

## REPORT NO. 3 OF THE SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES

### RECOMMENDATION\*

*BE IT RESOLVED*, That the ABA condemns crimes of violence including those based on bias or prejudice against the victim's race, religion, sexual orientation, or minority status, and urges vigorous efforts by federal, state, and local officials to prosecute the perpetrators and to focus public attention on this growing national problem.

### REPORT

Bias crimes—those motivated by the victim's race, religion, sexual orientation or other minority status<sup>1</sup>—are on the increase in the United States. The brutal murder of a gay minister in Stockton, California, the killing of a Black teenager in Howard Beach, the organized racist violence and intimidation in Forsyth County, Georgia, growing attacks upon Asian immigrants and their businesses, and hundreds of documented anti-Semitic incidents—all on the increase in the United States. According to a report issued by the Los Angeles County Commission on Human Relations, in Los Angeles

Methodists. As hatred becomes more virulent, it is less discriminating in its choice of targets.

Limited national statistics exist as to the occurrence of bias crimes. Statistics maintained on states and localities are starting, however.

The National Institute Against Violence and Prejudice, a national organization that compiles statistics from various regional groups, reports that in fiscal year 1986, for example Maryland reported 423 incidents of bias crime, 132 of which were physical assaults; Boston reported 157 incidents of bias crime, 93 of which were physical assaults; and Chicago reported 233 incidents of bias crime.<sup>3</sup>

The statistics gathered from various groups documenting the occurrence of bias crimes, although often horrifying in their magnitude, are frequently not reflective of the actual extent of the violence they attempt to depict.<sup>4</sup> Members of victimized groups often fail to report attacks due to feelings of powerlessness and futility. This is especially true of immigrant groups whose members may lack English proficiency or fail to understand the criminal nature of these acts, and who may be enforcement agencies.<sup>5</sup> More established organizations, specifically those representing the gay and Jewish communities provide a plethora of data illustrating the escalation of bias crimes.

An eight-city study of anti-gay violence done by the National Gay and Lesbian Task Force (NGLTF)

in 1984, and widely praised by criminologists and sociologists, involving nearly 2,100 respondents showed that the problem is pervasive: more than one in five gay men, and nearly one in ten lesbians had been physically assaulted; more than 90% had experienced some type of victimization because of their sexual orientation.

Frightening examples from all over the country abound:

— In Jacksonville, Florida, arsonists twice set fire to the local Metropolitan Community Church, a Christian church serving the gay and lesbian community. Attacks against the church became so frequent that bulletproof windows had to be installed. Eighteen MCC churches have been torched since 1973.

— Yelling anti-gay obscenities, an assailant threw a beaker of acid at a lesbian employee of the Los Angeles Gay and Lesbian Community Center. The victim maintained serious burns on her face and torso.

— Yelling "diseased faggot," a gang of teenagers assaulted a gay man on the streets of Seattle, and brutally raped him.

In many U.S. communities, anti-gay violence reports are increasing. In 1985, 2,042 incidents were reported to the National Gay and Lesbian Crisisline. This figure is estimated to be a small fraction of the actual number of incidents. Among the forty-four groups that reported to the NGLTF in 1985, nearly 40% stated that anti-gay incidents in their area were more frequent in 1985 than they were in 1984. San Francisco's Community

\*The recommendation was approved. See page 12.

<sup>1</sup>Telephone interview with Comm. M. Marksman, Commanding Officer of the N.Y.P.D. Bias Crime Unit, in New York City (June 1, 1987).

<sup>2</sup>Los Angeles County Commission on Human Relations, *Racially and Religiously Motivated Vandalism and Violence in Los Angeles County in 1986*. Report to the Los Angeles County Board of Supervisors, February, 1987.

<sup>3</sup>Telephone interview with Adel Terrell, Director of the National Institute against Violence and Prejudice, in Baltimore, Maryland (June 4, 1987).

<sup>4</sup>Los Angeles County Commission on Human Relations, *supra*, p. 3.

<sup>5</sup>*Id.*

United Against Violence (CUAV), an agency serving victims of anti-gay violence, announced that the number of clients it served in 1985 increased 50% over the previous year. The New York City Gay and Lesbian Anti-Violence Project also recorded a 41% increase in attacks against gay people in 1985 as compared with 1984.

Not surprisingly, those with violent prejudices against gay and lesbian people also tend to be intolerant of other groups as well. Accordingly, the 1986 Audit of Anti-Semitic Incidents published by the Anti-Defamation League, documents 594 incidents of anti-Semitic vandalism and 312 incidents of assaults, harassments, and threats against Jewish individuals and institutions.

One of the most striking statistics in the Audit published by the Anti-Defamation League is the precipitous increase of anti-Semitic incidents on college and university campuses. Since 1984 there has been an over 300% increase in anti-Semitic incidents reported on campuses nation-wide, examples of which include:

- Oregon State, Corvallis Area—Jews, many connected to the university, were targeted with Anti-Jewish hate and threat mailings beginning in January and peaking with a second wave of mailings in May which included other Jewish residents.
- UCLA—A newspaper stand selling a Jewish newspaper was set on fire and the paper's editor reported that he received threatening phone calls.
- Valencia College (FL)—Several break-ins and thefts—including anti-Semitic graffiti

—at the office of the campus Holocaust Studies instructor occurred.

As bias crime becomes more commonplace, victimized groups have taken it upon themselves to document the incidents in an effort to draw attention to the magnitude of the problem. For example, both the Asian and the Arab communities have established their own agencies along similar lines to the Anti-Defamation League. The American-Arab Anti-Discrimination Committee (ADC) published a first Annual Report on Political and Hate Violence in 1986 documenting attacks around the country against ADC branch offices, Arab-owned businesses, and mosques, such as the following examples:

- Chicago, IL—An ADC member with five children, plus five nieces and nephews living in one building reported Anti-Arab harassment and violence directed at his family. A fire was set in his garbage can with a bottle and gasoline, plus firecrackers. It was set by a trip wire which was set off when the ADC member returned home from work. Writings on the garbage cans were the words "Go home camel dung suckers."
- Cheltenham, PA—Prominent scholars of the Islam and Arab world were murdered in their suburban Philadelphia home at 3:00 a.m. One daughter was also stabbed and hospitalized in stable condition. Burglary was ruled out by the police as nothing was stolen.

Similarly, the New York Asian community recently established the

Coalition Against Anti-Asian Violence in New York City. According to Ms. Minnie Liu, the director of the Coalition, while violence is increasing, the gathering of data concerning the incidence of violence against the Asian community is a slow process as members of the community are hesitant to report such events and subsequently publicize what they consider their private victimization.<sup>6</sup>

Respectfully submitted,

SARA-ANN DETERMAN  
*Chairperson*

August, 1987

### CONCLUSION

All bias crimes are intrinsically linked to one another. When a cross is burned in the yard of a black family, a Jewish cemetery is desecrated, or a gay church is fire-

<sup>6</sup>Telephone interview with Minnie Liu, Director of the Coalition against Anti-Asian Violence, in New York City (June 2, 1987).