

# Hate Crime as a Crime Category Worthy of Policy Attention

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*After more than a decade of legislative activity on hate crimes, a growing number of people are challenging the validity of hate crimes as a separate crime category with separate punishments. The question that begs to be answered is whether hate crimes are deserving of a separate and unique policy response. The author argues that they are by addressing a number of key factors including: the long-standing existence of crime hierarchies; the historical role of the federal government to protect individuals from harm; the increased impact of hate crimes on the victim; how hate crimes serve to intimidate entire communities, are widespread and underreported, and not impossible to determine motive. The author also provides a historical perspective on hate crimes as a crime category and a summary of federal and state hate crime legislation. She lists legitimate concerns of hate crime policy and urges a focus on prevention.*

**In recent years**, a consistent pattern of violent incidents has brought the issue of hate crimes into the policy limelight. Although considered by some a new phenomenon, hate crimes are actually an age-old foe in modern dress (American Psychological Association, 1998). Hate violence has existed throughout the history of our country, such as the lynching of Blacks, anti-immigrant violence, anti-Catholic riots, and antigay violence.

Although violence based on discrimination has been a tragic part of American history, the term *hate crime* has only recently been applied to such violence. In the early 1980s, activists and lawmakers, first in California and then throughout the United States, began to respond to what was feared as an epidemic of racial, ethnic, religious, and other forms of intergroup conflict with an original approach—the criminalization of bias-motivated intimidation and violence. As a result, a new category of crime emerged (Jenness & Broad, 1997; Jenness & Grattet, 2001). Hate crimes became recognized as violent acts against people, property, or organizations specifically because of the group to which they belong or identify with. Rather than the victim being chosen simply at random, hate crime victims are selected based on their group membership or identity.

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### **HATE CRIMES CATEGORY BECOMES INSTITUTIONALIZED**

Since the interest in hate crimes during the early 1980s, there has been a sense of urgency to respond to the problem of hate violence in the United States. A number of social movements—civil rights, women’s rights, and gay rights—galvanized their communities to fight for the appropriate response to and prevention of violence motivated out of bigotry (Jenness & Broad, 1997). In their efforts, these activists brought the problems of hate crimes to the forefront of the American public. Government task forces and legislative campaigns emerged at all levels of government. Activists worked with police agencies to familiarize them with the dynamics of hate crimes and respond appropriately to various communities. The Federal Bureau of Investigation developed training materials and programs for police agencies across the country to educate them on the growing problem of hate crimes and how to properly identify them. Legislators responded by passing hate crimes laws; currently, more than 40 states have hate crimes laws, and have the federal government responded as well.

### **HATE CRIME DEFINITIONS**

The legal definition of a hate crime depends on the hate crime law considered. What makes a crime a hate crime is the existence of bias or prejudice of the perpetrator who committed the crime against an individual based on the victim’s real or perceived social grouping. Yet, definitions may differ in terms of which groups are included. Gender, disability, and sexual orientation may or may not be included, whereas race, ethnicity, religion, and national origin usually are.

## **FEDERAL RESPONSE TO HATE CRIMES**

### **THE HATE CRIMES STATISTICS ACT**

The first hate crimes law to pass was the Hate Crimes Statistics Act (HCSA) of 1990. The purpose of the HCSA was for the federal government to document the incidence of hate crimes. The law requires the U.S. attorney general to collect data on and publish an annual summary of hate crimes incidence across the country.

Although this law was highly important in that it helped recognize hate crimes as a phenomenon that needs federal attention, to date, it has been imperfect in providing meaningful data. This is partly because police agencies were not required to report hate crime data for their jurisdictions but rather did so voluntarily. As a result, many police departments did not offer any hate crime data for the first few years. Or they offered data that was clearly inaccurate, such as zero hate crimes in the whole state of Alabama in 1996. The usefulness of the

data collected under the HCSA is contingent on the participation of police agencies and their providing meaningful data. After a number of years of FBI training on the importance and accurate identification of hate crimes, more reliable data is now available. In addition, there are a number of efforts under way, funded by the Department of Justice, to continue to improve the data (McDevitt, Balboni, & Bennett, 2000; McDevitt, Balboni, Nolan, & Weiss, 2001). Though these efforts are under way, it remains widely recognized that the data are an underrepresentation of the actual hate crimes that occur. For example, in 1998, the National Coalition of Anti-Violence Programs documented a total of 2,552 antigay hate crimes, whereas the FBI documented fewer than 1,300 (U.S. Department of Justice, Federal Bureau of Investigation, 1999).

The definition of hate crimes in the HCSA was crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including crimes of murder; non-negligent manslaughter; forcible rape; aggravated assault; simple assault; intimidation; arson; and destruction, damage, or vandalism of property. Disability was added as a category in 1994 as part of the Violent Crime and Law Enforcement Act of 1994, which amended the Hate Crime Statistics Act to include crimes against persons with disabilities.

Whereas the broad-based coalition of organizations lobbying members of Congress for the passage of the HCSA were advocating for the inclusion of gender, it was not included in the final language of the bill. In fact, gender is often more difficult to include as a category of hate crimes than any other category including sexual orientation. A common question that is raised regarding gender is, does this mean every rape is a hate crime? And legislators fear what would happen if the answer to that question is yes. In addition, getting sexual orientation included in the HCSA was a difficult battle and in the end a great victory. Evidence of the political battle can be seen in the final language of the bill, where legislators concerned about including sexual orientation added the following last sentence: "Nothing in this Act shall be construed, nor shall any funds appropriated to carry out the purpose of the Act be used, to promote or encourage homosexuality" (United States Congress, 1990).

#### **THE HATE CRIMES SENTENCING ENHANCEMENT ACT OF 1994**

The second law addressing hate crimes to pass was the Hate Crimes Sentencing Enhancement Act of 1994, which increased penalties for any hate crime committed. In this law, a hate crime is a crime committed against a person because of real or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation. Whether or not one supports enhancement laws, what is critical about this law is the broad definition of hate crimes, which is the broadest definition to date and serves as a precedent for definitions in future hate crime laws.

**THE HATE CRIMES PREVENTION ACT**

The main purpose of the Hate Crimes Prevention Act (HCPA) was to bring the civil rights statute, Section 245 of Title 18 U.S.C., in line with more recent hate crimes definitions. This statute gave federal prosecutors the authority to investigate allegations of hate violence based on race, religion, and national origin. As we see, this statute did not provide authority for federal intervention based on gender, disability, or sexual orientation. Over the years, it became clear that certain hate crimes were not properly addressed by local police agencies, and the federal government had no authority to intervene. For example, the Department of Justice (DOJ) received inquiries from families of gay victims asking for their involvement when local authorities failed to respond, but they were unable to investigate such cases. The HCPA expanded the jurisdiction of Section 245 so that federal officials can investigate and prosecute crimes motivated by hate based on the victim's real or perceived gender, disability, and sexual orientation. The DOJ considers the HCPA an important measure in assisting them to properly respond to victims' concerns.

In 1998, with the brutal deaths of James Byrd and Matthew Shepard in the same year, Congress felt the pressure to address the growing problem of hate crimes in the United States. After more than 3 years of strong and broad-based advocacy, in the fall of 2000, it looked as though the HCPA would actually pass into law. In the spring, the Senate, by an unexpectedly strong vote of 57 to 42, added the hate crimes language to the defense authorization bill. Republican Party leaders in the House prevented the bill from coming to the House floor for a vote, but after the Senate's action, the House voted 232 to 192 to instruct its conferees on the defense bill to go along with the Senate proposal. Unfortunately, during conference, the language was stripped from the defense authorization bill. As of February 2002, the HCPA has not been passed.

**STATE LAWS**

As of September 2000, all but seven states (Arkansas, Hawaii, Indiana, Kansas, New Mexico, South Carolina, and Wyoming) enacted some form of hate crimes laws. Although this is the case, more than half of these states do not include sexual orientation in their definitions of hate crimes, thus gay men and lesbians are not protected against or have legal recourse for antigay hate crimes in many states. The most common state laws enhance penalties or provide for data collection. Other laws prohibit cross-burning, mask wearing, paramilitary training camps, and promote police training.

**SHOULD WE HAVE HATE CRIME LAWS?**

The concentration of activity on hate crimes over the past 15 years attests to the growing concern with the terroristic nature of violence motivated by hate or

bigotry. The government response “reflects the acceptance of the idea that criminal conduct is different when it involves an act of discrimination” (American Sociological Association, 1999). Yet this acceptance is tenuous at best. After more than a decade of legislative activity on hate crimes, there exists now a backlash from a growing number of people challenging the validity of hate crimes as a separate crime category from other crimes. These people include certain legislators, organizations, opinion editors, and academics (Jacobs & Potter, 1998). A commonly articulated concern seems to stem from a fear that hate crimes are valued as being more serious than other crimes. If I am stabbed just for being in the wrong place at the wrong time, is my life valued any less than a gay man who is stabbed for being gay? The argument is that crimes are already punishable by law, and creating a separate category of crime based on those motivated by bigotry is unnecessary and pits people against each other in a hierarchy of which crimes are taken seriously. Thus the question that begs to be answered is whether hate crimes are deserving of a separate and unique policy response.

#### **HIERARCHY IN RESPONDING TO CRIME IS NOT NEW**

The first assumption that must be challenged in the common criticism against hate crime legislation is the notion that all crimes are to be treated equally. Throughout criminal law, there exists a hierarchy in crime from those considered most serious to least serious, and motive is an important criterion. A crime is either a misdemeanor, a minor crime with small consequence, or a felony, a more serious crime ranging from theft to first-degree murder. Circumstances and motive of the crime are always examined and considered as key to how the courts should respond. A person who commits murder is treated more harshly than a person who commits a burglary. Premeditated murder is treated more seriously than a crime committed in self-defense. An arsonist who burns down a whole apartment building with 500 occupants is treated differently than an arsonist who burns down his doghouse. Are these described distinctions unfair or a sign of special rights assigned to certain communities, the way hate crime policy is so typically characterized? Or is this a system of preference in which crimes of larger magnitude and impact are logically treated with greater consequence? Although the criminal code is not flawless, the relevant point here is that all crimes have never been treated equally and so this requirement should not be uniquely applied to hate crimes.

#### **IMPACT ON THE COMMUNITY**

A general justification for hate crime legislation is that such crimes are more socially disruptive and harmful when motivated by bigotry. Hate crimes are damaging not only to the victim but also the community at large. Hate crimes are message crimes in that the perpetrator is sending a message to members of a certain group that they are despised, devalued, or unwelcome in a particular

neighborhood, community, school, or workplace (American Psychological Association, 1998). Thus, hate crimes serve as a form of intimidation not only for the victim but all members of the group targeted. After the murder of Matthew Shepard, gay men and lesbians across the country felt victimized and feared for their safety. Members of gay and lesbian communities really understood the perpetrators' message: You are unworthy of life. Indeed, based on interviews with gay men, lesbians, and bisexuals, Noelle (2002 [this issue]) concluded that individuals experienced vicarious trauma after this murder. Matthew Shepard's death challenged their fundamental assumptions of the world as a meaningful and good place, and it affected their sense of worthiness. Additional research shows that after hate crimes occur, people have an increased sense of vulnerability in their communities (Herek, Gillis, & Cogan, 1999).

#### **IMPACT ON THE INDIVIDUAL**

An additional justification for hate crime legislation is that such crimes have a disparate impact on the victim. Because the basis of attack is their identity, hate crime victims may suffer more severe consequences, such as rejecting the aspect of themselves that was the target of the attack or associating a core part of their identity with fear, loss, and vulnerability. They may feel they have less control over their world and what happens to them, which is associated with lower self-esteem and mastery.

Research shows that a hate crime is not simply a crime. Instead, a person who experiences a serious antigay crime has more severe psychological consequences than a person who experiences a random crime of similar severity (Herek et al., 1999; Herek, Gillis, Cogan, & Glunt, 1997). In a study of more than 2,000 gay men and lesbians, those who were victims of hate crimes suffered greater feelings of vulnerability, anger, and depression than those who were victims of random crimes (Herek et al., 1999). In addition, the hate crime victims needed as much as 5 years to overcome the impact of their victimization. By contrast, victims of random crimes recovered from the consequences of the crime within 2 years. This is the largest, most extensive study examining the mental health consequences of hate crimes.

Thus, hate crime victims are not able to latch onto a typically used psychological defense of other crime victims: that they were simply in the wrong place at the wrong time, the victim of random violence. Instead, there is a purpose to the crime, and that purpose is to communicate that this person who is part of this group is so despised and devalued that he or she deserves to be the victim of violence.

#### **HATE CRIMES ARE WIDESPREAD**

Even though hate crimes are underreported, the number of hate crimes that are reported still suggest a disturbing amount of bias-motivated violence. In the

same study just mentioned (Herek et al., 1999), more than one fifth of 2,259 gay men, lesbians, and bisexuals surveyed reported a hate-motivated crime since age 16. More specifically, one in five women and one in four men had experienced an antigay hate crime since age 16. Types of victimization included physical and sexual assaults, attempted assaults, robberies, thefts, vandalism, and assault with a weapon. This did not include incidents in adolescence, which are often quite common. The researchers also found that these hate crimes occur within an environment of overall antigay harassment. When respondents were asked about their experience with harassment in just the past 12 months, more than half (56%) said they were verbally abused, 19% said their lives were threatened, 17% said they were chased or followed, and 12% had objects thrown at them for being gay. Unfortunately, antigay violence and harassment is a fact of life in the United States.

In addition to this research data, community-based watchdog groups find similarly disturbing rates of antigay violence. The National Coalition of Anti-Violence Programs, an umbrella group for approximately 25 local and state organizations serving victims of antigay hate crimes around the country, found that in 1998, there were 2,552 reported incidents of hate crimes in 14 major cities across the United States (see Human Rights Campaign, [www.hrc.org](http://www.hrc.org)). Just in these 14 cities, this figure translates into 7 antigay hate crimes a day and 1 hate crime every 3 hours.

According to data collected by the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program, hate crimes reported on the basis of sexual orientation are increasing. Since the FBI began collecting statistics in 1991, hate crimes based on sexual orientation have nearly tripled. In 1998, there was a 14.3% increase in reported hate crimes against gay men and lesbians from the prior year (see Nolan, Akiyama, & Berhanu, 2002 [this issue]). Whether this is a true increase in crime or an increase in reporting is unknown. Yet, if it is an increase in actual committed crime, this trend is particularly disturbing because, overall, serious crime continues to decrease nationally, other forms of hate crimes are also on the decline, with the exception of religious hate crime, where rates have remained the same (Nolan et al., 2002 [this issue]).

#### **HATE CRIMES ARE UNDERREPORTED**

As discussed earlier, data gathered by the HCSA is an underestimate of the actual number of hate crimes that occur nationally. Because the HCSA made the reporting of hate crimes by state and local jurisdictions voluntary, there were jurisdictions that did not participate. For example, in 1997, 10 of the 100 most populous cities in the United States did not participate in the reporting of hate crime data at all (U.S. Department of Justice, Federal Bureau of Investigation, 1999).

In addition, social science research shows that hate crimes are less likely to be reported to the police than random crimes (Herek et al., 1999). One of the



reasons for this lack of reporting is the perception or concern that police agencies are themselves homophobic and will not be responsive to the incident and/or will further victimize the individual by a homophobic response. Another important factor causing the underreporting is that some victims may fear being “outed” in their communities or places of work. Last, fear plays a role in hate crimes reporting. Researchers found that more severe forms of hate crimes were less likely to be reported to the police and concluded that this lack of reporting is in part due to the victim’s fear that the perpetrators will seek revenge (Dunbar, 1997).

As Nolan and his colleagues (2002 [this issue]) discussed, even when hate crimes are reported to the police, they are not always recorded in such a way as to correctly identify the bias motivation. Organizational culture, practices, and policies along with individual factors combine to affect whether hate crimes get recorded correctly once they are reported (Nolan et al., 2002 [this issue]). These factors need to be addressed with law enforcement agencies to improve hate crime reporting.

#### **HATE CRIMES ARE NOT AT EPIDEMIC LEVELS, THUS DO NOT WARRANT CURRENT ATTENTION**

In perhaps the harshest academic critique of hate crimes policy, Jacobs and Potter (1998) argued that because hate crimes are not increasing, they are not worthy of special protection. Jacobs and Potter have been invited by legislators against hate crime policies to testify at federal hearings about hate crimes. In their criticisms, they blow holes in the data that suggest hate crimes are at epidemic levels and therefore argue that hate crimes legislation is unwarranted. First, their argument is flawed because they rely on FBI data gathered from the HCSA and, as discussed, those numbers are an underestimate of hate crimes. Second, how many crimes a year qualify as an epidemic? There is ample evidence that hate crimes are a widespread and serious problem in our nation. And third, does a criminal activity need to reach epidemic levels before laws are passed addressing the problem? Last, the construct of hate crimes evolved from social movements that were fighting against crimes occurring to people within communities that held less social, political, and cultural power than the dominant group. Such hate crimes happen within the context of discrimination and stigma, and protecting an individual from discrimination is a key responsibility of the government.

#### **RESPONSIBILITY OF THE GOVERNMENT**

Hate crimes are a direct threat to some of the basic principles that are the foundation of American life. Each individual has the right to the pursuit of happiness without interference based on group identity or membership. Accordingly,



a role of the federal government is to ensure equal treatment of all its citizens. The Constitution placed a special responsibility on the federal government to ensure that no American citizen is subject to discriminatory treatment because of deeply rooted prejudice. As such, equal opportunity laws and civil rights protections have been passed and enforced. Thus, the precedent exists for federal hate crime laws to ensure all members of society the freedom to exercise their civil rights without undue interference. An important avenue for stigmatized and minority groups to gain equality is under the law.

**HATE CRIMES ARE SIMPLY FALSE POSITIVES:  
IS THE VICTIM'S PERSPECTIVE RELIABLE?**

Another complaint among critics of hate crime legislation is that victims who determine they have experienced a hate crime may simply be inferring incorrectly. They may inaccurately perceive something as antigay or racist due to their heightened awareness of their stigmatized status. Recently, researchers have been interested in how people determine that a crime is biased rather than just being a random crime. In an attempt to shed light on the attribution processes that underlie self-reports of antigay and antilesbian victimization, my colleagues and I asked respondents why they believed that their victimization was based on sexual orientation (Herek et al., 1999). We asked the respondent, "What was it that made you realize or believe that the incident was related to your sexual orientation?" Results showed that two thirds of the explanations given for why the victim perceived the crime as antigay was based on unambiguous information: The perpetrators made explicit statements, the attack occurred in a gay-identified location, or the crime was closely associated with behaviors by the victim that identified her or him as gay. Only 16% of interviewees based their attribution merely on a hunch and, in many cases, these reasons for believing that they were targeted because of their sexual orientation seemed highly plausible. These findings suggest that a victim's own evaluation that a crime is motivated out of bias is a sound indicator that a bias crime did indeed occur.

**HATE CRIMES ARE IMPOSSIBLE TO PROVE:  
BIAS-CRIME INDICATORS**

Another criticism of hate crime laws is that they introduce the impossible for prosecutors and the courts in requiring them to determine motive of the perpetrator. Indeed, it can be a challenge for law enforcement officials in deciding a crime is a hate crime. Yet, there is more rhyme and reason than often meets the critic's eye. The FBI worked with law enforcement to establish widely used bias-crime indicators. These are objective facts, circumstances, or patterns attending a criminal act that, standing alone or in conjunction with other facts or circumstances, suggest that the offender's actions were motivated in whole or in

part by any form of bias. The more bias-crime indicators evident in a particular crime, the more likely the crime was based on a perpetrator bias. Bias-crime indicators include (U.S. Department of Justice, 1998b):

1. Racial, ethnic, gender and cultural differences. If the victim and perpetrators differ on race, ethnicity, gender, sexual orientation, then bias could be present. If the victim is a member of a group that is overwhelmingly outnumbered by members of another group in the area in which the incident occurred.
2. Overt language used, written statements, or gestures.
3. Drawings, markings, symbols, and graffiti.
4. Representation of organized hate groups.
5. Previous existence of bias incidents.
6. Victim's perception.
7. Lack of other motives. If there is no clear economic (such as robbery) or other motive for the incident, then bias may be involved.

#### LEGITIMATE CRITICISMS OF HATE CRIME LEGISLATION

Preliminary analyses of how hate crimes sentencing-enhancement laws are being enforced reveal a potentially challenging paradox that proponents of hate crimes policy need to address. As Karen Franklin highlighted in her article (2002 [this issue]), penalty-enhancement policies raise an interesting question in that they are enacted due to grassroots advocacy by minority group activists yet are enforced by a criminal justice system—police, prosecutors, and judges—which itself is plagued with institutional racism, sexism, and homophobia. As such, following overall arrest rates for crime in general, FBI data show disproportionate arrest rates of African Americans for committing hate crimes. In addition, Franklin highlights data in Florida, where Whites were the largest category of hate crime victims, accounting for 50% of reported hate crimes. So, a disturbing trend we may see with how hate crime laws are enforced is that the very groups who fought for protection against bigotry-motivated violence are the ones who will become the most likely convicted felons. The pattern of enforcement that Franklin points attention to is not unique to hate crimes, though. After mandatory arrest laws were passed as a response to advocacy to protect women from violence, arrests of women actually increased substantially. Thus, rather than back away from important policy, the question for advocates to answer is, How do we push for hate crime policies designed to protect traditionally marginalized minority groups in a well-documented racist, sexist, and homophobic judicial system?

#### PROBLEMS WITH THE FOCUS

Given that sentence enhancement is a popular response in the get-tough-on-crime culture that has dominated U.S. policy for more than a decade, it is no surprise that hate crime activists' success has also been in the sentence-enhancement

arena. This concentration places peace activists, pacifists, antideath penalty activists, and people committed to finding other solutions than further punishment in a quandary. We know from data on the death penalty that such harsh punishments do not serve as deterrents to crime. In addition, with the available data on sentence enhancement, Franklin (2002 [this issue]) concluded that it does not serve as a deterrent to hate crimes.

Whereas the seasoned advocate understands and appreciates the way in which policy evolves out of the political climate and give-and-take negotiation, it is important for advocates to also focus their energy on prevention and education efforts and push for creative and fresh ideas for addressing the problem of hate crimes.

#### **ADDITIONAL POLICY FOCUS: THE PREVENTION OF HATE CRIMES**

Social scientists have produced a vast amount of research examining antecedents, causes, and consequences of violent behavior. To summarize this body of research, violence is not a random, uncontrollable, or an inevitable occurrence (American Psychological Association, 1997). Many factors, both individual and social, contribute to an individual's propensity to use violence and are within our power to change (Cogan, 1996). There is overwhelming evidence that we can intervene effectively in the lives of people to reduce or prevent their involvement in violence (for review, see American Psychological Association, 1997).

An important societal factor that contributes to violence rates among youth and is at the crux of hate crimes is prejudice, whether as the primary or secondary factor. Prejudice, intolerance, and discrimination are demonstrated in countless acts of interpersonal behavior each day. Because hate crimes are often rooted in intolerance and bigotry, addressing this bigotry can begin to prevent and eliminate the problem of hate crimes (Cogan, 1996).

This suggests that an important avenue for hate crimes policy is advocating for prejudice prevention and education (Cogan, 1996), such as the following:

- The Department of Justice (DOJ) be supported and urged to offer more grants to allow communities to conduct prejudice prevention and education programs, particularly targeting youth.
- The DOJ be supported and urged to continue its training with police officers and justice personnel to allow hate crime policies to be implemented effectively and appropriately.
- The Office of Juvenile Justice and Delinquency Prevention (OJJDP) be supported and urged to continue to fund important hate crimes prevention and other safe-community programs targeting youth, with a concentration on at-risk youth.
- The Department of Education (DOE) be supported and urged to implement a prejudice-reduction curriculum into the schools.

**USING POLICY TO PROMOTE HUMAN CONNECTION**

A last point I find necessary to address is the idea that much of needless crime comes from people feeling isolated from others; lacking a sense of human connection; lacking a sense of belonging to a group or community. According to Raphael Ezekiel (2002 [this issue]), who spent years talking with young men involved in neo-Nazi and Klan groups, most of the youth he talked with were drawn to these hate groups not out of hate but out of a desire to belong to a cause or a community. He describes the relationships that emerged—he as a Jew with these self-declared anti-Semites. He realized that some of these youth's lives were changed as he offered them interaction and connection, which they so craved. Ezekiel concluded that what these young men wanted most profoundly was to have close relationships and to feel that their lives mattered (Ezekiel, 2002 [this issue]).

In this culture of mass consumption, long hours of work, nonstop media, suburban isolation, and pervasive Internet use, the opportunities for human connection for some have dwindled. Youth are often searching for ways to have interaction with others and feel meaning in their lives.

Both local and federal policy can be used to decrease social isolation and help promote and build community. For example, rather than pouring much of our government resources into policing and punishment efforts, more funds can be allocated toward programs and initiatives that build community. Again, advocates can approach federal agencies such as the DOJ and DOE, urging them to fund community-building initiatives. In fact, the OJJDP stated in its 1998 action plan for preventing youth delinquency, a commitment to creating positive opportunities for youth (U.S. Department of Justice, 1998a). Such initiatives need to be more actively promoted and supported by advocates.

Beyond simply being a touchy-feely liberal approach to crime, this strategy can be framed as a cost-saving, proactive measure for building a sense of community that will not only prevent hate crimes in particular but other forms of crime more generally. This is evident from the after-school programs, which have been popular in crime-fighting efforts (U.S. Department of Justice, 1998a). These programs are successful in deterring crime as young people have activities in which to participate. This approach works, not only because planned activities keep youth busy but also because they offer them opportunities for social interaction rather than isolation.

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