

**SECTION B**

**HATE/BIAS CRIME**

# HATE CRIMES

## HISTORICAL PERSPECTIVE

In the past two decades, criminal acts motivated entirely or in part by prejudice have come to be known as hate crimes. These crimes continue to occur in Iowa, as well as throughout the country. Hate crimes not only affect individuals or groups, but also can disrupt the very ideals of a democratic society. Individuals and/or groups are affected more deeply because hate crimes are not random; the victims are targeted for who they are. The entire community can be threatened because of the increased level of fear and distrust related to or perceived after a hate/bias incident. The aftermath of fear related to a criminal act in the community can then escalate into other criminal incidents. In response to the seriousness of these crimes, state and national programs have been instituted to focus on these incidents. Specifically, new law enforcement techniques were developed to investigate these crimes along with data collection enhancements to determine the scope and nature of these offenses.

Public Law 101-275 or the “Hate Crimes Statistics Act” was approved, after passing both the House and Senate of the United States, on April 23, 1990. The purpose of this Act is to acquire and publish data of crimes that display distinct evidence of prejudice based on race, religion, sexual orientation, or ethnicity. The collection elements thought to be appropriate include the crimes of murder, non-negligent manslaughter, forcible rape, aggravated assault, simple assault, intimidation, arson, and destruction, damage, or vandalism of property.

On a local level, beginning in 1990, the 73<sup>rd</sup> Iowa General Assembly enacted into law precise language defining a hate crime and making special provisions for hate crimes. Revised in 1992, Iowa’s law is more explicit and encompassing than the national law, reiterating the violation of an individual’s rights and including victims of prejudice because of their sex, age, political affiliation, or disability. The following portion of Chapter 729A, *Code of Iowa*, reads:

### SEC. 729A.1 VIOLATIONS OF AN INDIVIDUAL’S RIGHTS PROHIBITED.

Persons within the state of Iowa have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.

### SEC. 729A.2 VIOLATION OF INDIVIDUAL RIGHTS – HATE CRIME.

“Hate crime” means one of the following public offenses when committed against a person or a person’s property because of the person’s race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability, or the person’s association with a person of a certain race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.

## **AIDS IN LOOKING AT HATE CRIMES**

### **Bias Crime Indicators**

From the National Center for Hate Crime Prevention

#### **Racial, Ethnic, Gender and/or Cultural Differences**

- The race, religion, ethnicity/national origin, disability status, gender, or sexual orientation of the victim differs from that of the offender.
- The victim is a member of a group that is overwhelmingly outnumbered by members of another group in the area where the incident occurred.
- The victim was engaged in activities promoting his or her group.
- The incident coincided with a holiday or date of particular significance to the victim's group.
- The victim, although not a member of the targeted group, is a member of an advocacy group that supports the victim group, or the victim was in the company of a member of the target group.
- Historically, animosity exists between the victim's group and the offender's group.

#### **Comments, Written Statements, or Gestures**

- Bias-related comments, written statements, or gestures were made by the offender.

#### **Drawings, Markings, Symbols or Graffiti**

- Bias-related drawings, markings, symbols, or graffiti were left at the scene of the incident.

#### **Organized Hate Groups**

- Objects or items that represent the work of organized hate groups (e.g., white hoods, burning crosses, and hate graffiti) were left at the scene of the incident.
- There are indications that a hate group was involved; for example, an organized hate group claimed responsibility for the crime or was active in the neighborhood.

#### **Previous Bias Crimes or Incidents**

- Victim was visiting a location where previous bias crimes had been committed against members of the victim's group.
- Several incidents occurred in the same area, and the victims were members of the same group.
- Victim had received previous harassing mail or phone calls or had experienced verbal abuse based on his or her affiliation with a targeted group.
- Recent bias incidents or crimes may have sparked a retaliatory hate crime.

#### **Victim/Witness Perception**

- Victims and/or witnesses perceive that the incident was motivated by bias.

### **Motive of Offender**

- Offender was previously involved in a similar incident or is a member of, or associates with members of, an organized hate group.
- The victim was in the company of or married to a member of a targeted group.
- The victim was perceived by the offender as violation or breaking from traditional conventions or working in nontraditional employment.
- The offender has a history of previous crimes with a similar modus operandi, and involving other victims of the same race, religion, ethnicity/national origin, disability, sexual orientation, or gender.

### **Location of Incident**

- The victim was in or near an area or place commonly associated with or frequented by members of a particular race, religion, ethnicity/national origin, disability, sexual orientation, or gender (e.g., a gay bar).
- The incident occurred at or near a house of worship, religious cemetery, or a home or establishment of a group considered a minority or “outsider” in a given neighborhood (e.g., a Korean store in an African American neighborhood, a gay bar, or an African American home in a predominately White neighborhood).

### **Lack of Other Motives**

- No clear economic or other motive for the incident exists.

### **Types of Offenders**

Hate Crime: The Rising Tide of Bigotry and Bloodshed, by Jack Levin and Jack McDevitt

Hate Crime Offenders: An Expanded Typology, by Jack Levin, Jack McDevitt and Susan Bennett

### **Thrill seekers**

- Most frequent and looking for excitement.
- Occurs in victim’s neighborhood but doesn’t know the victim.
- Not deeply committed to prejudice and interchangeable victim groups.

### **Reactive**

- Perceived “threat” to “territory” and crime location is the anchor point for the offender.
- Targets are more clearly defined and the victims and offender may be acquainted.
- Greater commitment to prejudice and escalation may occur.

### **Mission**

- Offender drive to higher order purpose and most violent.
- Most dedicated to bigotry and targets are clearly defined.
- Least frequent.

### **Retaliatory Motivation**

- Acting in response to a hate crime, either real or perceived.

## HOW MANY...

- There was one reported victim age 50 or over and two victims age 12 and under. One of these victims was a White male, one an African American male and one an African American female.
- Eight injuries were reported including six apparent minor injuries and two lacerations. The laceration injuries occurred during a Robbery and an Aggravated Assault. The minor injuries were received during two Aggravated Assault incidents and four Simple Assault incidents
- A total monetary loss of \$1,927.00 was reported by vandalism or assault.

2007 HATE CRIME	
Number of Incidents	30
Number of Offenses	33
Number of Victims	36
Known Offenders	20

Those agencies that were not participating in the UCR reporting system were encouraged to submit hate crime information.

The highest number of recorded hate crime in Iowa occurred in 1992 (not pictured) with 96 incidents, followed by 2002 (48 incidents). Over the last decade Vandalism has accounted for 35.8% of the hate crime offenses followed by Aggravated Assault (20.9%), Simple Assault (19.8%) and Intimidation (17.2%).

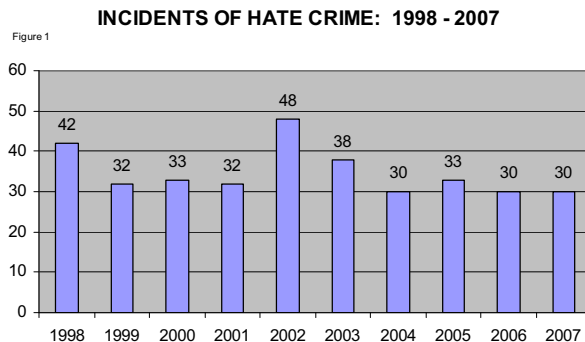
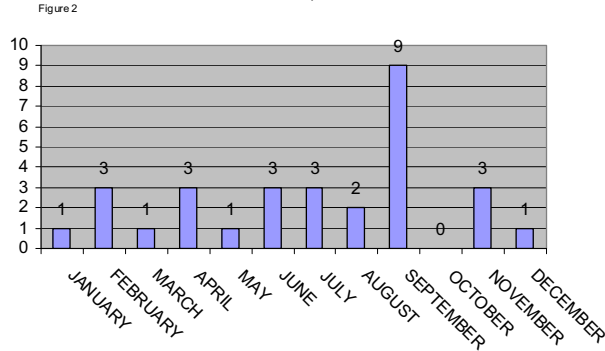


Table 1 HATE CRIME BY OFFENSE TYPE: 1998 - 2007												
OFFENSE TYPE	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL	%
Agg. Assault	7	11	4	13	6	11	9	10	5	4	80	20.9
Simp. Assault	9	5	7	6	8	7	7	9	7	11	76	19.8
Intimidation	6	4	8	5	7	9	7	8	8	4	66	17.2
Rape	1										1	0.3
Arson		1					1		1		3	0.7
Robbery				1							1	0.3
Burglary		2			2	1	1		1		7	1.8
Embezzle	1										1	0.3
Forgery								1			1	0.3
Drugs		1				1	1				3	0.7
Drug Equip		1									1	0.3
Vandalism	21	11	14	8	27	15	9	6	13	13	137	35.8
Other	1					2	1	1		1	6	1.6
<b>TOTAL OFFENSES</b>	<b>46</b>	<b>36</b>	<b>33</b>	<b>33</b>	<b>50</b>	<b>46</b>	<b>36</b>	<b>35</b>	<b>35</b>	<b>33</b>	<b>383</b>	
Incidents	42	32	33	32	48	38	30	33	30	30	348	

# WHEN

In 2007, September (9) was the most reported month for incidents of hate crime in Iowa. Over the ten year period July was the most reported month (38) followed by April (37). January (15) and December (17) were the least reported months for the decade. March of 2002 had the highest number of reported incidents for any month over the last ten years.

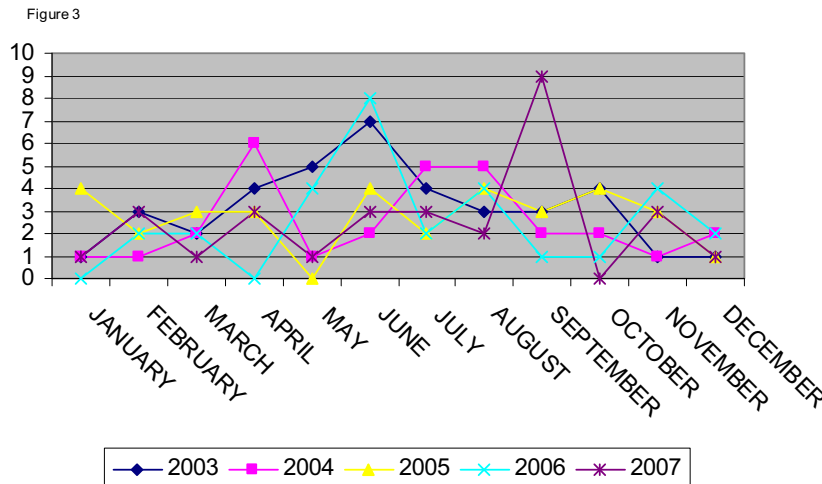
**HATE CRIMES BY MONTH  
IOWA, 2007**



**Table 2 HATE CRIMES BY MONTH: 1998 - 2007**

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
JANUARY	3	2	0	2	1	1	1	4	0	1
FEBRUARY	5	1	4	0	3	3	1	2	2	3
MARCH	5	3	3	1	11	2	2	3	2	1
APRIL	0	4	6	4	7	4	6	3	0	3
MAY	2	4	2	3	4	5	1	0	4	1
JUNE	2	1	2	5	0	7	2	4	8	3
JULY	6	3	5	7	1	4	5	2	2	3
AUGUST	5	4	4	2	3	3	5	4	4	2
SEPTEMBER	4	1	0	1	3	3	2	3	1	9
OCTOBER	6	4	5	2	5	4	2	4	1	0
NOVEMBER	3	4	1	3	5	1	1	3	4	3
DECEMBER	1	1	1	2	5	1	2	1	2	1
TOTAL	42	32	33	32	48	38	30	33	30	30

**HATE CRIMES BY MONTH: 2003 - 2007**



# WHO

**HATE CRIME VICTIMS BY RACE  
IOWA, 2007**

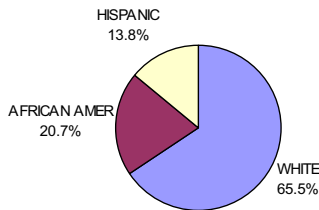


Figure 4

Among individuals who were victimized, 58.6% or 17 were male, while 41.4% or 12 were female. White persons accounted for 65.5% of individual victims, followed by African Americans (20.7%) and Hispanics (13.8%). There were also reported victims that were classified as government, religious, business or mixed classification victims.

	MALE			FEMALE		
	AFRICAN AMER	HISPANIC	WHITE	AFRICAN AMER	HISPANIC	WHITE
AGG. ASSAULT	2	1	1			
SIMPLE. ASLT			5	2		3
INTIMIDATION			1		3	1
BURGLARY/B&E						
VANDALISM	2		4			3
ROBBERY			1			
TOTAL	4	1	12	2	3	7

**HATE CRIME OFFENDERS BY RACE  
IOWA, 2007**

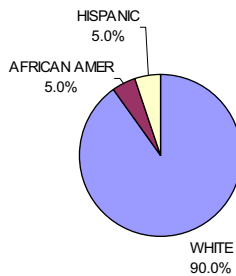


Figure 5

Ninety percent of known offenders were male. White persons also accounted for 90% of known offenders, followed by African Americans and Hispanics each with 5%.

	MALE			FEMALE		
	AFRICAN AMER	HISPANIC	WHITE	AFRICAN AMER	HISPANIC	WHITE
AGG. ASSAULT			4			
SIMPLE. ASLT		1	8	1		2
INTIMIDATION			4			
BURGLARY/B&E						
VANDALISM						
ROBBERY						
TOTAL	0	1	16	1	0	2

Incidents of Hate Crimes	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Individuals										
Multiple Vic or Offender	3	1	2	2	1	2	1		5	2
Multiple Vic/Sing. Off	2		2			6	1	2		
Mult Vic/Unk Off	1									2
Single Vic/Single Off	14	13	18	15	9	14	11	14	6	12
Single Vic/Multiple Off	6	6	3	8	5	3	7	6	7	1
Single Vic/Unk Off	3	6	6	3	19	8	5	6	8	7
Business		1	2	1	11	1	2	3	2	3
Religious	3	1			2		1			1
Government	8	2		2	1	1	2		2	1
Financial										
Society		2								
Other	2			1		1				
Mixed Vic-Single/Mult Off						2		2		1
<b>TOTAL</b>	<b>42</b>	<b>32</b>	<b>33</b>	<b>32</b>	<b>48</b>	<b>38</b>	<b>30</b>	<b>33</b>	<b>30</b>	<b>30</b>

## WHERE

**HATE CRIME TARGETS  
IOWA, 2007**

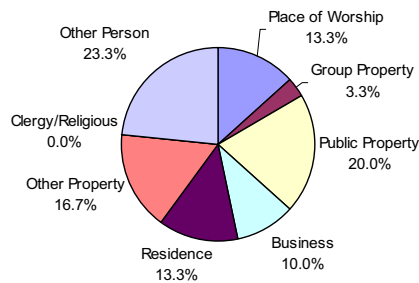


Figure 6

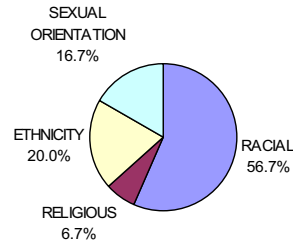
In 2007, “Other Person” (23.3%) and public property (20.0%) showed the highest percentages of hate crime targets. Over the ten year period, “Other Person” accounted for 27.9% followed by public property (22.7%) and residence (22.1%). Clergy/Religious was the lowest reported category with only 1 incident during the last decade.

TARGET OF CRIME	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL
Place of Worship	4	2	1	2	3	3	6	2	0	4	27
Group Property	4	3	1	2	1	2	1	2	1	1	18
Public Property	14	5	10	6	13	8	5	4	8	6	79
Business	0	3	2	1	2	2	3	2	2	3	20
Residence	6	7	6	7	15	10	5	4	13	4	77
Other Property	6	1	4	3	3	2	1	1	3	5	29
Clergy/Religious	0	0	0	0	0	0	0	1	0	0	1
Other Person	8	11	9	11	11	11	9	17	3	7	97
<b>TOTAL</b>	<b>42</b>	<b>32</b>	<b>33</b>	<b>32</b>	<b>48</b>	<b>38</b>	<b>30</b>	<b>33</b>	<b>30</b>	<b>30</b>	<b>348</b>

# WHY

A crime that is motivated by prejudice, as defined by law, is a hate crime. Race was the motivation or type of hate/bias crime most reported in Iowa for the years 1998 through 2007. Anti-African American crimes accounted for 53.3% of the hate crimes in 2007 and 46.6% for the decade overall. Anti-Male Homosexual (gay) was the next most reported group accounting for 16.7% in 2007 and 11.1% for the decade. Anti-Hispanic continued to record the third highest percentage, but the percentage increased to 13.3% in 2007, compared to 7.4% for the decade.

**HATE CRIME MOTIVATION  
IOWA, 2007**



page 7

BIAS GROUP	TYPE OF BIAS	2007		1998 - 2007	
		#	%	#	%
<b>RACIAL</b>	Anti-White	1	3.3	29	8.2
	Anti-African American	16	53.3	164	46.6
	Anti-Native American/Alaskan Native			0	0.0
	Anti-Asian/Pacific Islander			7	2.0
	Anti-Multi-Racial			16	4.5
<b>RELIGIOUS</b>	Anti-Jewish	2	6.7	19	5.4
	Anti-Catholic			1	0.3
	Anti-Protestant			3	0.9
	Anti-Islamic			3	0.9
	Anti-Oth. Rel (Budhism, Hinduism)			4	1.1
	Anti-Multi Religious Group			1	0.3
	Anti-Atheis/Agnostic			0	0.0
	<b>ETHNICITY/</b>	Anti-Arab	1	3.3	4
<b>NATIONAL ORIGIN</b>	Anti-Hispanic	4	13.3	26	7.4
	Anti-Other Ethnicity	1	3.3	12	3.4
<b>SEXUAL ORIENTATION</b>	Anti-Male Homosexual (Gay)	5	16.7	39	11.1
	Anti-Female Homosexual (Lesbian)			10	2.8
	Anti-Homosexual (Gay & Lesbians)			9	2.5
	Anti-Heterosexual			1	0.3
	Anti-Bisexual			1	0.3
<b>OTHER</b>	Age			0	0.0
	Gender			1	0.3
	Disability (physical or mental)			1	0.3
	Political Affiliation			0	0.0
	Other			1	0.3
<b>TOTAL</b>		<b>30</b>		<b>352</b>	

# WHAT

In 2007, Vandalism was the most reported hate crime, accounting for 39.4% of the reported offenses followed by Simple Assault with 33.3%. Comparably over the last decade, Vandalism accounted for 35.8% of the total reported offenses. Aggravated Assault was the second most reported with 20.9% followed by Simple Assault (19.8%) and Intimidation (17.2%). In 2002, Vandalism reported the highest number of the decade with 27 offenses.

**HATE CRIME OFFENSES  
IOWA, 2007**

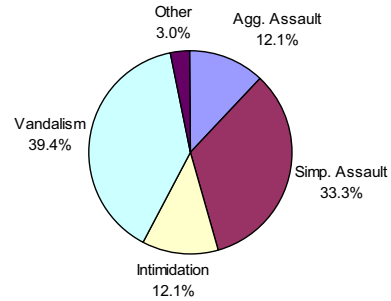


Figure 8

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL	%
Agg. Assault	7	11	4	13	6	11	9	10	5	4	80	20.9
Simp. Assault	9	5	7	6	8	7	7	9	7	11	76	19.8
Intimidation	6	4	8	5	7	9	7	8	8	4	66	17.2
Rape	1										1	0.3
Arson		1					1		1		3	0.7
Robbery				1							1	0.3
Burglary		2			2	1	1		1		7	1.8
Embezzle	1										1	0.3
Forgery								1			1	0.3
Drugs		1				1	1				3	0.7
Drug Equip		1									1	0.3
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**HATE CRIMES BY REPORTING JURISDICTION  
IOWA, 2007**

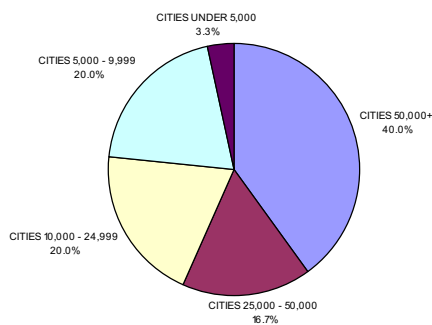


Figure 9

**Table 9 REPORTING AGENCIES**

	AGENCIES	INCIDENTS
1998	23	42
1999	20	32
2000	15	33
2001	16	36
2002	19	48
2003	26	38
2004	18	30
2005	19	33
2006	17	30
2007	18	30