



HATE CRIMES

By Whom, Against Whom, Why, and How Often

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The legal distinction of a hate crime grew out of the endemic violence employed by Jim Crow governments and their defenders to halt the Civil Rights movement. Lynchings, bombings, shootings, beatings, and acts of intimidation were often the first resort for white supremacists against civil rights protestors of all races and genders. It was not uncommon for murderers, because of local sentiment sanctioning their actions, to be acquitted and released. For example, the first two trials of Byron De La Beckwith for the murder of Medgar Evers in Mississippi ended in hung juries despite overwhelming evidence because his actions were sanctioned enthusiastically by the white public. In fact, then-Governor Ross Barnett went so far as to interrupt the trial to shake De La Beckwith's hand while Medgar Evers' widow was testifying. The Civil Rights Act of 1968 defined what would later be called a "hate crime" as

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with any person because of his race, color, religion or national origin or because an individual was exercising their federally protected activities— using public accommodations, attending public schools or colleges, participating in a state provided program, applying for a job, serving on a jury, and traveling in any facility of interstate commerce or common carrier of transportation.¹

In 2009, the *Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act* expanded hate crimes protection to LGBTQ and disabled persons while removing the requirement that victims had to be participating in a federally protected activity.

According to the FBI Uniform Crime Reporting Program, in 2017 there were 7,175 hate crimes reported in the United States; 7,106 were single-bias incidents and 69 were multiple-bias incidents.² As a whole, there were 8,437 offenses. **Of the single bias incidents:**

- 58.1 percent were motivated by a race/ethnicity/ancestry bias.
- 22.0 percent were prompted by religious bias.
- 15.9 percent resulted from sexual-orientation bias.
- 1.7 percent were motivated by gender-identity bias.
- 1.6 percent were prompted by disability bias.
- 0.6 percent (46 incidents) were motivated by gender bias.

In regard to racial bias:

- 48.8 percent were motivated by anti-black or African American bias.
- 17.5 percent stemmed from anti-white bias.
- 10.9 percent were classified as anti-Hispanic or Latino bias.
- 5.8 percent were motivated by anti-American Indian or Alaska Native bias.

- 4.4 percent were a result of bias against groups of individuals consisting of more than one race (anti-multiple races, group).
- 3.1 percent resulted from anti-Asian bias.
- 2.6 percent were classified as anti-Arab bias.
- 0.4 percent (17 offenses) were motivated by bias of anti-Native Hawaiian or Other Pacific Islander.
- 6.5 percent were the result of an anti-Other Race/Ethnicity/Ancestry bias.

In regard to religious bias:

- 58.1 percent were anti-Jewish.
- 18.7 percent were anti-Islamic (Muslim).
- 4.5 percent were anti-Catholic.
- 3.2 percent were anti-multiple religions, group.
- 2.4 percent were anti-Protestant.
- 1.8 percent were anti-Other Christian.
- 1.4 percent were anti-Sikh.
- 1.4 percent were anti-Eastern Orthodox (Russian, Greek, Other).
- 0.9 percent (15 offenses) were anti-Mormon
- 0.9 percent (15 offenses) were anti-Hindu.
- 0.8 percent (13 offenses) were anti-Jehovah's Witness.
- 0.5 percent (9 offenses) was anti-Buddhist.
- 0.5 percent (8 offenses) were anti-Atheism/Agnosticism/etc.
- 4.9 percent were anti-other (unspecified) religion.

In regard to perpetrators, the people who commit hate crimes are diverse. According to the FBI Uniform Crime Reporting Program, in 2017 there were 6,370 known offenders. **The demographics were:**

- 50.7 percent were white.
- 21.3 percent were black or African American.
- 7.5 percent were groups made up of individuals of various races (group of multiple races).
- 0.8 percent (49 offenders) were American Indian or Alaska Native.
- 0.7 percent (42 offenders) were Asian.
- 3 offenders were Native Hawaiian or Other Pacific Islander.
- 19.1 percent were unknown.

Hate crimes take on a variety of forms. In 2017, there were 8,437 offenses. **In regard to category:**

- 27.6 percent were destruction/damage/vandalism
- 27.1 percent were intimidation.
- 20.7 percent were simple assault.
- 11.7 percent were aggravated assault.
- The remaining offenses included additional crimes against persons, property, and society.

Hate crimes are never about the individual victim. Of course, the crime often has an individual target; but, like the lynchings of the Jim Crow era, they are meant to send a message to the victim's community. Barbara Perry writes,

Hate crime is, in fact, an assault against all members of stigmatized and marginalized communities. Hate crime—often referred to as “ethno violence”—is much more than the act of mean-spirited bigots. It is embedded in the structural and cultural context within which groups interact (Young, 1990; Bowling, 1993; Kelly, Maghan, and Tennant, 1993). It does not occur in a social or cultural vacuum; rather, it is a socially situated, dynamic process, involving context and actors, structure, and agency.³

A hate crime is a form of terrorism meant to reinforce both the common orthodoxy that supports the current social structure and the orthopraxy that preserves it. The lynch mob and the race riot were the methods by which white supremacy maintained the social order during Jim Crow. “Bashing” is the method by which heteronormative and cisgender supremacy maintains the social order at the expense of LGBTQ individuals. Hate crime legislation protects the minority from the tyranny of a majority that seeks to marginalize them in the most garish manner—with physical violence. Hate crime legislation protects the dignity of the individual and it is socially just. It is incumbent upon us, living in post-Jim Crow America, to protect this signature achievement of the Civil Rights movement from both its detractors and that statistically tiny segment who stage fake hate crimes for their own personal gain.

ENDNOTES

- ¹ 18 U.S.C. § 245(b)(2).
- ² The Federal Bureau of Investigation defines “a multiple-bias incident” as an incident in which one or more offense types are motivated by two or more biases.
- ³ Perry, B. (2002). *In the name of hate: Understanding hate crimes*. New York: Routledge, 1.
- * All Hate Crime Data provided by the Federal Bureau of Investigation Uniform Crime Reporting retrieved from: <https://ucr.fbi.gov/hate-crime/2017/topic-pages/incidents-and-offenses>.