

Unit 6: Hate and Bias



Time Required: 2.5 hours

Resources Needed

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

Prior to the Session

- Consider gathering local and state statistics and/or newspaper or magazine articles 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.

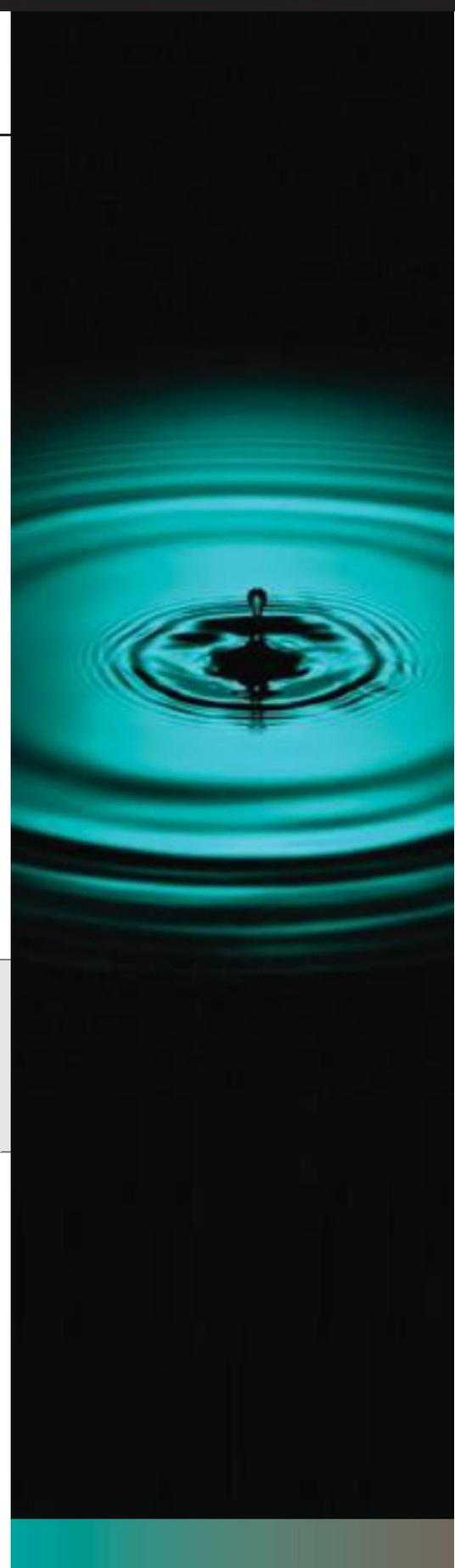
Objectives

- Define **hate and bias crime**.
- Describe current trends for hate and bias crimes.
- Provide examples of 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, age, disability, gender, gender identity, 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 was necessary.

This Act, as signed into law on October 28, 2009, by President Barak Obama, permits the Federal Government to provide grant funding 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-LGBTQ 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 they need to address hate crimes.

Support for the Act

Polls have consistently demonstrated broad public support for hate crime legislation. A 2007 Gallup poll showed that 68 percent of Americans favored expanding hate crime 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 was endorsed by more than 300 law enforcement, civil rights, civic, and religious organizations, including the International Association of Chiefs of Police, the National District Attorneys Association, the Presbyterian Church, the Episcopal Church, the National Association for the Advancement of Colored People, the Young Women's Christian Association, and the National Disability Rights Network.

Why Passage of the Act Was Historic

Although the LGBTQ community has made great progress over the last few decades in increasing public support and recognition for basic civil rights for LGBTQ people, federal law had failed repeatedly to protect these citizens until the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. To the contrary, Congress repeatedly 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 LGBTQ people. This law was official military policy from 1994 to 2011. Congress then passed the Defense of Marriage Act (DOMA), which excluded same-sex couples from the benefits and protections of federal law and purported to allow states to not recognize marriages of same-sex couples.

In 2013, the U.S. Supreme Court found that DOMA was unconstitutional, overturning the act on a 5-4 vote. Congress also twice attempted to enact the Federal Marriage Amendment (FMA), which would have barred any state from licensing or recognizing marriages of same-sex couples. They did not have enough votes to pass FMA, and it has not been brought up again.

Hate crime legislation and other pro-LGBTQ bills also faced opposition, whether due to hostile leadership in Congress or presidential veto threats. Passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act affirmed a basic human right for LGBTQ people—the right to be safe from hate violence.

What It Took To Pass the Act

- More than 600,000 YouTube views of the Human Rights Campaign hate crime advocacy videos
- More than 1 million emails/faxes and phone calls sent to Capitol Hill since 2002 in support of hate crime legislation
- More than 300 organizations (civil rights, religious, law enforcement) that signed on in support of the Act
- 86,582 total hate crimes reported since the introduction of the first hate crime bill on November 13, 1997; of that reported number, 13,528 were 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 supported the hate crime bill since its introduction
- One president who was an early supporter of hate crime legislation, one who did all he could to stop a hate crime law for the LGBTQ 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 the words aloud yourself, writing the words on a chalkboard or tear sheet, selecting participants to read the words aloud, or dividing participants into small groups or pairs and having them discuss the terms among themselves. For all options, survey participants to ensure 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."



Group Discussion

After reading the "What Is Hate and Bias Crime?" section, have participants discuss their thoughts and reactions and identify common themes or patterns.

Delivery options include taking turns with participants in reading the content aloud; dividing participants into small groups or pairs for part of the session; referring back to "Words To Know" as they appear in the unit; and covering only a few sentences or paragraphs at a time.

Solicit feedback from participants on an ongoing basis to ensure that they understand the material. Ask the following: "Do you understand what we are talking about?" "Talk about the information in your own words." "What do you think?" "What is your reaction?" "What are you feeling?" and "Do you know of other examples?" Encourage note taking.



In the News: Hate and Bias Crime Trends

This section offers recent statistics about hate and bias crimes. If you gathered local and state statistics, integrate them into your discussion. If you found newspaper or magazine articles relevant to the topic area, read them aloud 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 the hate and bias trends aloud.
- Use local news articles, reviewing them carefully to avoid overly complex issues. Make sure the 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* provides the definition of hate and bias crime, as well as example scenarios involving the 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 you found that are related to hate and bias crime.

Delivery options include taking turns with the participants in reading the scenarios aloud, selecting participants to read the scenarios, and dividing participants into small groups or pairs to discuss the 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. Finally, bring the larger group back together to review and discuss participants' responses.



Group Discussion

Have volunteers read aloud the quotes by victims of hate and bias crimes in their workbooks. As a group, discuss the impact of victimization on these individuals. Ask participants 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 creates a ripple effect throughout the following areas in victims' lives: financial, physical, emotional, and religious/spiritual.



Chalkboard Exercise

Have participants take turns reading from the areas of impact lists in their workbooks. Solicit additional examples from the group.

<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 • _____ • _____ 	<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 say they have never committed a 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 *Victim Impact: 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 a discussion at the end. Possible discussion questions and answers:

- **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 the victim's sister, 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 damage another person's property because of his or her race, religion, sexual orientation, age, disability, gender, gender identity, or ethnicity/national origin.**



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



Facilitator Note

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.”)
- **With what extra issues may gay, lesbian, bisexual, transgender, or queer victims have to deal?**
 - 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.
- **With what extra issues may noncitizens have to deal?**
 - 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.

Participants 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 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. Have participants write down the impacts on victims of this crime and how it may have changed the victims' lives. 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 Unit 6: Hate and Bias. Address any questions they may have.

Unit 6 Participant Worksheets

Activity A – Hate and Bias Crime

Write indepth answers to the following questions:

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

Who might blame the victim and why?

With what extra issues may gay, lesbian, bisexual, transgender, or queer victims have to deal?

With what extra issues may noncitizens have to deal?
