The Future of Hate
Chapter Nine

Future Hate – New Research

- Doctor analogy
- Same thing with addressing hate crime
  - We believe a problem exists
  - We have asked very few questions about it
  - We have opted for overly simplistic solutions
  - When those solutions failed, we have simply tried them again, sometimes in stronger forms

Future Hate – New Research (cont.)

- So far almost all the approaches to dealing with hate crimes have been based on certain assumptions
  - Some are certainly false
  - Others seem reasonable, but may not be true
- The empirical evidence to support these assumptions is scanty at best, non-existent at worst
- There has been much new research in recent years, but only a small amount of progress has been made towards understanding the problem
Areas Where Research is Needed – Hate Crime Perpetrators

- To be able to shape an effective policy against hate crimes, it is essential to know who commits these crimes and why
  - Males in their teens or early 20s
  - Not affiliated with organized hate groups
- Suggests that more research is needed to find out why seemingly ordinary people commit hate crimes

Areas Where Research is Needed – Hate Crime Perpetrators (cont.)

- If hate crime typologies are correct (thrill-seeking, defensive, retaliatory, mission) then no single approach to combating hate crimes will work
  - Different programs should be crafted to reach different types of offenders
- Some research has focused on a related theme: determining the factors that lead individuals to commit hate crimes
  - Seems to be the result of several forces
  - The most promising area of research is in the area of the role of the group

Areas Where Research is Needed – Hate Crime Perpetrators (cont.)

- For those offenders who are affiliated w/organized hate groups, more research should be conducted on:
  - How those groups recruit new members
  - What attracts some segments of society to extremism
  - When and why members leave the groups
- Research should focus on what distinguishes extremist groups from nonracist gangs and noncriminal social groups
- Studies should also be conducted to explore what influence, if any, extremist groups have on the attitudes and behaviors of nonmembers
Areas Where Research is Needed – Hate Crime Victims

- One basic question that needs to be addressed:
  - Who are they?
- The data suggest certain groups, but there are regional and temporal variations
- Numerous problems with:
  - Underreporting
  - Data collection by police
- The true nature of hate crime victims is unknown, as is their number

Areas Where Research is Needed – Hate Crime Victims (cont.)

- Other areas that need to be explored are the social, economic, and behavioral patterns of hate crime victims
  - Under what circumstances is someone likely to be targeted?
  - Are attacks random or are there precipitating factors?
  - Are these victims distinguishable in any meaningful way from other victims of crime?

Areas Where Research is Needed – Hate Crime Victims (cont.)

- Another area that needs more study is the effects of hate crimes upon victims
- Some have asserted that they are more harmful than other crimes
  - Little empirical evidence to support this claim
- This is an important issue as it is often used to support passing hate crime laws and giving offenses special treatment
Areas Where Research is Needed – Hate Crime Victims (cont.)

- Further investigation should also focus on particular types of victims
  - Because of some researchers and advocacy groups, we know something about certain groups, but virtually about others
- Additionally, what groups should be included?
  - Can hate crimes against women be distinguished in any meaningful way from “ordinary” crimes such as DV and sexual assault?
  - Are the disabled frequently targeted in the same way as gays and people of color?
  - If so, in what ways (if any) do their disabilities preclude them from prosecuting

Areas Where Research is Needed – Hate Crime Victims (cont.)

- A few researchers have explored the reasons for why victims rarely report hate crimes to the police, but not in any large-scale or systematic manner
- Studies should be conducted concerning the rates at which different kinds of victims report hate crimes, as well as the reasons they fail to report them
  - Would result in more accurate statistics
  - Could also help law enforcement craft more effective approaches to dealing with these offenses

Areas Where Research is Needed – Hate Crime Victims (cont.)

- One simple way of obtaining more info would be to include some appropriate questions in the National Crime Victimization Survey (NCVS)
  - A similar effort in the UK resulted in an estimated number of hate crimes 30 times higher than estimated by the FBI in the US
- NCVS does have limitations though
  - Inability to verify reports
  - Potential for participants to misunderstand or misrepresent
- Data would still be a valuable addition
Areas Where Research is Needed – What Works

- More research into program assessment is needed
- There are many government and private initiatives aimed at reducing hate crimes
  - What we don’t know is whether any of them work
- Such assessments help shape more effective policies and also avoid wasting resources

Why Do Research?

- Is research likely to have any impact on real-life problems?
  - Don’t know
- Research to date has had little impact on policy
- Why do policymakers not pay more attention to research?
  - Probably not aware of it
  - It is possible that they are more concerned with looking good in the public eye than what might work
  - Research tends to suggest that problems are complicated and require complex solutions

Better Data Collection

- Related to the need for more research is the need for better data collection by govt. agencies
- Include hate crimes in the NCVS
- States should mandate that all local law enforcement agencies report hate crimes
  - Some states currently do this, but not all
- However, any meaningful effort to make official reporting more accurate must focus on:
  - Victim and police responses to hate crimes
  - The interaction between law enforcement and the community
Law Enforcement Responses - Police

- Police departments play a very important role in the treatment of hate crimes.
- Responsible for collecting hate crime data.
- Responsible for implementing hate crime laws.
- They act as the primary liaison between victims/communities and the legal system.
- They have the opportunity to:
  - Take actions to prevent crimes from happening at all.
  - Influence the way people and minority groups are perceived and treated by the state and the public.

Law Enforcement Responses – Police (cont.)

- Research indicates that police response to hate crimes is insufficient at best, harmful at worst.
- Lack of trust is cited as one of the most common reasons that victims fail to report.
- Not surprising considering the history between police and those groups victimized.
- Some departments appear to be aware of this problem and have taken steps to address.

Law Enforcement Responses – Police (cont.)

- However, it is unlikely that a few hours of diversity/hate crime training, or the creation of a bias-crime unit will do much good.
- Training will not adequately cover the complex topic or change ingrained patterns of behavior.
- Bias crime units sometimes exist more in name than in substance.
- Even when bias crime units exist, they often suffer from:
  - Unpopularity
  - Lack of power
  - Jealousy from other officers.
  - Officers in the unit might be biased themselves.
Law Enforcement Responses – Police (cont.)
- Problem – bias crime units, hate crime data collection, and minimal training will do little to:
  - Improve relations between the police and the community
  - Reduce institutionalized violence
- Meaningful police responses must:
  - Be comprehensive
  - Focus on all aspects or prejudice
  - Offenders
  - Victims
  - Police
  - The community

This approach would:
- Be costly
- Be met with resistance from many fronts
- Be a complex undertaking
Thus far, it does not appear that any police agency has attempted this, let alone accomplished this
However, if successful, it would improve police-community relations and, potentially, reduce societal prejudice in general

Law Enforcement Responses – Prosecutors
- Have similar problems as police
  - Lack of training
  - Lack of resources
  - Bias within the institution itself
- Also faced with the additional problems of:
  - Determining offender motivation
  - Political pressures to obtain convictions
- Reality
  - Prosecutions are rare
  - Convictions are even rarer
Law Enforcement Responses – Prosecutors (cont.)

- A few prosecutors' offices have dealt with this situation in much the same way as the police
  - Have created special prosecutorial units
  - Some also participate in interagency task forces or commissions
- The efficacy of these methods is unknown
  - Even if they are effective, they have been adopted by very few district attorneys' offices

Legislation

- Less than three decades ago, hate crime laws did not exist
  - Since their creation, they have continued to evolve in response to public pressure and judicial decisions
- Some scholars have raised serious doubts concerning hate crime laws' effectiveness in actually reducing bias-motivated offenses
  - No empirical evidence that they work
- Despite these limitations, there is no doubt that the push to enact more hate crime laws will continue
  - Advocacy group will continue to push for them

Legislation (cont.)

- It is not always easy to get hate crime laws passed
  - Often resistance is because of opposition to the inclusion of certain protected categories, especially sexual orientation
    - This provision has been the major stumbling block for federal hate crime legislation
  - Some people oppose hate crime legislation because they don't understand it
    - Believe it protects minorities only
  - Some oppose the laws on constitutional grounds
  - Others oppose them because they think they do not work and might even be counterproductive
Despite all of this opposition, hate crime laws never really die
Many laws have been passed after being killed one or more times previously
If hate crime laws have no demonstrated positive effects, and if they are subject to so much resistance, why do they keep being proposed
Partly due to efforts of advocacy groups
Partly due to media pressure when a high-profile hate crime occurs
Most Americans support harsher punishments
Legislators see them as a simple solution

Almost all states have some form of hate crime laws
A federal law is almost inevitable
If advocacy groups and others wish to continue to focus their efforts on encouraging legislation, there are three primary areas on which they could concentrate
1) Groups protected
2) Civil actions
3) Legislation concerning legislation

Attention should be paid to which groups are protected by existing laws
Some states do not include sexual orientation
Significant in that gays and lesbians are among the most common victims
Hate crime laws may or may not actually reduce hate crimes, but not including sexual orientation sends a message that homophobia and its consequences are acceptable
May indirectly sanction violence
Legislation – Civil Actions

- Some states have enacted laws that allow victims to obtain extra damages
- No data on how common they are
- Because most offenders are young, they have little in the way of assets
- However, civil lawsuits can have symbolic value
- Additionally, a lawsuit is enacted by the victim
  - Differ from criminal cases, which are require action by the police, then the prosecutor
  - May allow a victim to pursue a case where gov’t officials will not take action
  - Burden of proof is lower, so chances of success are better

Legislation – Civil Actions

- Hate crime opponents could lobby more states to enact civil crime provisions
- They could also publicize existing laws more and offer legal advice to victims who wish to sue
- No evidence that this will reduce hate crimes, but it at least provides the victims with some direct benefits

Legislation – Legislation Concerning Law Enforcement

- Only a few states mandate police officer training on hate crimes
  - Even those requirements are generally minimal
- Some advocacy groups provide training for the police
- The DOJ has prepared a model training curriculum
  - Unsure how many officers actually receive the training
  - Impact of such training is unknown, but worth pursuing
Globalized Hate

- There is evidence that extremists in the US are currently expanding their ties with extremists in other countries.
- The potential consequences of these alliances is quite serious.
- Another issue that needs to be addressed is the regulation of international hate, especially via the Internet.
- US has become a virtual haven for those who hate.
- How can these issues be addressed without risking important constitutional freedoms?

Fighting Hate – *Where to Focus Efforts?*

- Focus on young people.
  - Commit the majority of hate crimes.
  - Successful programs should focus on interacting cooperatively with those from different groups.
    - Would allow friendships to form.
  - Some attention might also be paid to limiting the potential attractiveness of extremist groups.
    - Provide them with alternate social outlets that have greater benefit for them.
    - For those already involved, find out how to create social pushes and pulls.

Fighting Hate – *Where to Focus Efforts?* (cont.)

- Focus on bias in state institutions.
  - Both in the past and in the present, hate has been sanctioned, encouraged, and even acted upon by agents of the state.
  - Occurs at all levels.
  - Some occurs as the result of official or unwritten policy.
  - Some is manifested by small groups or single govt. agents.
Fighting Hate – *Where to Focus Efforts?* (cont.)

- Focus on prejudices in society
- Hate crimes do not occur in a vacuum
- Research suggests that they are the result of a complex combination of individual and societal factors
- Societal prejudice certainly plays a role
- Unless bigotry is reduced within the culture, hate crimes will probably never be prevented