

**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 include evidence of bias 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 state 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 provides a broader range of protection 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. Iowa law provides:

### 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 were six reported victims age 50 or over and one victim age 12 and under. Among the older victims, three were White males, two were African American males and one was a Hispanic male. The victim under age twelve was an African American female.
- Six apparent minor injuries were reported. Four of the injuries were due were received from a simple assault, one was from an aggravated assault and the other one was due to a sexual assault.
- A total monetary loss of \$61,251.00 was reported by vandalism or motor vehicle theft.

2008 HATE CRIME	
Number of Incidents	35
Number of Offenses	36
Number of Victims	40
Known Offenders	31

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 35.7% of the hate crime offenses followed by Aggravated Assault (20.4%), Simple Assault (20.1%) and Intimidation (17.3%).

INCIDENTS OF HATE CRIME: 1999 - 2008

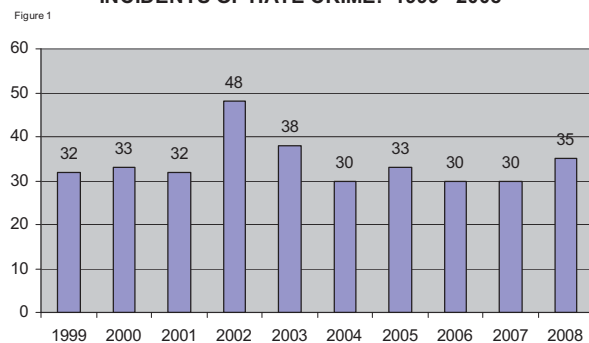
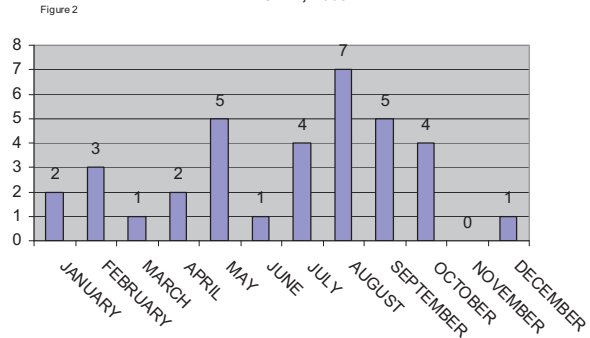


Table 1 HATE CRIME REPORTED OFFENSES: 1999 - 2008												
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	TOTAL	%
Agg. Assault	11	4	13	6	11	9	10	5	4	3	76	20.4
Simp. Assault	5	7	6	8	7	7	9	7	11	8	75	20.1
Intimidation	4	8	5	7	9	7	8	8	4	5	65	17.3
Sexual Assault										1	1	0.3
Arson	1					1		1			3	0.8
Robbery			1							1	2	0.5
Burglary	2			2	1	1		1			7	1.9
Embezzle											0	0
Forgery							1				1	0.3
Drugs	1				1	1					3	0.8
Drug Equip	1										1	0.3
Vandalism	11	14	8	27	15	9	6	13	13	17	133	35.7
Other					2	1	1		1	1	6	1.6
TOTAL OFFENSES	36	33	33	50	46	36	35	35	33	36	373	
Incidents	32	33	32	48	38	30	33	30	30	35	341	

# WHEN

In 2008, August (7) was the most reported month for incidents of hate crime in Iowa. Over the ten year period April (39) was the most reported month followed by August (38). January (14) and December (17) were the least reported months for the decade. March of 2002 (11) had the highest number of reported incidents for any month over the last ten years.

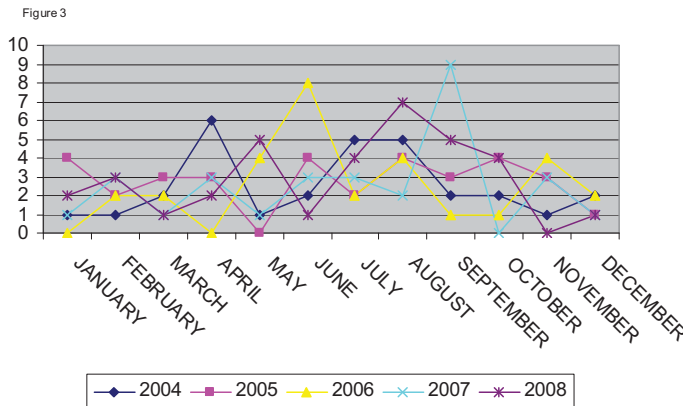
**HATE CRIMES BY MONTH  
IOWA, 2008**



**Table 2 HATE CRIMES BY MONTH: 1999 - 2008**

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	TOTAL
JANUARY	2	0	2	1	1	1	4	0	1	2	14
FEBRUARY	1	4	0	3	3	1	2	2	3	3	22
MARCH	3	3	1	11	2	2	3	2	1	1	29
APRIL	4	6	4	7	4	6	3	0	3	2	39
MAY	4	2	3	4	5	1	0	4	1	5	29
JUNE	1	2	5	0	7	2	4	8	3	1	33
JULY	3	5	7	1	4	5	2	2	3	4	36
AUGUST	4	4	2	3	3	5	4	4	2	7	38
SEPTEMBER	1	0	1	3	3	2	3	1	9	5	28
OCTOBER	4	5	2	5	4	2	4	1	0	4	31
NOVEMBER	4	1	3	5	1	1	3	4	3	0	25
DECEMBER	1	1	2	5	1	2	1	2	1	1	17
TOTAL	32	33	32	48	38	30	33	30	30	35	341

**HATE CRIMES BY MONTH: 2004 - 2008**



# WHO

**HATE CRIME VICTIMS BY RACE**  
IOWA, 2008

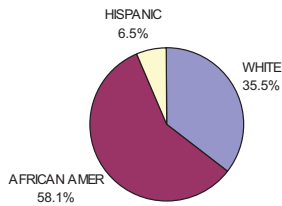


Figure 4

Among individuals who were victimized, 80.6% or 25 individuals were male. African American persons accounted for 58.1% of individual victims, followed by Whites (35.5%) and Hispanics (6.4%). The other Hate/Bias Crime victims were comprised of government, religious, business or mixed classification victims.

	FEMALE		MALE			TOTAL
	AFRICAN AMER	WHITE	AFRICAN AMER	HISPANIC	WHITE	
AGG. ASSAULT			1		2	3
BURGLARY/B&E						0
INTIMIDATION	2	1	2		2	7
ROBBERY				1		1
SIMPLE. ASLT	1		6	1	2	10
SEXUAL ASSAULT	1					1
VANDALISM	1		4		4	9
TOTAL	5	1	13	2	10	31

**HATE CRIME OFFENDERS BY RACE**  
IOWA, 2008

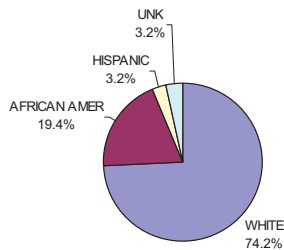


Figure 5

Eighty-seven percent of known offenders were male. White persons accounted for 74.1% of known offenders, followed by African Americans (28.6%). There was one Hispanic offender and one with an unknown race.

	FEMALE	MALE				TOTAL
	WHITE	AFRICAN AMER	HISPANIC	WHITE	UNK	
AGG. ASSAULT		1		2		3
BURGLARY/B&E						0
INTIMIDATION	2			3	1	6
ROBBERY				4		4
SIMPLE. ASLT	1	5	1	6		13
SEXUAL ASSAULT				1		1
VANDALISM	1			3		4
TOTAL	4	6	1	19	1	31

Incidents of Hate Crimes	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	TOTAL
Individuals											
Multiple Vic or Offender	1	2	2	1	2	1		5	2	3	19
Multiple Vic/Sing. Off		2			6	1	2				11
Mult Vic/Unk Off									2	2	4
Single Vic/Single Off	13	18	15	9	14	11	14	6	12	10	122
Single Vic/Multiple Off	6	3	8	5	3	7	6	7	1	4	50
Single Vic/Unk Off	6	6	3	19	8	5	6	8	7	8	76
Business	1	2	1	11	1	2	3	2	3	1	27
Religious	1			2		1			1	1	6
Government	2		2	1	1	2		2	1	4	15
Financial											0
Society	2										2
Other			1		1					2	4
Mixed Vic-Single/Mult Off					2		2		1		5
TOTAL	32	33	32	48	38	30	33	30	30	35	341

## WHERE

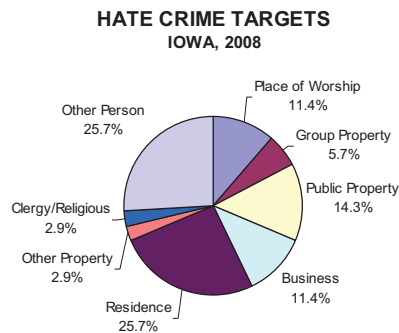


Figure 6

In 2008, “Other Person” and residence showed the highest percentages of hate crime targets with each accounting for 25.7%. Over the ten year period, “Other Person” accounted for 28.7% followed by residence (23.5%) and public property (20.5%). “Clergy/ Religious” was the lowest reported category with only 2 incidents during the last decade.

TARGET OF CRIME	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	TOTAL
Place of Worship	2	1	2	3	3	6	2	0	4	4	27
Group Property	3	1	2	1	2	1	2	1	1	2	16
Public Property	5	10	6	13	8	5	4	8	6	5	70
Business	3	2	1	2	2	3	2	2	3	4	24
Residence	7	6	7	15	10	5	4	13	4	9	80
Other Property	1	4	3	3	2	1	1	3	5	1	24
Clergy/Religious	0	0	0	0	0	0	1	0	0	1	2
Other Person	11	9	11	11	11	9	17	3	7	9	98
TOTAL	32	33	32	48	38	30	33	30	30	35	341

## 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 1999 through 2008. Anti-African American crimes accounted for 54.3% of the hate crimes in 2008 and 46.8% for the decade. Anti-Male Homosexual (gay) was the next most reported group accounting for 8.6% in 2008 and 10.7% for the decade. Anti-Hispanic continued to record the third highest percentage accounting for 5.7% in 2008, compared to 7.2% for the decade.

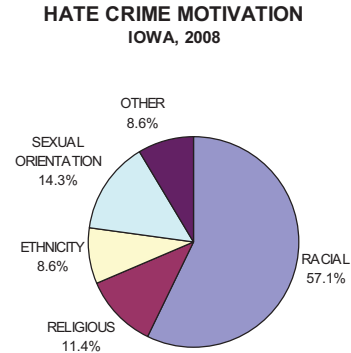


Figure 7

BIAS GROUP	TYPE OF BIAS	2008		1999 - 2008	
		#	%	#	%
<b>RACIAL</b>	Anti-White			26	7.51
	Anti-African American	19	54.28	162	46.82
	Anti-Native American/Alaskan Native			0	0.00
	Anti-Asian/Pacific Islander			6	1.73
	Anti-Multi-Racial	1	2.86	14	4.04
<b>RELIGIOUS</b>	Anti-Jewish	3	8.57	21	6.07
	Anti-Catholic			0	0.00
	Anti-Protestant			3	0.87
	Anti-Islamic			3	0.87
	Anti-Oth. Rel (Budhism, Hinduism)			3	0.87
	Anti-Multi Religious Group	1	2.86	2	0.58
	Anti-Atheist/Agnostic			0	0.00
<b>ETHNICITY/ NATIONAL ORIGIN</b>	Anti-Arab			4	1.16
	Anti-Hispanic	2	5.70	25	7.22
<b>SEXUAL ORIENTATION</b>	Anti-Other Ethnicity	1	2.86	13	3.76
	Anti-Male Homosexual (Gay)	3	8.57	37	10.69
	Anti-Female Homosexual (Lesbian)	1	2.86	10	2.89
	Anti-Homosexual (Gay & Lesbian)			8	2.31
	Anti-Heterosexual	1	2.86	2	0.58
<b>OTHER</b>	Anti-Bisexual			1	0.29
	Age	1	2.86	1	0.29
	Gender			1	0.29
	Disability (physical or mental)	1	2.86	2	0.58
	Political Affiliation	1	2.86	1	0.29
	Other			1	0.29
<b>TOTAL</b>		<b>35</b>	<b>100.00</b>	<b>346</b>	<b>100.00</b>

# WHAT

In 2008, Vandalism was the most reported hate crime, accounting for 47.2% of the reported offenses followed by Simple Assault with 22.2%. Comparably over the last decade, Vandalism accounted for 35.7% of the total reported offenses. Aggravated Assault was the second most reported with 20.4% followed by Simple Assault (20.1%) and Intimidation (17.3%). In 2002, Vandalism reported the highest number of the decade with 27 offenses.

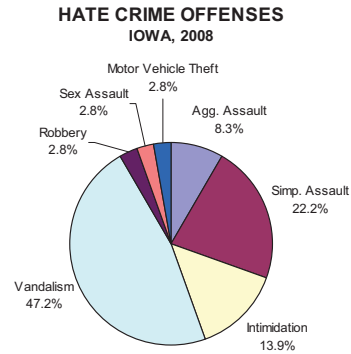


Figure 8

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Drugs	1				1	1					3	0.8
Drug Equip	1										1	0.3
Vandalism	11	14	8	27	15	9	6	13	13	17	133	35.7
Other					2	1	1		1	1	6	1.6
<b>TOTAL OFFENSES</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>36</b>	<b>373</b>	
<b>Incidents</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>35</b>	<b>341</b>	

**HATE CRIMES BY REPORTING JURISDICTION IOWA, 2008**

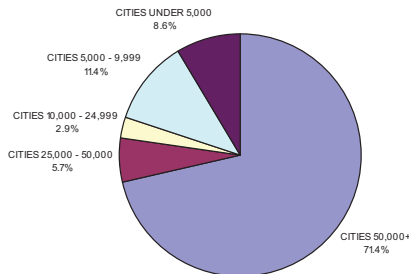


Figure 9

	AGENCIES	INCIDENTS
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
2008	17	35