects of increased resources directed by the police toward these incidents, media attention on a few special cases, and the growth of political and human rights activism among minority communities. These factors may have caused reporting patterns to change. Thus, it is not possible to readily and statistically verify that the rates of hate crimes are in fact increasing. What we may be witnessing in the hate-crime trends are numbers closely approximating actual trends rather than truly increasing trends.

Still, many people believe that the seeming increase in hate-crime trends is attributable to young people participating in hate crimes at greater frequency than ever before (Pinderhughes, 1993). Lane (1990), for instance, argued that hate crimes are primarily perpetrated by young offenders, some of whom are members of organized hate groups, though most are not. Press statements released by the director of the New Jersey Bias Crime Unit and the inspector of the New York City Bias Crime Unit also expressed concerns that the majority of hate crimes involve adolescents (Kleinfeld, 1992; Sullivan, 1992). Anecdotal evidence gathered from different sources generally supports the assertion that a sizable number of hate-crime offenders are youths and adolescents. Newspapers have reported a widespread youth involvement in hate incidents, such as the racial fights that occurred between white and black students in Dubuque, Iowa, after the city council approved a bill to recruit black families to live in the city (Wilkerson, 1991) and the wearing of tattoos reading "Hitler Youths" by a group of high school students in Mount Olive, New Jersey (Swarden, 1993). Other incidents have been documented by advocacy groups, such as the stabbing of a Latino eighth-grader in Valinda, California, by five Filipino youths wielding an ice pick and yelling racial slurs (Southern Poverty Law Center, 1993) and the beating of a Chinese American college student by five black teenagers yelling "Get the Chinaman" and "Chink" (Japanese American Citizens League, 1993). And in New York City, two of the country's most publicized racial incidents since the 1960s involved teenagers. One transpired in 1986, when Michael Griffin, a black teenager, was murdered by a group of white teenagers from the Howard Beach community of Queens. The second incident occurred three years later, when a black teenager was murdered by a mob of white teenagers from the Bensonhurst section of Brooklyn. These two public events, experienced in one way or another by the entire nation, pointed to the racial tensions and conflicts felt by youths from all different ethnic and racial groups.

These events and those detailed in the previous sections of this paper leave little doubt that youths have been involved in racially motivated incidents throughout United States. However, little systematic research has detailed youth rates and patterns of offending and how youth-perpetrated hate incidents differ from those perpetrated by adults. Adolescents and youth have for the most part been historically neglected by scholars and researchers who have grappled with the issues surrounding hate- and bias-motivated crimes. Given the anecdotal stories of youth involvement in hate incidents and the historical evidence of youth involvement in bias crimes, attention must be given to the role of youths and adolescents in these incidents and how best to understand and address the problem. Without research on the nature and extent of the problem, however, crime control and

prevention policies cannot be rationally designed or implemented. The following section addresses these unknowns through an analysis of the data and information gathered by advocacy groups, official agencies, and school surveys. From the results of these analyses, the general conditions, processes, and outcomes of hate-motivated violence will become clearer, and it is hoped that realistic programs can then be designed to address such incidents.

Trends of Youth Involvement in Hate-Motivated Crimes

Information about offenders is not easily obtained from official records of criminal incidents. In most criminal incidents, offender information comes from victim interviews, media coverage, or police investigation, and in many of these incidents, the perpetrator is not known to the victim or the police. Studies of bias-motivated crimes in Boston and in New York City found that fewer than half of the incident reports contained information about the offenders (Garofalo & Martin, 1993; McDevitt, 1989). Any analysis that uses official data has to consider that the data are incomplete and may therefore be biased. Such is the case with the analyses that follow. Though many jurisdictions document offenses committed by juveniles, care should be taken in generalizing results given the limited and often incomplete information available on hate-crime offenders.

We begin with an analysis of the first wave of data reported by the Federal Bureau of Investigation under the Federal Hate Crime Statistics Act of 1990. Table 1 provides a cross-tabulation of the 1990 UCR data for several states on known bias offenders younger than 21 years of age.²⁵ The proportion of bias offenders under the age of 21 varied dramatically in these states, ranging from a high of 59% in Minnesota to a low of 29% in Florida. Comparisons by race also indicate significant differences by state. In several states, blacks accounted for over half of youth bias offenders, whereas in other states they accounted for fewer than 20%. Whites accounted for approximately one third of all youth bias offenders, except in Pennsylvania. It is important to note that when only criminal arrests are considered, youth bias offenders constitute on average a considerably larger proportion of all bias offenders than shown here when only criminal arrests are considered (Flanagan & Maguire, 1990).

Figures 1 and 2 illustrate the patterns of bias and nonbias crimes among juvenile offenders in New Jersey. Figure 1 illustrates New Jersey's juvenile arrests by bias and all juvenile criminal offenses across a 4-year period. As shown, the proportion of juveniles arrested for bias offenses was considerably higher than the proportion of juveniles arrested for "all offenses" throughout the 4-year period, substantiating the national data presented earlier. In some years, in fact, the proportion of bias crimes was more than double that for all juvenile offenses. Figure 2 shows the percentage of juvenile arrests for bias and all juvenile offenses for 1990 by race. This racial comparison illustrates that in New Jersey bias-motivated crimes were just as likely to be committed by youths from other racial or ethnic groups as by white youths. The proportion of bias crimes committed was considerably higher than the proportion of all juvenile offenses across offenders' races. For blacks, the percentage of arrests for bias offenses was even higher than for whites and was nearly three times as high as the percentage for all juvenile offenses.

In Table 2, bias-motivated arrests and all arrests in New Jersey are broken down into specific types of crimes using the 1990 and the 1991 UCR data.²⁶ Specific types of bias crimes are juxtaposed

against similar categories for all arrests. Juvenile and adult comparisons are also shown. The data indicate that the proportion of juveniles arrested for bias crimes (35%) was higher than the proportion of juveniles arrested overall (20%). Though the ratio of all adult arrests to juvenile arrests was still high (3:1), juveniles arrested for bias crimes have proportionally higher rates for several of the serious crime categories—that is, robbery, aggravated assault, burglary, simple assault, and criminal mischief—than juveniles arrested overall. Eighty-eight percent of the burglary arrests that were bias motivated, for example, were committed by juveniles versus only 38% for all arrests. This microcosm of bias crimes further illustrates that juveniles participate in bias crimes and are active bias-crime offenders and that they account for a large proportion of serious bias-motivated offenses.

Additional arrest data from different states show similar trends of youth participation. Among bias crimes that came to the attention of the Los Angeles County Commission on Human Relations in 1991, 38% of the arrested perpetrators were youths (Los Angeles County Commission on Human Relations, 1991). From arrest information collected from 14 states on 144 anti-Semitic incidents in 1989, the ADL found that 87% of those arrested were under the age of 21 (Anti-Defamation League, 1990b). A study of 587 victims of anti-gay violence in Boston showed that 42% of the offenders were under 20 years of age, and another 45% were in their twenties (Berrill, 1992). Similar results were found in studies of anti-gay and anti-lesbian violence in San Francisco. In New York City, 40% of those arrested for hate crimes between 1987 and 1990 were under the age of 16, and another 25% were younger than 19 (Maxwell, 1992). Likewise, during a 6-year period ending in 1993, 34% of the 1,832 people arrested for hate crimes in New Jersey were juveniles. The data appear consistent and unequivocal with regard to the participation of youths and adolescents in bias-related crimes and confirm perceptions that adolescents and youth offenders actively and frequently participate in hate-motivated crimes. The racism and intolerance once expressed by adults through violent offenses against minorities—for example, through lynch mobs—are now strikingly replicated by youths from all racial and ethnic groups.

The following section details the participation of youths in hate incidents in New York City. This city was selected for the analysis because, in addition to having a vast multiethnic population, its police department has collected extensive information on hate incidents through its Bias Crime Investigation Unit.

Bias-Motivated Crimes in New York City

New York City is arguably the most multicultural metropolis in the world. It is the home of sizable populations that migrated, or whose recent ancestry migrated, to the United States from Eastern and Western Europe, Puerto Rico and other Caribbean nations, South and Central America, the Middle East, far east Asia, and the Pacific Islands. The city has been glorified as the gateway to the United States, a place where immigrants aspire to achieve for themselves and their children the American dream. The multitudes of immigrants that flock into the city, in fact, have changed its population characteristics in recent years.

In 1990, New York City was for the first time not populated by at least 50% non-Hispanic whites. In 1980, non-Hispanic whites accounted for 52% of the population; by 1990 they accounted for only

43% (New York City Department of City Planning, 1992). Across some of the boroughs, demographic changes have been even more dramatic. In the Bronx, for example, the non-Hispanic white population now ranks third in size behind non-Hispanic blacks and Hispanics due to a drop of 32% in the white population. Similar changes between 1980 and 1990 were observed in Brooklyn and Queens, and these changes as well as other, earlier changes may have affected racial and ethnic group interactions in the city. Though New York City has seen its share of group conflicts from as far back as the colonial period, the interracial attacks in the Howard Beach, Bensonhurst, and Crown Heights communities in Brooklyn have been among the most publicized racial and ethnic conflicts in recent history. Because of its changes in demographic profile and its tradition of intergroup conflict, New York City provides an appropriate focal point for the study of group interactions and conflicts.

In this section, New York City data collected by the Bias Crime Investigation Unit in the late 1980s are examined for distinguishing patterns of bias incidents committed by youths and adults.²⁷ The data consist of all confirmed bias-motivated criminal incidents in New York City in 1987 and 1988 plus a matched sample of nonbias crimes during the same period. The analyses specifically explore differences and similarities of bias-crime incidents and nonbias crimes committed by juveniles and examine the differences and similarities of bias crimes committed by youths and adults. These analyses, as mentioned earlier, will enable better understanding of the nature of youth involvement in bias crimes and will put youth participation in these crimes in context when compared to adult crimes and other youth offenses.

The data consist of 2,033 criminal incidents. Of these, 1,021 incidents were bias motivated and the remaining 1,012 were nonbias incidents that matched the bias crimes by offense characteristics. In an attempt to match a nonbias crime for every bias crime, three criteria were used: The nonbias crime had to be from the same penal law classification as the bias crime; it must have occurred in the same New York City precinct; and it should have occurred on the same day. If a matching case was not found for the same day, the search was expanded one day forward, one day backward, two days forward, and so forth, until a match was located. The data were gathered from police incident and follow-up reports collected by the investigators of New York City's Bias Crime Investigation Unit, and results showed no significant differences between the bias crimes and the comparison sample with regard to the variable used for matching. The data contain a rich assortment of both quantitative and qualitative indicators describing the incidents (e.g., the type of crime, the number of defendants, the use of weapons, the extent of property damage), the victims and offenders (e.g., age, sex, race, and injury), and police responses to the incidents (e.g., the number of follow-ups, types of follow-up, number of arrests). The primary source of information on offender characteristics was the victims' account of the crimes.

In the discussion that follows, the criminal incident was the unit of analysis. Offenders were divided into three categories: those under 17 years old; those 17 to 20 years old, and those over 20 years old. If an incident involved multiple offenders with varying ages, the age category in which most of the offenders clustered was used in the analysis. If equal numbers of offenders were above and below the cutoff age, the incident was grouped under the younger age category. Difficulty was encountered in determining the percentages of crimes committed by youths versus adults, since in only 60% of

the incidents was information available on the perpetrators, and even fewer reports contained information on the offenders' ages. Of cases with available information, 54% were nonbias incidents, and 46% were bias incidents. Among probable reasons for this discrepancy in the availability of information for nonbias and bias incidents is the fact that bias incidents often occur among strangers and typically involve multiple offenders. Thus, victims may be able to give a reasonable estimate of the total number of offenders but may be unable to give accurate descriptions of them or may be able to give descriptions of only a few of them (Garofalo & Martin, 1993).

Table 3 illustrates the breakdown by age-group for offenders of bias and nonbias crimes in the sample. The majority of bias incidents in the sample were committed by youths: 71% were committed by offenders 20 years old or younger, whereas only 29% were committed by offenders over 20 years old. The reverse was true for nonbias crimes. The median age of bias-crime offenders, moreover, was 7 years younger (median=18, mean=20) than the median age of nonbias-crime offenders (median=25, mean=27). Reported motivations for the bias offenses, however, did not show substantial differences between youths and adults. For both age-groups, the victim's race accounted for most bias-crime motivations, followed by the victim's religion, then sexual orientation.²⁸ Though not shown in the table, further analysis revealed that virtually all nonblack and nonwhite racially motivated bias crimes were directed against Hispanics (90%), and all but two anti-gay incidents were against men. Virtually all of the religious cases were anti-Semitic (96%).

Specific types of crimes for the bias and nonbias incidents across offenders' age categories are displayed in Table 4. As shown, there was almost no difference in specific types of crimes across bias and nonbias incidents. In both categories, assaults and harassments accounted for the largest proportion of offenses, followed by criminal mischiefs. For nonbias incidents, however, statistically significant differences can be discerned across age-groups. Here, offenders under age 20 appear to have committed more grievous offenses, that is, assaults, than offenders over age 20. The same difference, however, cannot be discerned for bias-crime offenders, which indicates that regardless of age-group, bias-crime offenders committed assaults proportionally more than other types of crimes. The data thus paint a picture, in New York City at least, of hate crimes that are equally serious when committed by adolescents as when committed by adults. Across all age categories, assaults were the most common types of hate incidents.

Differences in offenders' bias motivation for different types of crimes are shown in Table 5. Again, data are broken down by offenders' age-groups. Across the bias incidents, racially motivated crimes in which the age of the offenders was known consisted of more assaults, robberies, and harassments, regardless of age categories, than other types of crimes. It appears that no matter the age-group, racially motivated crimes were generally more serious than other hate crimes. Again, this information pertains only to incidents in which the age of the offenders was known, which excludes a substantial number of cases. However, this strong relationship between the seriousness of incidents and the type of motivation diminished when *all* incidents are analyzed (Garofalo, 1994).

Crimes against the victim's religious orientation and sexual orientation consisted of somewhat less serious harassments and assaults, though for these crimes there was more variation by age-group. Among the most notable variations were the predominance of harassments committed by offenders

under the age of 17 because of religious bias and the predominance of assaults committed by youths between ages 17 and 20 because of gay bias. This trend toward more serious crimes by youths, when contrasted to the swastika epidemic some 30 years earlier, implies a more malicious group of youths committing hate-motivated crimes. Whereas during the swastika epidemic the majority of incidents committed by youths were criminal mischiefs (e.g., vandalism), for the group of adolescents studied here a large amount of incidents were assaults.

Little difference was found in terms of the number of perpetrators per crime for adult and adolescent bias crimes in the New York City sample. Regardless of age-group, the mean number of offenders was often greater than one for all hate incidents in the sample (Table 6), including racially motivated hate crimes, crimes against another's religion, and crimes against another's sexual orientation. The two latter types of hate incidents, as shown in Table 6, tended to involve more offenders, often two or more per incident. The number of offenders per incident decreased slightly, though not significantly, with older offenders. As for the ethnic composition of bias and nonbias offenders, Table 7 shows that a proportionally larger number of bias offenders than nonbias offenders were white (58% as opposed to 40 for nonbias offenses). Across age categories, bias incidents were likewise consistently higher for white offenders, with the exception of the "under 17 group," in which more offenders were black. Thus, although whites proportionally made up a majority of bias-crime offenders, the majority of the youths were black offenders. Table 8 details the types of bias motivations across offenders' ethnicity, subcategorized by age. For racially motivated crimes, black youths (17 and under) and white adults (17 to 20 and over-20 age-groups) constituted the majority of the offenders. Hate crimes against another's religion and sexual orientation, however, were more often committed by white offenders, across age categories.

A method often used to analyze the seriousness of a crime is to examine the types of weapons used during the criminal incident. Accordingly, weapons used for both bias and nonbias crimes are presented in Table 9. In nearly 80% of the bias and nonbias incidents, no weapons were used. Among the crimes in which weapons were used, no further difference was discerned in type of weapon used between nonbias and bias crimes. The weapons used were similar, and the majority were characterized as something other than a gun or a knife. Within each type of incident, however, some differences were discerned across age-groups. Among bias incidents, a larger proportion of adults (over 20) used guns than did members of the other age categories. Knives and "other weapons" were often the objects used by adolescents and youths, and a number of adults also used weapons other than guns and knives. In most of the incidents in the sample, "other weapons" referred to baseball bats (the preferred weapon for a hate crime), sticks, and stones. Little difference was found in the types of weapons used in adolescent (under 17) bias and nonbias crimes. In both instances, only one in three incidents involved the use of a weapon.

Further analysis of the weapons data showed that among types of hate-crime motivations, adolescents used a weapon in 31% of the racial or ethnic incidents; for adults, the comparable number was 36%. For both groups, the number was about twice as high for antireligious or anti-gay incidents. For racially motivated crimes, adolescent and adult offenders were twice as likely to use weapons when the attack was directed against blacks as when it was directed against whites. In these incidents, the types of weapons used also varied across the adolescent and adult groups. Adult

offenders more often used deadly weapons in anti-black encounters, whereas adolescents almost exclusively used “other” types of weapons (i.e., not guns or knives) in both anti-white and anti-black incidents. For adolescent offenders, hate incidents seem to have been more spontaneous, where they simply grabbed whatever weapon was most available. Adults who participated in racially motivated crimes, however, may have planned their attacks, since they were more often caught using deadlier weapons.

Several points should be made concerning these cross-classifications of crimes by motivation. The particular goals for which groups strive apparently interact with the social milieu in which they are involved, which in turn affects the forms of hostility manifested. For instance, a comparison of New York City’s racially motivated crimes indicates that attacks by blacks against whites were characterized by more assaults than were attacks by whites against blacks. However, in incidents with serious assaults, blacks were more often injured than whites, since whites more often used weapons (Maxwell, 1992). Review of the police incident reports and the patterns of hate crimes over the two years studied shows that black perpetrators seem to react aggressively to specific serious cases of abuses by whites, such as after the Howard Beach and Bensonhurst incidents. White victims reported that black offenders often said: “This is your Howard Beach!” In contrast, white attacks on blacks occurred more consistently throughout the year through harassments and threats—rather than as reactions to serious abuses (Maxwell, 1992). The description of incidents in the police reports suggests that many of the white attacks on blacks occurred while blacks were walking along streets or moving into predominantly white ethnic neighborhoods. Apparently, white harassments and vandalism were motivated by concerns about blacks taking control of the “turf” or the neighborhood. Given the demographic shift in New York City’s population, this belief is not surprising. Likewise, data from interviews of youths involved in racial incidents in Brooklyn, New York, suggest that their actions were motivated by the conviction that they must fight to protect their turf and to regain their position as the advantaged group. Many youths felt that minority groups had gained political and economic power in the city as a result of receiving special treatment from the local government (Pinderhughes, 1993). From the data, it appears that blacks in large groups tend to express their hatred episodically through random physical assaults on one or two victims, whereas whites tend to have a more general level of hostility that, at times, surfaces in the form of assaults on minority groups.

The New York City data informed us of several characteristics of youth hate crimes that could not be ascertained from other data sources. Though the information is specific to New York City and might not reflect matters in other cities or states, it is still a start where there had been a dearth of knowledge and a vast deficiency of systematically collected data on hate crimes (Ball-Rokeach & Short, 1985).

Youths and Hate Groups

In recent years, the majority of the white population in the United States appears to have accepted the gains that African-Americans and other minority groups have made in various areas, such as education, residential integration, public transportation, and job integration (Levin & McDevitt, 1993; Schuman, Steeh, & Bobo, 1985).²⁹ Beneath this general acceptance, however, right-wing

organizations such as the Ku Klux Klan still exist, and some even flourish (Ridgeway, 1990). Accounts of members indicate their frustration concerning minorities grabbing the opportunities over which whites once had sole control (Flynn & Gerhardt, 1989). Membership in the Klan, for instance, was one way to protect their “turf” and air their dissent to integration. Klan membership dwindled to about 5,000 in the mid-1980s, though not because of a general decline in right-wing affiliations. On the contrary, several right-wing organizations mushroomed in the 1980s, pulling some Klan members from that group into the new groups. Among these were the Aryan Nation, the Order, the White Aryan Resistance, and the skinheads (Bullard, 1991; Hamm, 1993). These groups espoused many of the same sentiments as the Klan, such as anti-Semitism, racism, and homophobia, but they also took part in more paramilitary-survivalist activities. White supremacist and survivalist groups engaged in violence and bombings against minorities, and some were even documented to have planned to overthrow the federal government (Marks, 1993). The SPLC’s Klanwatch Project estimated that toward the end of the 1980s white supremacist groups were in “every region of the country, and that they had followers of all ages, backgrounds and beliefs” (Bullard, 1991). The skinheads, in particular, sought the membership and support of youths and had been actively involved in the recruitment of youths to right-wing activities.

The Skinheads. Originating in England in the early 1970s, the skinhead movement was primarily composed of working-class youths who saw themselves as tough, patriotic anti-immigrants (Anti-Defamation League, 1987; Hamm, 1993; Stern, 1990). They often had strong ties to their neighborhoods and attempted “to explore and exploit the spiraling downward options presented to them during a period of economic austerity” (Hamm, 1993). The movement evolved and underwent several reformations since its early beginnings, attaining increasing memberships. In 1982, a small but violent skinhead group evolved in London partially as a reaction against the growing openness of the homosexual subculture and partially as a result of the recruitment and indoctrination campaigns by the skinheads to enlist European youths in right-wing extremist movements (Hamm, 1993). Membership since 1982 has grown to over 30,000 in Germany alone, and by 1992 skinheads had been connected to attacks against Afro-Caribbeans, Asians, Pakistanis, and other minority groups throughout Europe (Levin & McDevitt, 1993). The most notorious skinhead attack occurred in May 1985 in Brussels, where skinheads from Denmark, Belgium, France, and Britain instigated a soccer riot that left 38 dead and more than 200 wounded (Hamm, 1994).

According to the U.S. Department of Justice, the skinhead philosophy was imported into the United States in the early 1980s by powerful and longtime right-wing advocates. Some scholars have argued, however, that the political environment in the United States during this period was ripe for political unrest and encouraged violent attacks on minorities, especially during the established era of the “Reagan Right.” Among proponents of this thought, Hamm, a leading expert on youth hate groups, contended that the ideology of the Reagan Right profoundly affected white teenagers coming of age in the 1980s. According to Hamm (1993):

The social and political contents of the Reagan era seem to have produced conditions conducive to extreme alienation among white, working-class youths in the United States. In turn, this extreme alienation caused certain white kids to shave their heads, tattoo themselves with swastikas, espouse racist beliefs, and commit hate crimes; usually with baseball bats, work boots, guns or knives.

Newspaper articles and law enforcement records from around the country have corroborated that many of the “working-class youths” to which Hamm referred do, indeed, belong to neo-conservative hate groups (Anti-Defamation League, 1987, 1988b, 1989a; Swarden, 1993).

Chicago was the first U.S. city to harbor an established skinhead group (Anti-Defamation League, 1987; Hamm, 1993; Stern, 1990). By 1986, national membership was estimated at around 300, and by the late 1980s, the Department of Justice estimated that there were between 500 and 1,000 skinhead members belonging to 10 gangs (Hamm, 1994). However, the ADL’s estimate was much higher. In 1987, the ADL knew of over 1,500 youths affiliated with the skinheads, and in 1990 that number was approximately 3,000 (Anti-Defamation League, 1989a, 1990b). By 1993, the ADL estimated about 3,500 skinhead members affiliated with 160 gangs across 40 states (Anti-Defamation League, 1993a).

The literature that characterizes the skinhead members varies in its descriptions. Reports published by the SPLC and the ADL suggest that the skinheads are primarily 15- to 25-year-old white males who feel alienated from mainstream society (Anti-Defamation League, 1988b; Bullard, 1991). Unlike their counterparts in Europe, however, U.S. skinheads, according to the ADL (Anti-Defamation League, 1988b, 1989a) are a mixture of youths coming from a variety of economic backgrounds and are not primarily from working-class neighborhoods, though the working-class label is used by the group as part of its rhetoric. Hamm’s ethnographic research has supported this contention. From his sample of 36 U.S. skinheads, 28% were college students and only three were high-school dropouts. Likewise, 25% were employed in white-collar positions, and only 17% were unemployed.

Theories as to why youths join the skinhead movement range from proposed psychological disorders among these youths (Dees, 1993) to the youths using the movement as a means of protesting against their economic marginality (Tafoya, 1991) to influences of white power rock music on their perceptions of minorities (Hamm, 1993). Some advocates have argued that skinheads come from “deeply troubled dysfunctional families who are fundamentally damaged long before they swing their first baseball bat . . . or plant their first pipe bomb” (Dees, 1993). Hamm (1993), however, argued to the contrary that “skinheads are conformists to the prevailing moral opinions about good education, hard work, and traditional family” and found that skinheads even avoided the use of drugs for many of the same social, political, and religious reasons as espoused by the general public.

Hamm (1993) suggested that youths are often introduced into the philosophy of the movement through “white power heavy metal” music that expresses hatred toward minorities and narrates how minorities and Jews are agents threatening the livelihood of white blue-collar workers. Hamm argued that this music emits “emotions so powerful in the minds of certain white American youths that they begin to link song lyrics to their focal concern about employment and the quality of life.” Once youths accept the philosophy of hate espoused in heavy metal music, the theory goes, they then begin to support movements to retaliate against outsiders—including blacks, immigrants, and Jews. Hamm has contended that skinhead gangs are different from other types of street gangs primarily because of their obsession with white power rock music; unlike other gangs, they do not identify with generally deviant peer groups (Hamm, 1993). Skinheads see themselves more as

“saviors” of their race than as a deviant peer group, and their activities fittingly focus on this messianic task.

The economic marginality of certain groups of white youths appears to be one of the more generally accepted and overriding justifications for their involvement in white supremacist movements and, more recently, in the skinheads (Tafoya, 1991). As suggested earlier, skinheads have often felt that minorities have taken over the economic opportunities they once had, particularly employment opportunities, and that they are in the business of “saving” their race from extinction. Economic deprivations and social upheavals have often preceded unusually riotous periods in history characterized by ethnic tensions and unrest. Similarly, contemporary occurrences of hate crimes have often been preceded by declines in the availability of blue-collar jobs and the increasing economic marginality of certain groups of the white population.

Support for beliefs held by the skinheads also comes from established adult hate groups (Anti-Defamation League, 1989a). Through such technologies as telephone hotlines, computer bulletin boards, and cable television, adult hate groups including the White Aryan Resistance have been able to disseminate large quantities of materials to skinheads across the country. Adult hate groups often associate themselves with the skinheads in the media and often invite them to national meetings of white supremacist movements, many times to act as security guards (Anti-Defamation League, 1989a). Further, investigation by the Klanwatch uncovered the training of skinheads in the use of firearms and explosives by white supremacist groups (Bullard, 1991). Although bats, knives, chains, and steel-toed boots have been the preferred weapons of skinheads, the ADL suggests an increasing trend toward the use of guns in recent skinhead activities. The ADL has contended that the use of these more deadly weapons by skinheads is partially a result of the influence of adults in organized hate groups (Anti-Defamation League, 1989a).

Data on crimes committed by organized hate groups depict somewhat contradictory scenarios depending on who collects the data. Evidence gathered by private advocacy organizations such as the ADL and the SPLC suggests an increase not only in hate crimes but particularly in hate crimes committed by *organized hate groups* such as the skinheads and the White Aryan Resistance. In 1987, the ADL cited 12 anti-Semitic incidents in six states attributable to the skinheads; in 1989, however, this number had grown to 116 incidents in 24 states (Anti-Defamation League, 1989a). Similarly, the SPLC documented over 200 skinhead arrests for murder and assault during 1989 (Southern Poverty Law Center, 1989) and documented that skinheads were responsible for nearly half of all racially motivated assaults in 1990 (Southern Poverty Law Center, 1991). In 1993, the SPLC reported that the skinheads had been responsible for 28 deaths (Applebome, 1993b). Skinhead gangs, according to the SPLC, “represent a unique and a frightening phenomenon in the history of white supremacist [groups] in America” in that, “for the first time, a nationwide racist movement is being initiated by teenagers” (Southern Poverty Law Center, 1989). Attacks by these groups have often been against African-Americans and Jews, though skinheads are also considered the most violent group against gays and lesbians. In 1988 and 1989, the NGLTF reported that “skinhead attacks were by far the most numerous and brutal of the hate group incidents reported” (National Gay and Lesbian Task Force, 1990).

These data appear to provide compelling evidence that membership in skinhead groups has grown and, more so, that these groups are frequently involved in or plotting violent attacks against minorities and even the government (Bowles, 1993). However, more systematic reviews of hate-crime incidents by law enforcement agencies and research groups paint a different picture. The prevalence of hate crimes *perpetrated by hate groups* appears minimal when all documented hate crimes are examined. Law enforcement agencies in several states, for example, have been able to identify only a small proportion of hate-crime incidents connected to hate groups. Between 1988 and 1993, New Jersey law enforcement agencies were not able to substantiate the involvement of hate groups in any of the 3,710 bias incidents they documented (New Jersey Department of Law and Public Safety, 1989, 1990, 1991, 1992, 1993, 1994). Moreover, researchers in the study discussed earlier on bias-motivated crimes in New York City were not able to connect any of the over 1,000 incidents documented to hate groups (Garofalo & Martin, 1993). Among the 11 states that reported hate-crime data to the FBI in 1990, only five reported incidents involving hate groups. In those five states, furthermore, hate groups were connected to only 4 percent (n=87) of the 2,015 incidents (Federal Bureau of Investigation, 1993). Likewise, a survey of Los Angeles public schools found that fewer than 5% of the bias incidents committed in the surveyed schools could be attributed to hate groups (Los Angeles County Commission on Human Relations, 1989). This trend appears to substantiate data from interviews with skinheads, which suggest that their typical activities involve distributing racist literature in white suburban areas rather than violent attacks (Levy, 1994). Hate crimes by youths thus seem to be most often committed by lone offenders and loosely tied groups rather than organized hate groups (National Organization of Black Law Enforcement Executives, 1985). The current trend can be contrasted to the historical forms of social and ethnic conflict discussed earlier, which often appeared to be driven by organized hate groups.

Inconsistencies in the information regarding the participation of organized hate groups in hate incidents reflect the poor state of the data currently available on hate crimes. Although advocacy groups have diligently collected information on hate groups, the processes they have used for collecting this information have often been unsystematic and random. As mentioned earlier, the information base of advocacy groups often fluctuates from year to year and is basically dependent upon reporting trends. Further reason for the inconsistent information on hate groups is the lack of simple guidelines for identifying offenders as members of hate groups. The FBI's Hate Crime Collection Guidelines, for example, do not provide instructions on how to classify incidents when perpetrators are believed to be members of hate groups (Federal Bureau of Investigation, 1990). As a consequence of the general lack of guidelines, local police and enforcement officials often use their own discretion in classifying such incidents, which leads to diverse data collection protocols across localities and jurisdictions and ultimately results in incomparable and unsystematic information.

Reported increases in the participation by hate groups in hate incidents, therefore, should be seriously examined, especially in light of the aforementioned contrasting finding that holds that hate groups account for only a small proportion of the perpetrators in hate incidents. Increases in hate-group participation may have occurred, yet, overall, hate groups may still account for only a small portion of all hate-crime perpetrators. The relationship between the growing rate of hate incidents and the growing participation of hate groups needs to be ascertained with systematic data and research tools. Statements like "the 3-year rise in hate violence throughout the country was

positively linked to skinheads” or organized groups are responsible for “nearly half of all the racially motivated assaults” cannot be confirmed with existing systematic data. Though skinheads and other organized hate groups have participated in violent attacks against minorities, such as the case uncovered by the FBI in which skinheads plotted and significantly carried out steps to bomb a black church (Bowles, 1993), the prevalence of their participation remains to be established.

Overall, the data on hate crimes suggest that prevention policies specifically aimed at skinheads and other organized hate groups are not likely to have much effect. Scholarly evidence does not justify the zealous attitudes that some hold against skinheads as a group that would threaten their free exercise of liberty. Data suggest that the majority of the skinheads and members of other organized hate groups talk more about their beliefs through the media than carry them out through violent attacks. Policy may be better off addressing acts of hate by seemingly nonaffiliated persons, who compose the predominant number of hate-crime perpetrators. What are causes of these attacks? What instigates them? If these perpetrators are economically disadvantaged, perhaps addressing their economic concerns will reduce their prejudiced and biased behaviors. Some advocates believe that although current data suggest that only a small proportion of members of hate groups participate in hate crimes, the trend may change for the worse in the future. Dees (1993), for example, has argued that it is only a matter of time before apparently random acts of hate will turn into a systematic race war by U.S. skinheads and white supremacist groups, and Ball-Rokeach and Short (1985) have argued that “the conditions that we have analyzed in the urban ghetto, prisons, and even the politicized Right of the suburbia suggest that the conditions for collective violence in the future are in place.”

Hate Incidents in High Schools and Universities

Other sources of information on youth hate incidents include studies examining their trends in high schools and universities. In 1989, the Los Angeles County Human Rights Commission examined hate incidents in the L.A. County schools. The study found that hate incidents in these schools were significantly different from hate incidents occurring outside the schools. In the schools, anti-Hispanic crimes accounted for most of the incidents, followed by anti-black crimes. Combined, these accounted for nearly 60% of the hate incidents in the schools. Relative to their numbers in the schools’ populations, however, blacks were twice as likely to be victimized as Hispanics. In addition, incidents against whites were the third most prevalent crimes, followed closely by crimes against Asians, Middle Eastern students, and gay students.³⁰ Nearly a quarter of these incidents were against students who described themselves as immigrants. The number of incidents in the schools was substantially higher than reports of hate incidents in the general population. The most significant difference between the general population and the school survey, moreover, was the low number of antireligious incidents reported in the schools.³¹ The Los Angeles study found only 65 religiously motivated incidents in the schools, with the majority directed at Jews. With regard to specific types of incidents, 47% of the racial incidents were reported as racial slurs or harassments, followed by physical assaults (25%) and graffiti (12%). Fewer than 5% of all incidents were attributed or linked to hate groups (Los Angeles County Commission on Human Relations, 1989).

A survey by the New York State Task Force on Bias Related Violence that examined hate incidents among middle school and high school students throughout New York State found that 16% of the students had been harassed or threatened and another 8% had been physically injured. In addition, 43% said they had witnessed some form of group violence or abuse instigated because of the victim's race or ethnicity. Of the acts witnessed, 63% were harassments and threats, and 36% were physical attacks. Of the incidents in which the victims' and perpetrators' groups were known, 52% were directed against blacks, 22% were directed against other minorities, 20% were directed against whites, and nearly 7% were directed against Jews.

With regard to the prevalence of hate incidents on campuses, a 1990 survey of 128 colleges and universities found that 59% of the institutions reported at least one hate incident over the past 18 months (People for the American Way, 1990). Likewise, the National Institute Against Prejudice and Violence reported that at least 250 of the country's 3,300 colleges and universities experienced an incident of ethnoviolence since it began collecting data in 1986 (People of the American Way, 1990). At Rutgers University, New Brunswick, roughly 40% of the gays and lesbians, 30% of the black students, 20% of the Hispanic students, and 15% of the Asian students reported being victimized through insults or, more seriously, assaults (Peterson, 1990). Similar levels were reported at the Baltimore campus of the University of Maryland. Nearly 20% of the minority students at that campus reported having been victimized, and one third of those students reported that the incident negatively affected their associations and relationships with others on campus (Ehrlich, Pincus, & Morton, 1987).

Racial Attitudes of U.S. Youth

In the previous discussions, we focused on youth participation in hate crimes, the known information about their rates of participation, the types of hate incidents committed by youths, and their participation in hate groups. In this section we go beyond participation to examine general attitudes of youths about race relations. Although we acknowledge that the relationship between general attitudes and complex behavior is not direct, we believe knowing and understanding attitudes is important for understanding hate crimes because attitudes can combine with specific social conditions and contexts to result in hate crimes. For example, in the Cicero riots previously discussed, economic and social factors merged with attitudes that were then very permissive of prejudice to encourage youths to attack people from minority ethnic groups.

A number of reports seem to allude to worsening attitudes by youths toward minorities. Some express fear that such attitudes may foster deep racial tensions in the future and cause what may be a racial war (Dees, 1993). Such opinions, however, are too often not grounded on empirical facts. Generalizations from media reports may lead one to believe that an all-out racial war is impending, but systematic studies of youth attitudes toward people from different racial backgrounds offer a more positive and encouraging result.

Discussed here are studies that examined youth attitudes about their personal interactions with people from other racial or ethnic groups, their attitudes about general racial relations, and their opinions about policies that address racial diversity and integration. Recent studies on youth

attitudes have shown apparent positive opinions by youths toward others from diverse ethnic backgrounds (People for the American Way, 1992; Survey Research Center, 1986). A 1991 national study by the People of the American Way (PAW), for instance, which surveyed opinions of youths 15 to 24 years old, showed overall positive feelings by youths about their personal interactions with people from different races and ethnic backgrounds (People for the American Way, 1992). In this cross-sectional study of youths from across the United States, most affirmed that they and their parents were equally comfortable with their interactions with people from other racial and ethnic backgrounds. Only a small proportion of the total sample claimed that their parents were more comfortable with interracial interactions than they were (People for the American Way, 1992). Similar studies conducted by the Governor's Task Force on Violence and Extremism in Maryland and the New York State Task Force on Bias Related Violence showed the same types of positive attitudes by youths toward interracial interactions, people from other ethnic groups moving into their neighborhoods, and even interracial dating (Governor's Task Force on Bias Related Violence, 1988; Survey Research Center, 1986).

In contrast to their positive feelings about their personal interactions with people from other ethnic backgrounds, youths in the PAW study seemed to believe that general race relations are worse now than they had been, although they also believed race relations may be improving, particularly with the progress in civil rights acts. Steeh and Schuman (1992) found similar results. Using data from the General Social Survey and National Election Studies from 1960 to 1990, they found that rather than a widespread decline in positive racial attitudes among youths between the ages of 18 to 24 during these three decades, racial attitudes had remained constant. Even during the seeming decline in civil rights enforcement during the Reagan era, racial attitudes of youths remained unchanged (Steeh & Schuman, 1992).

Other studies, however, found generally negative feelings toward minorities among groups of people from lower economic backgrounds. Pinderhughes (1993), studying a group of white working-class youths from New York City, found strong, negative feelings among these youths toward minorities. According to Pinderhughes (1993), this class of youths in New York City believed that blacks and other Third World immigrants were invading their neighborhoods and gaining political and economic power by receiving special treatment from city officials. Pinderhughes contended that these negative attitudes created conditions for interracial conflict: "They felt they had the right and obligation to defend their territory against blacks; that it was up to them to 'stop the blacks'; that if they attacked these outsiders, they would send a message to all blacks from outside the neighborhood to stay out of their communities." This scenario appears conspicuously similar to the earlier attacks on Jews in New York City during the swastika epidemic. Then, white working-class youths justified their vandalism against Jews as their protest against powers gained by Jews in politics and economics—powers they believed should have been theirs had the Jews not migrated into their neighborhoods. The New York State Task Force found similar results from its statewide surveys of high school students. The Task Force indicated that working-class teens were intolerant of minorities primarily because they blamed their continually eroding economic position on minorities (Governor's Task Force on Bias Related Violence, 1988).

Overall, youths in the survey conducted by the People for the American Way (1992) manifested strong feelings about the need for racial integration and tolerance and condemned separatism. However, they were racially divided in their opinions about how integration could be achieved. Most preferred “inclusionary” rather than “exclusionary” policies toward integration. According to the PAW report,

when goals for achieving or ensuring full equality for minorities are presented in inclusive terms and language, youth support these principles. When they are presented as exclusive, young people—particularly young whites . . . turn against such objectives. Tensions rise, self-interest comes to the fore, and compassion for those who are less fortunate diminishes. (People for the American Way, 1992)

It seems, therefore, that though youths had generally positive feelings about integration of people from different ethnic and racial backgrounds, they substantially differed in their opinions on how to go about implementing integrative policies. When the youths felt that integrative strategies threatened their interests, they became more repudiating and suspicious of government policies.

The New York State Task Force found similar results in its statewide survey as well as an interesting relationship between students’ views of diversity and integration and their past experiences of victimization. Students who had previously been victimized had the lowest opinions about integration. Black students, for example, had the highest levels of victimization and the lowest opinions about integration, whereas Jews had the lowest levels of victimization and, correspondingly, a higher regard for integration. When asked about integration in their neighborhoods, most students felt that it was at least “okay” that people from other ethnic groups move into their neighborhoods. The only social group categorically rejected by the New York high school students were gays. The majority of students, regardless of their racial group, felt that it would be “bad” if a gay person moved into their neighborhood. This finding is surprising considering results from past research on racial prejudice, which suggest that people who reject any outgroup tend to reject all outgroups (Allport, 1954). In the New York study, students who were accepting of racial integration were prejudiced when gays and lesbians were involved.

Recent theoretical developments in the area of racial discrimination have emphasized the mediating effects of class or economic status on racial discrimination (Wilson, 1980). Wilson, for instance, argued that because of social and structural changes in U.S. society in the 1960s and the 1970s, the position of African-Americans is now essentially determined by their economic status rather than their “race” position (Wilson, 1980). Class-based theories of discrimination accordingly hold that discrimination against specific groups of people is based on their economic standing rather than race. Blacks, according to this perspective, are often discriminated against because of their economic marginality. Thus, prejudice against blacks is categorically tied to their economic position in society. If this perspective is accurate, the flipside should also be true—that is, if blacks are economically well-off, discrimination against them should diminish. The theory, however, does not distinguish *who* is prejudiced and who is not. The attitudinal data discussed previously suggest that most middle- to upper-class youths and their parents positively viewed ethnic and racial diversity and integration. Most had positive feelings toward integration and believed that integration should be one of society’s major goals. Youths from this economic level did not appear to distinguish race

from economic marginality. They were willing to interact and even date people from different racial and ethnic backgrounds, no matter the economic standing of these people. Youths from the lower economic strata, however, and the white, urban working class had very different perspectives about blacks and other minorities. Most had negative feelings toward them, which were often exacerbated by the seeming “favoritism” exhibited by federal and state officials toward minorities. These people did not seem to care whether the minorities were well-off or economically marginal. They had negative feelings toward minorities, no matter their economic standing.

The surveys reported earlier indicate that when attitudes of potential *discriminators* were assessed, the class, or economic position, of minorities was not a significant basis for discrimination. Prejudice against minorities, however, was distinctly linked to the economic position of the potential discriminators. The lower class, overwhelmingly, had negative opinions and attitudes toward minorities and had negative feelings about integration. Class, then, interacts with prejudice when class represents the economic standing of those who are prejudiced. Threats of economic loss and of economic gains being taken over by “outsiders” appeared to be the primary reasons for prejudice. The lower class, then, faced with continually eroding job opportunities, seems to be most “at risk” of negative opinions toward minorities, because of the need to have some groups on which to vent their frustrations.

In contrast to racial and ethnic prejudice, prejudice against gays and lesbians appears to be invariant across economic statuses. Most youths in the attitudinal surveys reported held negative opinions against gays and lesbians, no matter their own economic standing. Seemingly, prejudice against gays and lesbians does not come from the same premise of “economic threat” as does prejudice against racial groups. Aggressors against gays and lesbians may not so much use aggression to protect their “turf” as to air their “moral” concerns through the public display of prejudice. The linking of homosexuals to social problems has also provided impetus and justification for attacking homosexuals or for holding discriminatory attitudes against them. For instance, the number of harassments and threats against gays skyrocketed in the mid-1980s during the AIDS (acquired immunodeficiency syndrome) epidemic, since AIDS provided a rationale for the attacks (“AIDS Epidemic Fuels Attacks on Gays,” 1988). Attackers using slurs and graffiti justified their actions and encouraged others to participate in attacks against gays by linking gay practices to the problem of AIDS. Because of the “moral” justifications often linked to gay and lesbian attacks, hate incidents against this group have often been overlooked and underestimated. Although racial and ethnic prejudice has often overshadowed prejudice against gays and lesbians, the latter is apparently more pervasive.

This “moral” justification for attacking homosexuals appears akin to attitudes held by whites in the past when they felt that the presence of blacks in their day to day interactions was a violation of moral standards. Blacks were pariahs and were considered “immoral” individuals simply because they were an outgroup by nature of their skin color. Gay and lesbian discrimination appears to follow the same beginnings as did racial discrimination, where gays and lesbians are now “outgroups” based on some vague “moral” standards of some people in society. With the increasing movements toward including homosexuals in all sectors of society, one cannot help but question whether the “moral” justification for prejudice against homosexuals will evolve into some other

forms of prejudicial concerns, just as “moral” justifications for racial discrimination evolved into “economic” concerns when minorities started to be integrated into the mainstream of society. Is it probable that prejudice against gays and lesbians is only one generation behind racial and ethnic conflicts? If so, can the evolution of racial conflicts be studied and the policies used to address them be applied to gay-lesbian prejudice? Will attitudes against gays and lesbians similarly evolve into more “economic” concerns rather than the current “moral” concerns? Understanding similarities and differences in the reasons for hatred toward certain social groups can enlighten explanations for the roots of such hatred, how it is likely to evolve, and the policies and conditions that can alleviate its increase.

Policy, Prevention, and Research

In addition to documenting the extent and nature of hate crimes committed by youths in the United States, and thereby starting a dialogue for establishing and changing hate-crime policies, it is equally important to address the development of a policy and research agenda that will help meet the challenge of better understanding and controlling bias-motivated conflicts. This section begins with an examination of the recent changes in legislation and law enforcement policies used to combat hate crimes and continues with an analysis of community responses. We conclude with a discussion about technical problems and recommendations for addressing them and provide some thoughts on what can be done to better understand and prevent the occurrence of hate- and bias-motivated incidents.

Legislative Reform

Calls to augment formal sanctions against hate-motivated crimes have increased in the past several years in response to the growing documentation and reporting of hate incidents. These movements, however, have generally taken a different approach from previous federal and state responses to racially motivated crimes. In the past, efforts to curb harassing and intimidating behaviors by extremist groups, such as the federal Civil Rights Act enacted during the reconstruction period, typically prohibited persons from interfering with the constitutionally protected rights of minorities (Levin & McDevitt, 1993). Moreover, states implemented laws that prohibited private paramilitary organizations from wearing hoods in public places and from conspiring to violate the rights of minorities.³² The main intent of these laws was to put organized hate groups out of the business of harassing and killing the newly freed slaves and recent immigrants. These forms of intervention can be contrasted to the new waves of legislation, which, for the most part, specifically address individual motivations and manifestations of hatred, that is, expressions of hate or bias and bias-motivated assaults and intimidations (Garofalo & Martin, 1993; Jacobs, 1992a, 1992b).

Some of the first laws of this new wave of legislation passed in several states provided for the special protection of specific physical structures from attacks. These laws often specified more severe penalties when vandalism was aimed at specific houses of worship, cemeteries, specific types of schools, and community centers (Anti-Defamation League, 1990a). The goal was to deter attacks against the religious institutions that were the most common targets of hate-motivated vandalism

(Anti-Defamation League, 1988a). Thirty-six states have enacted laws to separately punish “institutional vandalism” or vandalism of certain protected structures. Though more specifically aimed at hate crimes, these laws, like the first ones, did not require that hate be established as a motive in the crime. Crimes directed at any of the protected structures were automatically subjected to augmented forms of punishments.

By 1990, however, states began enacting laws that called for the determination of a “hate motive” as an added element of a crime and for the crime to be severely punished when such a motive was established. In New York, for example, a new charge for aggravated assault in the first degree was added (N.Y. Crim. Proc. Law Sec. 240.31) to the assault statute requiring the same elements necessary to establish aggravated assault but further including the offender’s intention or motive for committing the crime. It reads in part: “A person is guilty of aggravated harassment in the first degree when the intent to harass, annoy, threaten or alarm another person is because of the race, color, religion or national origin of such a person.” New Jersey, similarly, amended its harassment (N.J. ST 2C:33-4) and assault (N.J. ST 2C:12-1) statutes to state that “a person commits a crime in the fourth degree if in committing an offense under this section, he acted at least in part with ill will, hatred or bias toward, and with a purpose to intimidate, an individual or group of individuals because of race, color, religion, sexual orientation or ethnicity.” These statutes exhibit further efforts by states to deter violent hate criminals by providing prosecutors with tools for charging defendants with more serious offenses if the motivation of hate can be established.

Though seemingly an improvement over past legislation, the new statutes requiring the establishment of a hate motive have raised the difficult questions of whether hate or bias motivations can be part of criminal statutes, and if so, which actions ought to be considered hate or bias motivated. Appellate courts throughout the United States were the battleground during late 1980s and early 1990s for appeals cases that have tackled these questions. In 1991 the issue came to the foreground when the U.S. Supreme Court accepted a case, *R.A.V. v. City of St. Paul, Minnesota* (Case No. 90-7675), that addressed this question. The specific problem before the Court was the constitutional validity of St. Paul’s Bias-Motivated Crime Ordinance (Code @ 292.02, 1990). The ordinance prohibited the display of symbols like the Nazi swastika and cross burnings, since these, according to St. Paul’s City Council, arouse anger, alarm, or resentment among people because of their race, color, creed, religion, or gender. In this particular case, the statute was used to adjudicate several teenagers who assembled and burned a cross inside the fenced yard of an African-American family who lived across the street from one of the defendants.

In a unanimous decision, the Court ruled in favor of the petitioner and, in doing so, dealt a significant setback to legislation that includes hate motivation as an element of a crime. The Supreme Court argued that St. Paul’s hate crime ordinance was a violation of the First Amendment because it was, as stated in Justice Scalia’s opinion for the Court, “substantially overbroad and impermissibly content-based.” Scalia went on to say that a state may not criminalize the particular expression of bias.³³ Four of the justices found the city ordinance too broad because it outlawed annoying as well as threatening conduct, and the other justices felt that the ordinance unfairly specified some hateful expressions and ignored others (Greenhouse, 1992).³⁴ Actions intended to arouse anger, alarm, or resentment because of one’s sexual orientation, for example, were not

covered by the ordinance. This U.S. Supreme Court ruling followed disparate outcomes by St. Paul's superior court and Minnesota's state Supreme Court. St. Paul's superior court rejected the ordinance, whereas Minnesota's Supreme Court upheld it. Other state supreme courts have also examined hate-crime legislation with mixed results. Oregon and New York have upheld the constitutionality of intimidation and aggravated harassment laws, but the Wisconsin, Ohio, and Florida appellate courts have each invalidated their specific state's ethnic intimidation statutes (Harvard Law Review, 1993).

As a corollary to adding the motive of hate as an element of a crime, criminal codes in many states have been amended to lengthen the sentences for criminal acts when incidents are motivated in part or in whole by the defendant's hatred or prejudice toward the victim. Amendments to New Jersey's sentencing guidelines (N.J. ST 2C:44-3), for instance, provide judges with the opportunity to enhance the severity of a sentence for any offense if the judge believes that the defendant acted because of prejudice. In general, the outcome of these statutes is that additional penalties can be added to existing punishments for what would have been ordinary criminal conduct except for the actor's prejudice (Gellman, 1992).

In *Wisconsin v. Mitchell* (Case No. 92-515), the U.S. Supreme Court was again presented with a case that questioned the constitutionality of hate-crime legislation. In this case, the specific question was whether a sentencing enhancement amendment for hate crimes violated the First and Fourteenth Amendments to the Constitution. The incident involved a group of nine black youths who had beaten a white male teenager into unconsciousness after they were told by an older defendant, a 20-year-old black male, "There goes a white boy! Go get him!" Wisconsin convicted the older defendant for complicity in aggravated battery. Under Wisconsin's sentencing regulations, the circuit judge sentenced the defendant to two years for the assault conviction and two additional years for attacking the victim because of his race. In oral arguments before the U.S. Supreme Court, Wisconsin's attorney general argued that the state's statute was punishing not only the assault committed but the conduct of the offender in specifically selecting the victim because of his race. Opposing arguments presented by the defense held that Wisconsin's statute was unconstitutional, because it was punishing the offender for "points of view." The Supreme Court ruled in favor of the state's position and unanimously agreed that states may impose harsher sentences on criminals when it has been shown that a defendant had selected the victims on the basis of their race, religion, color, disability, sexual orientation, national origin, or ancestry. The Court's opinion was that Wisconsin's statute was not punishing the goodness or badness of an *idea* but rather was punishing the *act* of selecting the victim because of the victim's race (Greenhouse, 1993).

Considerable uncertainty and disagreement still exist among courts and scholars over whether a motive of "hate" toward a specific group can or should be an element of a criminal wrongdoing. Although there has been no scholarly opinion comparing the two Supreme Court rulings on hate crimes, *Wisconsin v. Mitchell* appears to contradict the Court's opinion in *R.A.V. v. St. Paul*. In the first case the Court ruled that separate laws cannot specifically prohibit actions based on the content of the actor's motivation, whereas in the later case, *Wisconsin v. Mitchell*, the Court ruled that existing punishments can be augmented if the actors' motivation to select a victim was based on motivational content similar to that described and protected in *R.A.V. v. St. Paul*. Apparently, the Court has given approval for states to punish more severely actions like the selection of the victim

that are the result of constitutionally protected content-based motivations as delineated in *R.A.V. v. St. Paul*.

In addition to states creating criminal prohibitions against hate, almost 200 universities in the United States have implemented regulations prohibiting offensive speech (“Breaking the Odds,” 1991). These university speech codes as well as some municipal ordinances prohibit the use of hate expressions and hate symbols. Some of these prohibited actions are within the boundaries of traditional criminal law, such as burning a cross on another person’s property, and could clearly be charged and punished with such existing criminal offenses as harassment, arson, and trespassing. Other prohibited actions, however, fall within the gray areas of constitutionally protected speech, such as situations in which college students shout racist slurs at other students (deCourcy Hinds, 1993) and in which racist symbols like the confederate flag are displayed at sporting events (Rychlak, 1992). Journalists and scholars have argued that these regulations too often focus on controlling free speech and expressions rather than preventing violent attacks on minorities (“Breaking the Rules,” 1991; Rauch, 1991, 1993; Rychlak, 1992). By 1993 two federal district courts had agreed with this assessment and found university hate speech policies to be unconstitutional (Walker, 1994).

Legislators and community leaders more often view hate-crime legislation positively, in response to what many believe is a growing hate-crime problem. Yet, one must remember that in both of the Supreme Court cases cited earlier, the defendants could have been punished without either of the two hate-crime statutes, since their actions and not their motives were prohibited under existing criminal laws. Furthermore, the effectiveness of the new hate-crime laws in preventing or punishing hate-crime offenders must be called into question, since many offenders cannot be tried as adults because of their juvenile status. Reports from New Jersey indicate that most juvenile hate-crime offenders never go through the adult court or receive jail sentences. According to one prosecutor, “The majority of the juveniles are processed through Family Court and receive probation and community service” (Gardner, 1992). Moreover, enacting special criminal statutes to prosecute crimes because they are motivated by hate can pose disturbing questions when legislators are confronted with a sizable number of defendants convicted under these statutes who come from groups the hate-crime laws were intended to protect. The debate on this and related issues will undoubtedly continue, though, unfortunately, little theoretical or empirical information is available to direct these debates due to the meager amounts of recent scholarly research in this area.

In addition to the creation of new laws and the lengthening of sentences for existing crimes, courts and universities have utilized alternative sentencing and treatment protocols, such as educational programs and community service. Community service has been based on the assumption that when youthful offenders commit hate crimes they do not know their victims and are merely acting out prejudices because of ignorance. If they are forced to know their victims or their victims’ culture, religion, or lifestyle, they may develop sensitivity toward their victims and perhaps better understand cultural differences. Then, they may be less likely to commit hate crimes in the future. Such a sentence was accorded to eight youths in New York City who vandalized a rooming house and painted anti-Semitic slurs on the walls inside the building. The youths were sentenced to community service in a Jewish neighborhood and were provided with psychological counseling (Ward, 1986).

According to Ward (1986), the youths subsequently volunteered for additional community service projects. Another alternative to prison programs is New Jersey's Operation Stamp Out Hate Crimes, which places juveniles who are charged but not yet convicted of committing bias-motivated crimes, as well as their parents, into an educational program that forces them to confront and deal with their prejudices.

Although these two examples illustrate a line of prevention that seems more reasonable than increased sentence lengths, we are unaware of any research that suggests that hate-crime offenders know less about other cultures than do people who do not commit hate crimes or whether amounts of knowledge concerning other racial or ethnic groups have a strong relationship to the propensity to act aggressively against people in these groups. Furthermore, we know of no studies that have evaluated the impact of these alternative interventions when they were applied. We strongly suggest that research and evaluations be conducted to establish the direction and size of the effects that result from "sensitivity" training of youths and their parents coerced by the justice system into educational programs as well as from any other treatment or prevention program in this area. Court-ordered education programs that have been evaluated, such as family violence counseling, have shown, rather surprisingly, negative and harmful impacts. One particular evaluation found that domestic violence abusers were more likely after treatment and 6-month follow-up to be physically aggressive toward their partners compared to the untreated sample of adjudicated abusers (Harrell, 1991).

Law Enforcement Initiatives

As another way of responding to hate crimes, state and municipal law enforcement agencies have created units that specialize in investigating bias-motivated incidents. In New York City, the police department, as mentioned, established the Bias Crime Investigation Unit, which is composed of specially trained officers designated to do intensive community follow-up of bias incidents throughout the city's five boroughs. Research on the unit's operations has found that the investigators often follow up on cases that are less severe than they would have followed up otherwise (Garofalo & Martin, 1993). Other police departments, including Boston's and Baltimore's, have also implemented special response units for bias crimes, and some states have created state-level investigation teams to follow up on bias incidents. New Jersey's state attorney general in 1992, for instance, created the Office for Bias Crime and Community Relations, which was assigned the tasks of investigating bias crimes throughout the state, developing initiatives to settle community tensions, and working with communities, businesses, and religious and educational groups to develop anti-bias programs. The office was also given the responsibility for developing regional and statewide law enforcement training programs to address bias crimes.

After nearly 15 years of new legislation and formal responses to hate-motivated crimes, however, little is known about how these responses have affected the criminal justice systems or the frequency of bias incidents. To date, only a handful of studies have examined procedural responses to hate crimes, their effects, consequences, and effectiveness, despite the significant amounts of resources channeled by state governments into programs and enactments to reduce hate incidents. New Jersey, for instance, has allocated considerable resources to statewide working groups, new legislation, special police training, and other special community endeavors to address hate crimes, yet no one

has evaluated the implementation or impact of these initiatives, and the number of reported bias crimes in New Jersey continues to rise each year.

The studies that have been conducted have shown both positive and negative consequences of the criminal justice initiatives implemented to reduce the frequency of hate crimes. Research on police responses to hate crimes in New York City has shown that compared to nonbias-crime arrestees, hate-crime perpetrators are more likely to be charged and convicted and, if convicted, to receive more severe sentences (Garofalo & Martin, 1993). This research has also shown that bias crimes are more likely to result in an arrest, regardless of the seriousness of the offense or the type of bias motivation, than are nonbias crimes (Maxwell, 1992). Research on hate crimes in Massachusetts, however, suggests that even though the police there may take hate-motivated incidents seriously by zealously arresting perpetrators, district attorneys are rarely able to prosecute defendants under the state's hate-crime statutes due to lack of evidence to support the hate-crime motivation (McDevitt, 1989). Another study has shown that the majority of law enforcement agencies in the country do not consider hate violence a serious issue (Finn & McNeil, 1988). Through a nationwide survey the researchers found that many criminal justice professionals believe bias-motivated crimes are mere juvenile pranks, harmless vandalism, or private matters that should be dealt with between the involved parties or that these are acceptable behaviors against commonly disliked groups.

State and Community Interventions

In addition to legislative changes and law enforcement responses to hate crimes, many states including New York, California, Maryland, and Minnesota have created statewide task forces to address bias-motivated crimes. In New York State, the Task Force on Bias Related Violence created the Crisis Prevention Unit, which worked with communities and universities to establish local crisis prevention units and cultural awareness programs, to improve relations between police and residents, and to assist in organizing hate-crime reports. In New Jersey, county officials have set up human relations commissions consisting of top law enforcement and school officials of each county as well as church and community leaders and representatives of racial and religious groups. The commissions' tasks were to address everyday discriminations and prejudices throughout each county and to offer alternatives and solutions before conflicts grow to significant proportions (Peterson, 1993). In California, Contra Costa County's Human Relations Commission and the Friends of Human Relations established the Hate Violence Reduction Task Force Project. The project's goal was to develop a model policy that could demonstrate how a community can organize schools, law enforcement agencies, and community organizations in a systematic way to prevent and respond to bigoted violence (Attorney General's Commission, 1990). The project's specific tasks include training law enforcement personnel, ensuring the utilization of diversity curricula in schools, implementing school-based bias-related response guidelines, disseminating related information to schools and teachers, implementing neighborhood watch programs, and developing policies to guide interagency cooperative efforts of local, state, and federal programs (Attorney General's Commission, 1990).

Other community responses include special education programs designed to address the prejudicial and discriminatory beliefs of youths by teaching them how to interact with people from different

racism and cultures, religions, or sexual orientations. Some have argued that students need this special education component, since they have no personal and prior knowledge of slavery or the civil rights movement (Indiana Advisory Committee to the United States Commission on Civil Rights, 1992). In New Jersey, the message is delivered through a traveling team of teenagers called the Positive Impact Ensemble. The ensemble gives presentations at high schools throughout the state to demonstrate the harm of prejudice and discrimination. Each presentation includes a series of vignettes based on prejudices often held by students against people with AIDS, homosexuals, people with physical disabilities, and religious and minority groups. Other school-based programs involve classroom training by teachers to develop students' knowledge of themselves, develop empathy for other races and cultures, and improve critical thinking about stereotypes.³⁵

Many of these programs are based on the social-psychological perspective that holds that if attitudes and beliefs about particular groups are positively changed, prosocial rather than aggressive and violent behaviors will ensue (Aronson, 1992). However, according to Aronson (1992), little research supports this proposition. In fact, some argue that those who prescribe desegregation and diversity in education may find that, more often than not, hostilities between groups "arise after they have come into contact and presumably know something more about each other" (Berry, 1958).

One type of program that was designed to develop empathy for others, however, has received a positive evaluation. Aronson (1992) found that an effective way to reduce intergroup conflict is to increase people's empathy for other people. Through an evaluation of an education program that placed young children from different ethnic groups into small groups that were then given specific tasks requiring members of the group to rely on one another to complete the task, Aronson and colleagues found that "the key factor seems to be mutual interdependency—a situation wherein individuals need one another and are needed by one another in order to accomplish their goals." Others have also reported positive changes in race relations as a result of similar school-based programs, such as sports teams, that require cooperative interactions between members of different racial groups (Gaertner & Dovidio, 1992).

We caution, however, that for these programs to have long-term success at reducing racial and other bias-related tensions, they must go beyond addressing individual manifestations of hate. They must also confront the long history and evolution of racial, ethnic, and class conflict in the United States and the impacts of this conflict on individuals and communities. Though current research, as well as prevention and enforcement policies, suggests that hate incidents are often committed by lone offenders or loosely tied groups, policies designed to combat hate crimes must also address the role of larger social structures of culture, history, and economic organizations in cycles of hate violence, how these have governed cycles of conflict in the past, and how the problem can be addressed in the present.

Recommendations for Hate-Crime Policy and Research

We have noted in this paper several problems with the current state of hate-crime policy and research, some of which we believe can be addressed and perhaps alleviated and some of which we feel are unlikely to change. The problem most unlikely to change in the near future with the current

sociopolitical climate is that of undercounting hate incidents directed at groups because of the illegal status of these groups in the United States. The current movements to identify illegal aliens in order to deport them or to prevent them from using government-supported programs will likely force those who are criminally victimized to remain invisible, unaccounted for, and unprotected (or worse, will force them to implement informal social redemption efforts through the formation of gangs and other support networks). The current social climate may, furthermore, increase their victimization rates, since they are not afforded the same legal protection as other people and since there is a growing moral tone of hatred and distrust toward them. It is possible that some people may even be able to legitimize their attacks on immigrants by professing views that their actions will protect the state and its constituents by preventing immigrants from using public services and resources. Waves of European immigrants at the turn of the twentieth century felt negative effects from the states' nonenforcement of human rights; current and future immigrants are likely to feel similar negative impacts.

The inconsistency in hate-crime definitions across federal, state, and local levels in terms of data collection is a problem that may be addressed satisfactorily with simple procedural methods that have not been tried to date. As discussed in earlier sections, definitions of who are protected groups, who should be classified as victims of hate crimes, and who should be charged with collecting information on hate incidents vary widely within and across states according to jurisdictional differences in political goals and needs. Though seemingly simplistic, these issues have been sore points in the general understanding and classification of hate incidents and consequently reflect inconsistencies in data collection procedures. The diverse definitions make assessments of hate-crime trends and comparisons of hate incidents difficult and oftentimes misleading. We propose that a distinction should be made between defining hate crimes for legislative purposes (i.e., to widen criminal culpability or enhance punishments), and defining them for data collection purposes.

Other jurisdictional disagreements ensue from legislative debates on how to define hate incidents, since definitions ultimately determine arrests, charges, and punishments. The responsibility for determining which acts should be punishable, as well as the extent and severity of punishments for criminal offenses, has always been under the jurisdiction of the specific states, and we believe it should stay that way. States and localities set their priorities by their current sociopolitical milieus, and the federal government has until recently intervened only when the Supreme Court has reviewed specific cases to determine the constitutionality of laws or punishments, such as the case of *Wisconsin v. Mitchell* discussed earlier. We do not believe there should be a mechanism in place to create "national" or universal definitions of hate crimes for the purpose of standardizing the criminalization of hate incidents or their punishments.

However, we do believe that "universalization" can be partially achieved in the data collection procedures for hate incidents if the *motivations of offenders* in all criminal incidents are incorporated into the current national data collection procedures. There have always been attempts to collect official data on motivation for all types of crimes. Identifying the motives of the offender is not new to police work; police officers and prosecutors almost always attempt to locate the motive (determining why the defendant chose to commit a specific offense) for the purposes of identifying a suspect and convicting a defendant. When a prosecutor establishes with evidence that a person could

have profited in one or more ways from the destruction of his or her property by fire, for example, the prosecutor can more easily develop a charge of arson against the property owner (Lyman, 1993). However, information on motive is not currently collected in national crime reports. To our knowledge, the only laws in which such information is prescribed are the Federal Hate Crime Statistics Act of 1990 and states' specific hate-crime data collection statutes. These data collection efforts, however, are not divorced from the legislation passed in the same jurisdictions that criminalize specific hate-motivated incidents or enhance the punishments for others. In 1994, for example, the Indiana State Legislature had a difficult time passing hate-crime legislation precisely because of the politics that surrounded the choice of groups that could be included in both the data collection and the enhanced punishment laws.

Therefore, we propose (1) that the data collection effort focused on *motives of offenders* be moved away from specific hate-crime legislation, the legislature, and the political arena, and (2) that the collection of information on *motives of offenders* for all incidents be incorporated into the national crime-incident reporting systems. Thus, whether or not states or the federal government pass specific statutes and legislation on hate crimes, motivations of offenders will still be collected, specifically by trained professionals: the police, the prosecutors, or independent research organizations. If a state chooses not to punish specific types of hate crimes or not to punish hate incidents at all, this decision will not preclude the state from identifying, recording, and tabulating the motivations of all offenders.

This solution will, we believe, provide the most meaningful and realistic method for minimizing data inconsistencies across jurisdictions. Furthermore, this concept of identifying motivations for all crimes can be built into the recently implemented National Incident-Based Reporting System (NIBRS), which is replacing the summary-based Uniform Crime Reporting system as the main depository of the country's official crime statistics. Beginning in 1995, approximately 40% of the country's police departments will report on the NIBRS instead of the traditional UCR (Reaves, 1993), and with the new system, information will be collected on offenses and arrests in more than 20 crime categories rather than just the traditional 8 UCR categories. Of more importance, the information reported in the NIBRS on the offense, the victim, the offender, and arrest characteristics will be much more detailed than the information currently reported (Reaves, 1993). The only information now asked about motivation in the NIBRS is on *bias* incidents, to determine the offenders' source of bias—whether it is the victim's race, religion, ethnicity, or sexual orientation—the same limiting categories prescribed under the Federal Hate Crime Statistics Act of 1990. We argue, however, that motive identification should be expanded to all crimes, not just bias crimes, so that, again, states with no bias-crime legislation will still tabulate information on motivations of offenders. We further propose that categories be expanded to include motives other than hate, for example, profit and passion, and that in situations in which there are two or more motives, the police officers rank what they believe to be the primary and secondary motives of offenders. We also suggest that in a sample of cases questions be added on the types of data the police officers used or collected to come to their conclusions. Similar information, though only specifically on bias crimes, is being collected by the FBI.

This expansion of data collection procedures will have minimal resource costs, since professional police practice already calls for the collection of this information when investigating a crime (Lyman, 1993). Furthermore, information this specific will likely be collected for only a minority of cases because, as we suggested earlier, the limited amount of immediately available information concerning the offender in many crimes will make the identification of motives untenable. Researchers and policy makers, however, could markedly benefit from this expanded procedure, since they could individually set their own parameters when deciding what should and should not be classified a hate-motivated crime. Likewise, the procedure will provide information that could assist groups in lobbying state legislatures for additional resource allocations for use in responding to specific types of bias-motivated crimes because of their observed propensity or severity. We believe that by broadening the question of motive to include all incidents, hate and nonhate motivated, the problem of special interest groups lobbying legislatures to include only specific types of hate-motivated incidents in data collection protocols could be eliminated.

An actor's motivation for engaging in specific behaviors is a highly complex, latent concept that can be identified only through the collection of information on a set of variables. The difficulty in determining motive is universal for all human actions, whether they are criminal or noncriminal, bias motivated or nonbias motivated. The universal data collection procedure delineated herein will provide not only better information on offenders' motives but a rich source of information on offender characteristics as well. This process is not flawless, and inconsistencies will continue to exist across agencies, but we are confident that the process will provide a viable alternative to the highly inconsistent system now used across the United States. A federally supported effort led by the National Institute of Justice to train police officers in identifying specific variables should make significant strides in enabling better assessments and comparisons of motivations of offenders, bias or nonbias, across jurisdictions. Universal acceptance of which specific hate motivations should be identified need not be in place before reliable comparisons can be made across jurisdictions and before information can be used to guide policy and prevention measures.

A parallel idea to collecting data on the offenders' motivation in the new NIBRS is to collect similar data with the National Crime Victimization Survey (NCVS). The NCVS is an ongoing federally funded survey used to collect data from a sample of over 50,000 households throughout the United States on personal and household victimizations (United States Department of Justice, 1992). The data are used to calculate annual victimization rates and to determine the consequences of the victimization. We suggest that an assortment of questions be added that would build a set of data points researchers could use to generate latent constructs for measuring motives. The idea, just as for the NIBRS, is to collect data on multiple indicators of motives for all crimes rather than only for those crimes that appear to be hate motivated. The implementation and effectiveness of collecting data on motivation can be tested through the use of the ongoing topical supplementary portion of the NCVS. To date, the supplementary survey has seen only limited use, one use being to address school crime and another to develop a scale of victim's risks (United States Department of Justice, 1992). We suggest it also be used to assess motivation.

In addition to improving the information base for policy research, these suggested changes to the present data collection designs of the NIBRS and the NCVS can significantly enhance progress in

the theoretical areas that have to date been hampered by the poor quality and limited amount of data. The present inconsistent conceptualizations of hate crimes across jurisdictions have hindered attempts to develop and test general theoretical models. Recent theoretical developments have focused on only a narrow set of ideas, such as the relationship between psychological factors and the occurrence of anti-gay violence, and the urban conflict in the 1960s between blacks and whites. Since the data are limited, they have been of little use in attempts to develop more general explanatory models for hate crimes.

The limitations in data and theory have also resulted in several relevant policy research questions remaining unanswered, such as how to model the complex relationships and interactions among psychological harm from hate crimes, physical damages, and the effects of the harm on the community. Understanding these interactive relationships of harm resulting from hate crimes is essential to explaining the nature and impact of hate crimes and, in turn, informing policy. Without data that can model these complex interactions, little can be done to distinguish the effect of hate crimes from that of other types of street crimes.

Important legal questions, likewise, have not been addressed—questions, for example, on how to gather sufficient evidence to enable juries to meet the standards of U.S. justice in adequately finding a person guilty of a hate crime. Here, strong and convincing evidence that the victim was attacked because of his or her membership in a specific category protected by law needs to be presented. However, Blalock (1967) argued that “any given individual has so many different traits and group memberships that in the strict sense an elaborate statistical analysis would be needed in order to infer discrimination based on any one group membership.” At this time, no such statistical model is available, nor is there a general level of acceptance of a statistical approach to criminal procedures.³⁶ Nevertheless, we believe that data can be collected with a sufficient level of integrity to allow researchers to begin to develop an understanding of the relationship between historical trends of group conflict and the contemporary patterns of hate crimes. A national data collection protocol that will allow cross-jurisdictional comparisons but at the same allow specific jurisdictions to address their specific hate-crime problems will inevitably facilitate and extensively inform policy decisions.

Modeling hate incidents, moreover, requires not only valid measures but also informed theory. In the past, many fields (e.g., psychology, sociology, history, anthropology) and perspectives (e.g., conflict, functional) have played an important role in the development of group conflict theories. Combined, these disciplines have made significant strides in providing an understanding of the complex relationships between social conditions and change and the rise in ethnic and racial group conflicts. Much of this work, however, has been concerned with understanding the causes and consequences of large-scale race riots or collective actions. The two major commissions delegated to study hate incidents in the late 1960s, the Kerner and Katzenbach commissions, likewise, focused on collective violence in the United States. However, with the changing nature of hate crimes from large-scale collective actions to small, sporadic incidents that are perpetrated by a small number of offenders, much of what we know and anticipate from group conflict may no longer apply.

Future work in the area of hate crimes needs to focus on whether there should be a general theory or bias-specific theories for hate-motivated crimes. Some adhere to the following argument:

The . . . thing that's important to recognize is the connectiveness of hate crimes. . . . It's essential that we track gay and lesbian crimes, if for no other reason than to prove that bigots who do them do not discriminate. They do not discriminate against the groups of people that they commit these crimes against. . . . Hate seems to be just hate (Indiana Advisory Committee to the United States Commission on Civil Rights, 1992).

Yet, many contemporary theorists, as well as the data reported in this paper, suggest the need for specific perspectives depending upon who is the target of the conflict. Theories explaining gay bashing appear to have been dominated by the field of psychology; explanations of racial and ethnic conflicts have ranged from sociopsychological theories (attitudes, norms, beliefs, and so forth) to large-scale social-structural and economic models or political-ideological explanations (i.e., the legacy of the Reagan Right). Others argue for models that will combine theories of established and highly generalized prejudices with perspectives that will explain how these prejudices are translated into aggression and violence in specific situations and contexts (Ball-Rokeach & Short, 1985; Ehrlich, 1962).

Much work is still required in both the research and theory areas to understand hate- and bias-motivated incidents: what causes them, who commits them and in what context, and how best these incidents can be prevented. As yet, research is in its early stages, though it is likely to continue, specifically given the emphasis on hate-crime offenders and the role of youths in these incidents. This research will be important and timely if the current projections for a sharp growth in the youth population are accurate and are accompanied by a stagnation or decline in the quality of life for many Americans.

NOTES

1. See American Psychological Association Commission on Violence and Youth (1994) and Reiss and Roth (1993).
2. The APA's Commission on Violence and Youth designated several chapters of a recent book to vulnerable populations' experiences as victims of violence, including a chapter on gay and lesbian youth. These chapters were published in late 1994 by the APA commission in *Violence and Youth: Psychological Response*. None of the chapters, however, discuss the nature and description of youth hate-crime offenders or hate-crime offender-victim relationships. The National Research Council's summary report (Reiss & Roth, 1993) only briefly discussed the new hate-crime legislation and the problems of the attempts to determine if the recent increase in the number of incidents was due to the willingness of victims to report the incident.
3. In this paper we use the phrases hate-motivated, bias-motivated, and ethnoviolence interchangeably. Although one could argue for distinguishing between these three phrases, we believe it is not necessary to do so here.
4. Arguably, the right to live and act with diversity in a pluralistic society may be considered a right created by Western civilization's movement toward individual autonomy. Some governments and groups, however, do not accept this right as an inherent human right and therefore do not recognize hate crimes as unlawful or immoral attempts at preventing a person's right to live differently from others without the fear of attacks.
5. For evidence describing the increasing amount of hate-motivated violence, see, for example, the Anti-Defamation League's *Annual Audit of Anti-Semitic Incidents*, 1979 through 1993; the National Gay and Lesbian Task Force's report on anti-gay and anti-lesbian violence from 1984 through 1989; the Southern Poverty Law Center's monthly *Intelligence Reports*; the Japanese American Citizens League's *Anti-Asian/Hate Crime Incidents 1991-1992*; and the American-Arab Anti-Discrimination Committee's *Anti-Arab Hate Crime Reports*.
6. These organizations have developed databases that track the number and describe the nature of hate incidents throughout the United States. The ADL has been tracking anti-Semitic incidents since 1960, the SPLC has been tracking racially motivated crimes since 1979, and the NGLTF has been tracking anti-gay and anti-lesbian crimes since 1984. In addition, other organizations such as the National Asian Pacific American Legal Consortium and the American-Arab Anti-Discrimination Committee have been documenting crimes against their respective ethnic groups.
7. The U.S. Commission on Civil Rights suggests that contrary to the conjectures and statements of many advocacy groups, it is not possible to know if the rate of hate-motivated crimes is increasing or decreasing because of the lack of longitudinal data measuring hate crimes (United States Commission on Civil Rights, 1990).

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8. See, for example, Wertheimer (1989), Baker (1990), “Disturbing Rise” (1991), and Zia (1990).
 9. The media were also criticized by the Kerner Commission for failure to go beyond the spectacular aspects of group violence in the late 1960s. A recent analysis, however, of the *New York Times* coverage of the Miami riots in Liberty City noted “a fairly balanced attention to the specular and to the causal context of the riot” (Ball-Rokeach & Short, 1985).
 10. As of 1993, only Nebraska, Utah, and Wyoming had not passed hate-crime laws (Levin & McDevitt, 1993).
 11. The movement in the criminal justice system to create special investigation divisions, such as the Bias Crime Investigation Unit of the New York Police Department, is a change from past responses by officials to racial and ethnic conflicts. Descriptions of racial riots during and after World Wars I and II provide numerous examples of police failure to stop white mobs from attacking blacks (Gurr, 1989; Toy, 1989).
 12. In New York City, noncriminal incidents that come to the attention of the Police Department’s Bias Crime Investigation Unit are referred to the New York City Human Rights Commission for investigation.
 13. The New York Task Force adapted its definition from the California Attorney General’s Commission on Racial, Ethnic, Religious, and Minority Violence and the New York State Police Division Interim Order (Governor’s Task Force on Bias-Related Violence, 1988).
 14. The specific question of whether to include *sexual orientation* as a category protected against hate crimes has been assessed following arguments of whether the government should be prescribing protection for homosexuals on any issue. Prohibitions against allowing homosexuals to take part in various aspects of public life have varied in scope from military exclusion to local parade committees not permitting homosexuals the right to participate in public or religious celebrations. Moreover, to ensure passage of housing discrimination laws in California, Governor Pete Wilson and other Republicans removed gays and lesbians from among the protected groups (Gladstone, 1991). A similar situation occurred in Indiana.
 15. Groups of certain race, color, religion, ancestry, national origin, or sexual orientation are considered “disfavored” if they have been characterized by a history of violent victimizations and well-known, often derogatory, stereotypes.
 16. Recent Supreme Court rulings have not favorably weighed any laws that have given preference to certain racial groups while leaving others out. In *City of Richmond v. Croson* (1989) and in *Ward Cover Packing v. Atonio* (1989) the Court ruled that any government actions providing preference for one race over another are suspect and would require both a set of evidence in support of the charge of previous injustice and a compelling objective by the state to justify the preferential treatment (Myers, 1993). In addition, one Justice’s opinion

in *R.A.V. v. St. Paul* suggested that the protection of some groups and not others in hate-crime laws was unconstitutional.

17. The impact of these inconsistencies on research will be discussed in more detail later in this paper.
18. Ecological work in the area of gay bashing suggests that living in gay areas or appearing effeminate may have an appreciable effect on increasing risk. Also, contrary to expectation, going to gay bars does not seem to be associated with greater experiences of assaults (Harry, 1982).
19. Certainly the definition for a hate crime should take into account group membership, motivation, and the nature of the incident; the combination of these factors that should be included has not been operationally established.
20. Newton and Newton's 1991 chronology, for example, contains little information about the offenders beyond their race.
21. The number of anti-Semitic incidents reported in the ADL's annual audit declined each year for 5 years beginning in 1982, but then began to increase again in 1987 (Anti-Defamation League, 1993a). The ADL (1988a) attributed the decline to the efforts of "law enforcement agencies, heightened public awareness of the problem and greater willingness of victims to report these crimes, and, most importantly, the enactment of laws aimed at punishing these types of crimes more severely."
22. The increases in prosecution cannot be expected when one examines the policies implemented by Reagan's Justice Department, where improvements gained during the civil rights period were literally turned back (Shull, 1989).
23. These percentages were computed from tabulated data reported in the 1988 through 1992 New Jersey Uniform Crime Reports, published by the Division of State Police, Uniform Crime Reporting Unit, Trenton, New Jersey.
24. Not all states and municipalities experienced increases in hate-motivated incidents during the 1980s. Georgia's Civil Rights Commission reported no change in the number of incidents between 1980 and 1987 (Georgia Advisory Committee to the United States Commission on Civil Rights, 1989). Likewise, after an increase of 19% in the number of incidents investigated by its Bias Crime Unit between 1987 and 1988, New York City reported little change between 1988 and 1991 (Kleinfeild, 1992). The stability in the number of incidents over the past several years led the commander of the Bias Crime Unit to speculate that the numbers may actually be fewer than during the civil rights period: "In all probability, there were more bias crimes 30 or 40 years ago than there are today" (Kleinfeild, 1992).

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25. These are the only states that report data according to age categories of hate-crime offenders. Most states report hate incidents with little information on the offenders' characteristics.
 26. Comparisons across states are difficult because most states do not break down bias offenses into specific types of crimes, and for those that do, the classifications are very diverse across states. Most states, likewise, do not break down bias and nonbias crimes into the different age-groups of offenders. Though comparisons across states are ideal, the state of data on hate crimes does not allow such comparisons at this point.
 27. We acknowledge the assistance of James Garofalo of the University of Southern Illinois. Not only did he provide us with the New York City data, but he propelled the first author into this area of research.
 28. It should be noted that a substantial number of the reports for crimes against religious groups did not contain information on the offenders' ages. More than three times as much information was missing in this regard for this group than for other bias-motivated offenses. Age was not reported for nearly half of all offenders.
 29. In the mid-1980s, Schuman, Steeh, and Bobo (1985) argued that the stable racial attitudes expressed during the 1970s and early 1980s may not continue into the future. However, recent work by Steeh and Schuman (1992) found no empirical support for their prediction of decreasing tolerance during the late 1980s. They have found that among college students there appears to be "little difference in racial attitudes among the cohorts of the 1960s, 1970s, and 1980s."
 30. The total number of gay incidents was almost surely underreported among high school students because of the fear that their family and friends would further victimize them.
 31. The low number of anti-Semitic incidents may result from the fact that these bias incidents generally target Jewish institutions, not Jewish people directly.
 32. The major civil rights statutes passed during the Reconstruction Era include the Civil Rights Act of 1866 (1 ch. 31, 14 Stat. 27, 1886); the Enforcement Act of 1870 (2 ch. 114, 16 Stat. 140, 1870); and the Civil Rights Act of 1871 (1 ch. 22, 17 Stat. 13, 1871).
 33. See R.A.V., *Petitioner v. City of St. Paul, Minnesota* (1993). In R. M. Barid and S. E. Rosenbaum (Eds.), *Bigotry, Prejudice and Hatred: Definitions, Causes and Solutions*. Buffalo, NY: Prometheus Books.

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34. Justice Scalia delivered the Court's opinion, in which Justices Rehnquist, Kennedy, Souter, and Thomas concurred. Justice White wrote a separate opinion, which was joined in full by Justices Blackmun and O'Connor. Justice Stevens concurred with Justice White on all parts except one and filed an additional opinion concurring in the judgment. Justices White and Blackmun joined in Part I of that opinion. Justice Blackmun wrote his own concurrence in the judgment.
 35. For a more complete list and discussion of educational programs designed to address hate crimes in schools see *Hate Crime: Sourcebook for Schools* (Bodinger-DeUriarte, 1992).
 36. Recent developments in the area of civil rights litigation by the Department of Justice have used statistical models to establish discrimination in employment practices.

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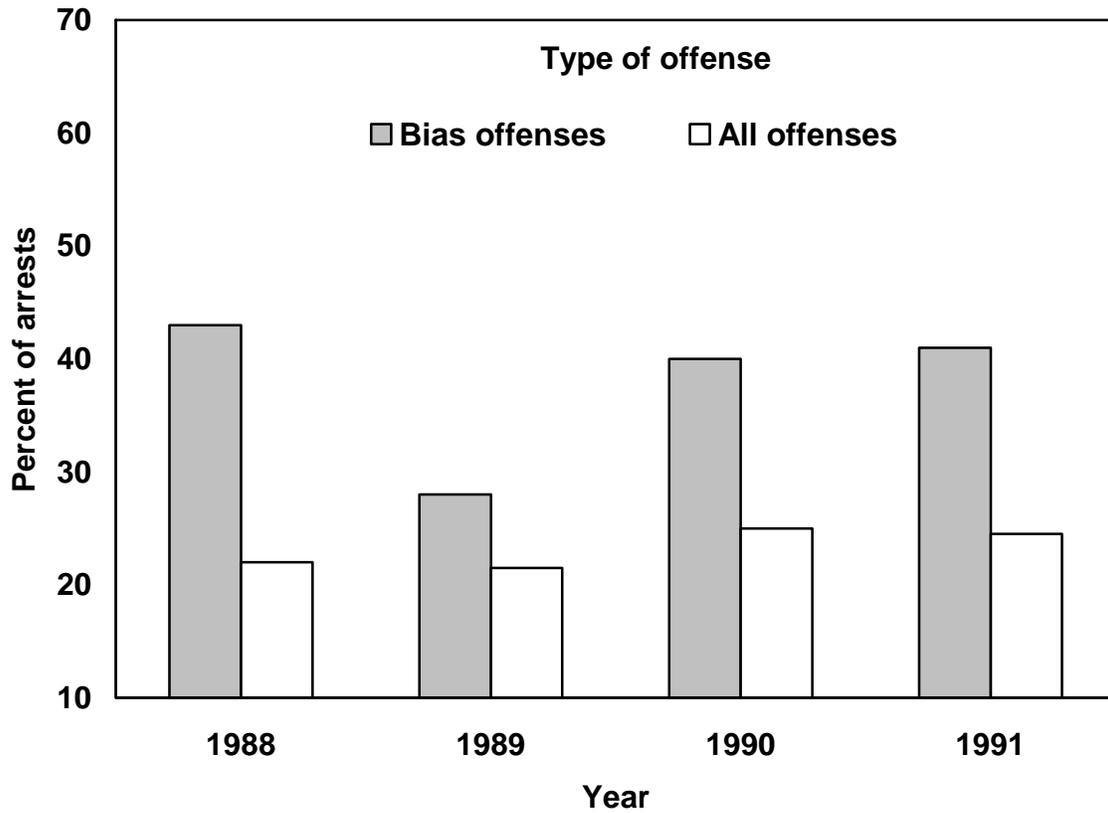
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**Figure 1. Arrests of Juveniles by Year
New Jersey UCR**



**Figure 2. Arrests of Juveniles by Race
New Jersey 1990 UCR**

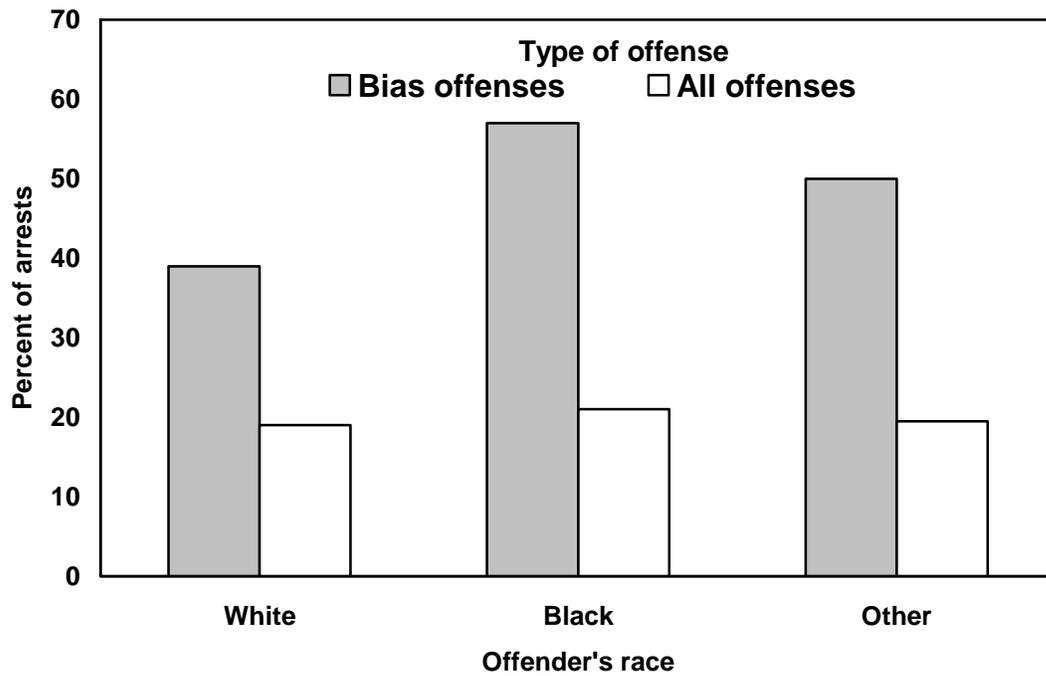


Table 1
Bias Motivated Offenders Under 21 Years of Age by Race and State

Race	State									
	Minnesota		New Jersey		Florida		Pennsylvania		Massachusetts	
	%	N	%	N	%	N	%	N	%	N
White	59	(98)	48	(172)	29	(36)	31	(42)	46	(102)
Black	58	(35)	71	(94)	47	(54)	58	(36)	34	(37)
Other	70	(8)	57	(8)	2	(2)	25	(17)	14	(8)
Total	71	(277)	54	(274)	29	(92)	36	(95)	38	(147)

Source: The 1990 Hate Crime Uniform Crime Report

Table 2
Selected New Jersey Arrests by Type of Incidents and Offender's Age Status for 1990-91

Type of Crime	Type of Arrest					
	Bias Arrests			All Arrests		
	Juvenile	Adult	N	Juvenile	Adult	N
%	%	%		%		
Murder	100	0	2	14	86	717
Sex Offenses	0	100	3	21	79	7,048
Robbery	69	31	13	32	68	12,518
Aggravated assault	49	51	141	21	79	28,835
Burglary	88	12	8	38	62	24,399
Simple assault	39	61	131	23	77	77,417
Arson	0	100	6	47	53	1,328
Larceny-theft	0	100	1	29	71	93,909
Criminal mischief	75	25	63	57	43	27,022
Weapons offense	0	100	1	29	71	14,179
Disorderly conduct	14	86	37	26	74	83,477
Total	35	65	637	20	80	370,849

Source: New Jersey's 1991 Bias Incident Uniform Crime Report and 1991 State Uniform Crime Report

Table 3 Type of Incident and Type of Bias Motivation by Offender's Age								
	Age Group							
	Under 17		17 - 20		Over 20		Total	
Type of Incident:	%	N	%	N	%	N	%	N
Nonbias motivated	19	(123)	21	(138)	60	(402)	48	(663)
Bias motivated	0	(216)	41	(300)	35	(215)	52	(731)
Chi-Sq.	139.12 ***							
Type of Bias:								
Racial	29	(170)	43	(250)	28	(159)	79	(579)
Religious	29	(25)	35	(30)	37	(32)	12	(87)
Sexual orientation	32	(21)	31	(20)	37	(24)	9	(65)
Chi-Sq.	7.02							
*** (P > .001)								