

Unit 6: Hate and Bias



Time Required: 2.5 hours

Resources Needed

- OVC *Listen and Learn* DVD (clip: Hate Crime/Jee Young)
- *Participant Workbook*
- TV and DVD player
- Chalkboard or tear sheets

Prior to the Session

- Consider gathering local and state statistics and/or newspaper or article clippings for the discussion about hate and bias crime trends.
- Research your state's statutes related to hate and bias crime; be prepared to provide information to participants about these statutes.

Objectives

- Define **hate and bias crime**.
- Provide examples of hate and bias crimes.
- Describe current trends for hate and bias crimes.
- Explain the impact of hate and bias crime on victims.
- Discuss thoughts and feelings about being held accountable for hate and bias crimes.



Facilitator Tip

- Ensure that you do not demonstrate bias.
- Keep discussions focused on the harm caused rather than on opinions about religion, politics, or cultural issues.

What Is Hate and Bias Crime?

Hate and bias crimes are motivated by hostility and prejudice against a person based on his or her race, religion, sexual orientation, disability, or ethnicity/national origin. Most victims of these crimes are targeted because they represent a particular group rather than because of any personal conflict or problem.

Every hour, a crime motivated by the perpetrator's bias against the victim occurs in the United States. These hate crimes terrorize whole communities by making members of certain classes – whether racial minorities; lesbian, gay, bisexual, and transgender people; religious minorities, or people who are perceived to be members of these groups – afraid to live in certain places and be free to move about in their communities and across the country.

Because perpetrators commit hate crimes to send a message and express anger or hatred for the victim, the crimes often involve more violent acts than it takes to subdue or incapacitate the victim. Sometimes they involve mutilation, torture, or holding the victim captive, such as in a car trunk.



Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act

Historical events can cause a spike in hate crimes: After the attacks on September 11, 2001, many people who were Muslim or perceived to be Arabs were targeted. This included Sikh Americans who were murdered because the attackers believed that they were Arabs, though they were not.

Since 1968, federal law has covered a narrow class of hate crimes: those committed on the basis of race, religion, national origin, and because the victim was engaged in a federally protected activity, such as voting. This important civil rights law did not cover crimes motivated by bias against the person's sexual orientation, gender, gender identity, or disability; or those without a nexus to a federally protected activity. That is why the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act is necessary.

This Act permits the government to provide grants and assistance to state and local authorities investigating and prosecuting hate crimes. The need for this provision is real, as demonstrated by the Matthew Shepard case.

When Matthew Shepard was murdered in 1998, the Laramie, Wyoming police department requested assistance from the U.S. Department of Justice. Because crimes motivated by anti-LGBT bias were not covered in federal law, the department could not assist, and the prosecution was so expensive that Laramie had to furlough law enforcement officers. The Act ensures that local law enforcement will have the resources it needs to address hate crimes.

Where state and local law enforcement cannot or will not investigate and prosecute these crimes, the Federal Government currently has no authority to ensure that the perpetrators are brought to justice.

Support for the Act

Polls have consistently demonstrated broad public support for hate crimes legislation. A 2007 Gallup poll showed that 68 percent of Americans favored expanding hate crimes laws to include sexual orientation and gender identity. A 2007 Hart Research poll showed large majorities of every major subgroup of the electorate – including such traditionally conservative groups as Republican men (56 percent) and evangelical Christians (63 percent) – expressed support for strengthening hate crime laws to include sexual orientation and gender identity. In addition, the legislation is endorsed by more than 300 law enforcement, civil rights, civic, and religious organizations, including the International Association of Chiefs of Police, National District Attorneys Association, Presbyterian Church, Episcopal Church, National Association for the Advancement of Colored People, Young Women's Christian Association, and National Disability Rights Network.

Why Passage of the Act is Historic

Although the LGBT community has made great progress in recent years, until the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, federal law has never protected that community. To the contrary, Congress has acted and attempted to act to incorporate discrimination into federal law. In the 1990s, Congress enacted "Don't Ask, Don't Tell," which codified the military's ban on service by openly LGBT people. It then passed the Defense of Marriage Act, which excludes same-sex couples from the benefits and protections of federal law and purports to allow states to not recognize marriages of same-sex couples. Starting in 2004 and continuing through 2006, Congress twice attempted to enact the Federal Marriage Amendment, which would bar any state from licensing or recognizing marriages of same-sex couples.

Hate crimes legislation and other pro-LGBT bills also faced opposition, whether due to hostile leadership in Congress or presidential veto threats. Now, Congress has passed legislation that affirms a basic human right for LGBT people – the right to be safe from hate violence.

What it Took

- Over 600,000 YouTube views of the Human Rights Campaign hate crimes advocacy videos;
- More than 1 million emails/faxes and phone calls sent to Capitol Hill since 2002 in support of hate crimes legislation;
- More than 300 organizations (civil rights, religious, law enforcement) who signed on in support of the Matthew Shepard Act;

- 86,582 total hate crimes reported since the introduction of the first hate crimes bill on November 13, 1997. Of that reported number, 13,528 of those hate crimes have been based on sexual orientation.
- 14 floor votes in the House and the Senate over 12 years to finally get the bill to the President's desk;
- At least 26 states whose Attorneys General have supported the hate crimes bill since its introduction;
- One President who was an early supporter of hate crimes legislation; one who did all he could to stop a hate crimes law for the LGBT community. and one who signed it into law.

Source: www.hrc.org/resources/entry/hate-crimes-law

Have participants read the “Words To Know” aloud.



Delivery options include reading words aloud yourself, writing the words on a chalkboard or tear sheet, selecting participants to read words aloud, or dividing participants into small groups or pairs and having them discuss the terms among themselves. For all delivery options, survey participants to ensure that they understand the terms before moving on.



Words To Know

Bias: A judgment or opinion, either positive or negative, about someone or something, usually formed in advance. Negative forms of bias are called bigotry or prejudice.

Ethnicity: A person’s identification or affiliation related to language, cultural tradition, ancestry, national origin, history, or religion.

National origin: A person’s identification with his or her family’s original country.

Religion: A personal set or institutionalized system of religious attitudes, beliefs, and practices.

Sexual orientation: A person’s physiological emotional, romantic, and sexual interest toward members of the same, opposite, or both sexes.

Gender identity: One's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.

Gender expression: External appearance of one's gender identity, usually expressed through behavior, clothing, haircut, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

Transgender: An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

Gender transition: The process by which some people strive to more closely align their internal knowledge of gender with its outward appearance. Some people socially transition, whereby they might begin dressing, using names and pronouns, and/or be socially recognized as another gender. Others undergo physical transitions in which they modify their bodies through medical interventions.

Gender dysphoria: Clinically significant distress caused when a person's assigned birth gender is not the same as the one with which they identify. According to the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM), the term – which replaces Gender Identity Disorder – “is intended to better characterize the experiences of affected children, adolescents, and adults.”

Source: www.hrc.org/resources/entry/hate-crimes-law

Group Discussion

After participants have read the “What Is Hate and Bias Crime?” section, have them discuss their thoughts and reactions. Have the group identify common themes or patterns.

In the News: Hate and Bias Crime Trends

This section offers recent statistics about hate and bias crimes. If you have gathered local and state statistics, integrate them into your discussion. If you found newspaper or magazine articles relevant to the topic area, read them out loud or assign participants into groups of three to discuss and then present the information to the larger group.

When discussing hate and bias trends:

- Select participants to read aloud the hate and bias trends.
- Use local news articles, reviewing them carefully to avoid overly complex issues. Make sure that articles do not identify offenders in your facility or victims in your community.
- Have participants discuss how they would feel if one of these facts affected a family member.
- Come up with additional questions, if desired.

Examples of Hate and Bias Crime

The *Participant Workbook* offers examples and the definition of hate and bias crime; consider asking participants to substitute the names of their family members or friends in the scenarios. You can also share any state-specific statutes related to hate and bias crime with participants in this section.

Delivery options include taking turns with the participants in reading scenarios aloud; selecting participants to read scenarios (be mindful of reading abilities); and dividing participants into small groups or pairs to discuss scenarios. Refer back to “Words To Know” as they appear in the scenarios. Solicit feedback by asking the following questions: “Who was the primary victim?” “Who else may have been harmed by the offender?” “How was the victim harmed?” and “What do you think the victim is experiencing?” Add details to the scenarios. Encourage note taking.



Triad Session

Have participants write down their answers to the questions under each example of hate and bias crime. Then, in groups of three, have participants share their responses with one another and offer feedback.



Group Discussion

Refer to the *Participant Workbook*, and have volunteers read aloud the four quotes by victims of hate and bias crimes. As a group, discuss the impact of victimization on these individuals. Ask how they would react if the crimes had been committed against their friends or family members?

What Is the Impact of Hate and Bias Crime?

Hate and bias crime create a ripple effect throughout several areas in victims' lives: financial, physical, emotional, and religious/spiritual.



Chalkboard Exercise

Have participants take turns reading from the areas of impact lists. Solicit additional examples from the group, looking for the following:

<p>Financial</p> <ul style="list-style-type: none"> • Insurance costs • Security system purchases • Medical bills • Wage loss • Job loss • _____ 	<p>Physical</p> <ul style="list-style-type: none"> • Long-term medical problems (e.g., brain damage; loss of sight, hearing, movement) • Headache • Loss of sleep • _____ • _____
<p>Emotional</p> <ul style="list-style-type: none"> • Fear • Anger • Insecurity • Alienation • Embarrassment • Depression • Vulnerability • _____ 	<p>Religious/Spiritual</p> <ul style="list-style-type: none"> • Questioning the goodness of others • "Why did my 'higher power' let this happen to me?" • Issues about forgiveness/payback • _____ • _____ • _____ • _____

**Facilitator Note**

If participants have never committed hate and/or bias crime, ask them whether they or someone they know was ever a victim of a hate or bias crime and what the impact of that crime was.

**OVC *Listen and Learn* DVD****Jee Young Ahn's brother Dong was the victim of a violent attack motivated by hate.**

Consider stopping and starting the video to reinforce key points and then initiate discussion at the end. Possible discussion questions and answers include the following:

- What was the physical impact on Dong?
 - Multiple fractures to his cheekbone and nose.
 - Nerve damage in his face, so he has lost much sensation in his mouth.
- How did Jee react emotionally to the attack?
 - Angry at the perpetrators for ganging up on her brother and senselessly beating and kicking him.
 - Offended by and angry at the police for writing up the assault as just “a gang fight.”
 - Very upset about the perpetrators’ assumption that her brother was Chinese, due only to his physical appearance (he is Korean).
 - Hurt by “seeing someone she loves suffer and go through pain.”
- What could these assailants do (or have done) to be held accountable for their crimes?
 - Show more respect for Jee when she read her victim impact statement.
 - Apologize to the Ahns and accept responsibility for their violent actions.
 - Admit that it was not a gang fight but an attack on an innocent victim.

**Being Accountable for Your Crimes**

Some people are victimized for no reason other than the color of their skin, their religion, where they were born, or their sexual orientation. Victims of hate and bias crimes suffer serious and long-lasting traumatic stress. Not only is the individual who is personally harmed by these offenses victimized, but everyone in the community is affected. **Remind participants that no one has the right to victimize another person or another person's property because of his or her race, religion, gender, sexual orientation, age, or disability.**

**Group Discussion**

Have participants read the accountability statements in their workbooks and share their thoughts with the group. If they were a victim of one of these offenders, what would they want from them?



Additional Activities

If time permits after covering the material in this unit, you may conduct the additional activities listed on the next few pages before debriefing participants. You may also want to schedule a guest victim/survivor speaker.

Activity A – Hate and Bias Crime

Objective: Make hate- and bias-based victimization more personal to participants.

Ask participants to turn to the Hate and Bias Crime worksheet at the end of this unit in their workbooks and write in-depth answers to the questions posed there. Following are the questions, with possible answers provided.

How do most victims of hate or bias crime feel and why?

Traumatized, fearful, frustrated, powerless, shameful, emotionally and physically harmed, angry at a lack of police response, worried about publicity.

Who might blame the victim and why?

- The **investigative team:** The police/detective/prosecutor and others; people with a personal bias; people asking questions such as, “Why do you think they picked you?” or “Do you think this happened because of your religion (ethnicity)?”
- **Family/friends:** Blaming victims for their lifestyles or for being at the “wrong place at the wrong time”; blaming victims for being visible, vocal, or open about their beliefs, and “making” themselves a target.
- The **media:** Blaming a victim for being a part of an event such as a rally, march, or educational conference. (“They should have known it was a risk.”)

What extra issues may gay or lesbian victims have to deal with?

Family, friends, and coworkers finding out that the victim is gay or lesbian; personal bias from police/detectives/prosecutors and others; lack of a support system.

What extra issues may noncitizens deal with?

Cultural and language barriers, fear of deportation, fear concerning immigration status, lack of a support system.

Activity B – Victim Impact

Objective: Participants develop more understanding of how a victim’s life is changed by a hate crime.

They have already watched the video clip on “Dong and Jee” and answered the discussion questions. Replay the video, stopping and pausing if necessary. Stop the video and leave Jee’s face on the screen. Have participants list all of the out-of-pocket expenses that Dong and his sister Jee will have:

- During the first 6 months after the crime.
- After 6 months.

Have participants write a story as if they were Dong, the victim, and it has been 5 years since the hate crime attack occurred.

Have participants write a story as if they were Jee, his sister, and it has been 5 years since the hate crime attack occurred.

Activity C – Victim Impact Statement

Objective: Participants personalize a hate crime by listening to an impact statement.

Read the following impact statement and encourage participants to listen and take notes. Then lead a group discussion.

Two weeks ago I received a phone call that my place of worship had been burned down. What a shock! It is extremely difficult to put into words what I think and how I feel.

I still cannot believe that someone would even think about destroying a place of worship, a place where people gather to seek comfort, a place where people come together, where people work on community issues together.

Our place of worship hasn't been in the community for generations, but we have had thousands of ceremonies like weddings, funerals, and social functions. We have, or used to have, a food pantry and clothing closet, daycare, a kids' sports program, and a music program. This was a very special place for individuals and for families. Maybe that's why it was burned down.

There was a lot of vandalism to the inside before the building was set on fire. I was shocked when I saw the damage. Musical instruments were destroyed, religious statues were smashed, and our books were torn up and thrown in a pile.

Beer cans were thrown around. I was devastated when I saw that the old, old stained glass windows were smashed. We all used to love to sit and look at the sunlight streaming through the beautiful windows. We had only been able to afford the windows by having individuals, families, and businesses sponsor a window. A local craftsman donated his time to make them.

The police say that they don't want to define this as a hate crime just yet. They said they can't arrest someone for hate, that certain laws determine whether this was an actual hate crime. Well, I don't care what the laws say. It is so hateful to destroy the property of others, especially if it is a place where they come to worship and to do good. This is not the first time we have had problems, it's just the first that it's been so bad.

We can't hold services now and there may not be a large enough community space anytime soon. We will have to try to rebuild, but some people have lost faith, and we are all concerned about money. I would like to have faith that a new building will be okay, that our spirit and our presence will make it home again, but I just don't know. I don't know if it will be the same.

I shouldn't be angry or resentful, and we are all working to come to terms with our feelings. The police and insurance people are trying to help, but it was hard to listen to a lecture about how we should have been more careful . . . how we should have had a better alarm . . . why didn't we keep more lights on . . . why did we have rocks in our landscape design that were used to smash the windows . . . why didn't we have a security service.

That was our sanctuary, our safe place! It's a house of worship, not someone's own house or business! Why of all places should we have needed to take all those precautions in our house of worship? Why?

Recommended Speaker

Have an appropriate speaker address the class on the topic of hate and bias crime. Listening to victim/survivor speakers may be uncomfortable for offenders. Make sure to instruct participants beforehand about appropriate behavior during the speaker's presentation. (See "Implementing the Curriculum" for information about recruiting, selecting, and screening speakers and on how to prepare both speakers and participants for the experience.)



Discussion/Wrap-Up

Discuss what participants learned in the Hate and Bias unit. Address any questions they may have.

Unit 6 Participant Worksheet

Activity A – Hate and Bias Crime

Write indepth answers to the following questions:

How do most victims of hate or bias crimes feel and why?

Who might blame the victim and why?

What extra issues may gay or lesbian victims have to deal with?

What extra issues may noncitizens deal with?
