

Valerie Jenness
Criminology, Law & Society
School of Social Ecology
University of California, Irvine
Office: SBSG 5300

Winter 2011
Tues 6-8:50 p.m.
RH 101
Office hours: Mon.
noon-2 p.m.

HATE CRIME (C127)



Course Topic: This course focuses on hate crime as a specific type of crime as well as a social problem connected to strained intergroup relations, discrimination, the politics of lawmaking and enforcement, and social control more generally.

Course Objectives and Key Questions: The purpose of this course is to examine the causes, manifestations, and consequences of hate crimes, as well as the larger social context within which they occur and get reacted to in both legal and extra legal ways. Throughout the course we will treat the study of hate crimes as the study of a social problem as well as the study of social organization, social interaction, legal mobilization, and the operation of the criminal justice system. We will address a series of related questions, such as: why did bias-motivated violence and its attendant categories of victimization come to the forefront and get recognized as a serious social problem in the U.S. in the latter part of the 20th century? Related, why is it that injuries against some people—Jews, people of color, gays and lesbians, and, on occasion, women and those with disabilities—are increasingly recognized by the law and in the public's mind as a "hate crime," while other types of bias-motivated violence continue to go unnoticed? What is the nature of the acts that constitute hate crimes? Who commits hate crimes and why? Who is most likely to be victimized by hate crimes and why? In what ways are hate crimes and efforts to curb them connected to larger social movements and identity politics? Under what conditions and how do communities in which hate crimes occur respond to such acts? Conversely, what types of behaviors evoke the attention of those charged with controlling hate crimes and/or protecting civil liberties? Who are the relevant political players and what organizations, institutions, and constituencies are associated with both the proliferation and the social control of hate crimes? Finally, how have social control efforts been undertaken, and to what degree have they been effective? This course draws upon an array of classical and contemporary theoretical work, empirical research, and case studies to address these questions.

Course Organization: This course is organized around three general themes:

1. Defining, conceptualizing and measuring hate crimes,
2. Understanding the social context of hate crimes, and
3. Explaining the social regulation of hate crimes.

These themes will anchor the course, and we will discuss an array of topics that cut across these general themes.

Course Requirements: The following constitute course requirements:

1. In-class and out-of-class engagement via participation in a series of very short exercises, some of which will include writing (10% of your grade).
2. A short essay assignment, which will be described on the first day of class and elaborated in a handout (20% of your grade).
3. A midterm examination on February 8, 2011 (30% of your grade).
4. A final examination on “TBA” (40% of your grade).

All students are required to abide by the following honor code: “I promise not to plagiarize or cheat in any way in this course. On my honor, I will uphold the highest standards of honesty and integrity.” A violation of this code will result in failing the course.

This is a University of California class and, as with all UC classes, students are expected to abide by the student code of conduct and as well as the most basic rules of etiquette, including: getting to class on time and coming prepared to engage; not talking during lectures; and remaining respectful of diverse views when engaging in classroom debate. All views are allowed and welcome; however, expressing them in a respectful way is required. Reasonable people can disagree, but disagreement needs to be expressed in ways that are conducive to the free exchange of ideas, productive dialogue, and meaningful learning.

Suggestions: I encourage you to engage in collaborative learning. Studies show that students who engage in collaborative learning tend to do better in college and beyond. Also, I encourage you to contact me and/or the TA as often as is necessary to do well in this course. Do not wait until problems are exacerbated or concerns are outdated to seek assistance. If you extend the effort, we will be available and willing to help you do well in this course. Any student who feels he/she may need an accommodation based on the impact of a disability should contact the instructor privately to discuss his/her specific needs. Also, contact the Disability Services Center at 949-824-7494 as soon as possible to better ensure that such accommodations are implemented in a timely fashion.

Course Materials: The following constitute required reading for this course:

1. *Hate and Bias Crime: A Reader* (2003), edited by Barbara Perry (BP)
2. *In the Name of Hate: Understanding Hate Crimes* (2001), by Barbara Perry (BP)
3. Articles and other materials posted to the web page for the course.

The two required books are available for purchase on Amazon.com and at the UCI bookstore.

Course Outline and Assigned Readings: The outline below indicates what we will be doing and when we will be doing it. Due dates and topics are not chiseled in stone; all topics and dates are tentative and subject to change. If changes are made, they will be announced online. It is your responsibility to be in class and check email to be apprised of “Announcements from the Professor”.



PRELIMINARY READING

1. On the Professor: Personality Highlight, Valerie Jenness
2. On Grades: Student Expectations Seen as Causing Grade Disputes, Max Roosevelt
3. On Teaching Hate Crime: Making Sense of Hatred, Valerie Jenness

I. INTRODUCTION: THINKING ABOUT HATE CRIMES

A. *Thinking About Hate Crimes (Week 1)*

1. The Violence of Hatred, Introduction to *In the Name of Hate* (BP)
2. Connecting the Past to the Future: Hate Crime in America, Chapter 1 of *Hate and Bias Crime: A Reader* (BP)
3. Consequences for Victims: A Comparison of Bias and Non-Bias-Motivated Assaults, Chapter 10 of *Hate and Bias Crime: A Reader* (BP)
4. The Emergence, Content, and Institutionalization of Hate Crime Law: How a Diverse Policy Community Produced a Modern Legal Fact, by Valerie Jenness (eee)

Recommended, but not required:

5. Hate as Cultural Justification for Violence, by Jack Levin and Gordana Rabrenovic
6. How Hate Crimes Hurt More: Evidence from the British Crime Survey, by Paul Iganski and Spiridoula Lagou (eee)

B. *Conceptualizing Hate Crimes (Week 2)*

1. Defining and Measuring Hate Crime, Chapter 1 of *In the Name of Hate* (BP)
2. Thinking More Clearly About Hate Motivated Crimes, Chapter 3 of *Hate and Bias Crime: A Reader* (BP)
3. Gender Bias Hate Crimes: A Review, Beverly McPhail, Chapter 19 of *Hate and Bias Crime: A Reader* (BP)
4. Beyond Black on White: Minority on Minority Violence,” Chapter 5 of *In the Name of Hate* (BP)

Recommended, but not required:

5. Examining the Boundaries of Hate Crime Law: Disabilities and the “Dilemma of Difference,” Chapter 20 of *Hate and Bias Crime: A Reader* (BP)
6. Engendering Hate Crime Policy: Gender, ‘The Dilemma of Difference,’ and the Creation of Legal Subjects,” Valerie Jenness (eee)

C. *Measuring Hate Crimes (Week 3)*

1. The Nation’s Two Measures of Crime, *U.S. Department of Justice* (eee)
2. The Hate Crime Statistic Act of 1990: Developing a Method for Measuring the Occurrence of Hate Violence, James Nolan et al. (eee)
3. Defining and Measuring Hate Crime: A Potpourri of Issues, by Susie Bennett, James Nolan, and Norman Conti (eee)

4. Racial Harassment and the Process of Victimization: Conceptual and Methodological Implications for the Local Crime Survey, Chapter 4 of *Hate and Bias Crime: A Reader* (BP)

Recommended, but not required:

5. Improving the Quality and Accuracy of Bias Crime Statistics Nationally: An Assessment of the First Ten Years of Bias Crime Data Collection, Chapter 5 of *Hate and Bias Crime: A Reader* (BP)
6. The Real Story of the U.S. Hate Crime Statistics: An Empirical Analysis, by William Rubenstein (eee)

D. *Epidemiological Portraits of Hate Crime (Week 4)*

1. Racist Violence Against Native Americans, by Barbara Perry (eee)
2. Anti-Muslim Retaliatory Violence Following the 9/11 Terrorist Attacks, Chapter 13 of *Hate and Bias Crime: A Reader* (BP)
3. Victim Experiences in Hate Crimes Based on Sexual Orientation, Chapter 18 of *Hate and Bias Crime: A Reader* (BP)
4. The Mainstreaming of Hate: A Report on Latinos and Harassment, Hate Violence, and Law Enforcement Abuse in the 90s, Chapter 15 of *Hate and Bias Crime: A Reader* (BP)
5. Racial Violence Against Asian Americans, Chapter 16 of *Hate and Bias Crime: A Reader* (BP)
6. 2001 Audit of Anti-Semitic Incidents, Chapter 17 of *Hate and Bias Crime: A Reader* (BP)

Recommended, but not required:

7. Hate Crime Against Persons with Disabilities, by Frank J. Lane, Linda R. Shaw, and Martin Kim (eee)
8. Anti-Lesbian, Gay, Bisexual, and Transgendered Victimization in Canada and the United States: A Comparative Study, by Ellen Faulkner (eee)

II. THE CONTEXT OF HATE CRIMES: UNDERSTANDING HATE CRIMES

A. *Social Context: Individual Level Theories/Societal Level Theories (Weeks 5 and 6)*

1. The Sociology of Hate: Theoretical Approaches, by Barbara Perry (eee)
2. Examining Hate Motivated Aggression: a Review of the Social Psychological Literature on Hate Crimes as a Distinct Form of Aggression, Chapter 8 of *Hate and Bias Crime: A Reader* (BP)
3. *In the Name of Hate: Understanding Hate Crimes*, by Barbara Perry (read remainder of book)
4. The Urban Ecology of Bias Crime: A Study of Disorganized and Defended Neighborhoods, by Ryken Grattet (eee)

Recommended, but not required:

5. Accounting for Hate Crime: Doing Difference, Chapter 6 of *Hate and Bias Crime: A Reader* (BP)
6. Black Church Arson in the United States, 1989-1996, Chapter 12 of *Hate and Bias Crime: A Reader* (BP)

B. Social Movements, Countermovements and the Negotiation of Hate (Week 7)

1. From the Klan to Skinheads: A Critical History of American Hate Groups, by Mark S. Hamm (eee)
2. Rebranding Hate in the Age of Obama, by Eve Conant (eee)
3. Defenders of the Faith: Hate Groups and Ideologies of Power, Chapter 21 of *Hate and Bias Crime: A Reader* (BP)
4. Becoming a Racist: Women in Contemporary Ku Klux Klan and Neo Nazi Groups, Chapter 23 of *Hate and Bias Crime: A Reader* (BP)

Recommended, but not required:

5. A Poison Squad of Whispering Women, Chapter 5 in *Women of the Klan* by Kathleen Blee
6. Cyberhate: A Legal and Historical Analysis of Extremists' Use of Computer Networks in America, Chapter 25 of *Hate and Bias Crime: A Reader* (BP)

III. SOCIAL CONTROL OF HATE CRIMES: CONSIDERING RESPONSES

A. Community Responses, Legislation and Civil Liberties (Week 8)

1. School-Based Anithate Initiatives, by Lindsay J. Friedman, Esther Hurh, Nicole Manganelli, and Stephen Wessler (eee)
2. The Emergence and Implications of American Hate Crime Jurisprudence, Chapter 27 of *Hate and Bias Crime: A Reader* (BP)
3. Victim-Offender Mediation: The Road to Repairing Hate Crime Injustice, Chapter 29 of *Hate and Bias Crime: A Reader* (BP)
4. Promising Practices against Hate Crimes: Five State and Local Demonstration Projects, Chapter 30 of *Hate and Bias Crime: A Reader* (BP)

Recommended, but not required:

5. The Prevention of Anti-Lesbian/Gay Hate Crimes through Social Change and Empowerment, Chapter 31 of *Hate and Bias Crime: A Reader* (BP)
6. Review: The Emergence, Content, and Institutionalization of Hate Crime Law: How a Diverse Policy Community Produced a Modern Legal Fact, by Valerie Jenness (eee)

B. Law Enforcement and Legal Recourse (Week 9)

1. Policing Hatred: Police Bias Units and the Construction of Hate Crime, Chapter 28 of *Hate and Bias Crimes: A Reader* (BP)
2. Transforming Symbolic Law into Organizational Action: Hate Crime Policy and Law Enforcement Practice. Ryken Grattet and Valerie Jenness (eee)
3. Hate Crime Prosecution, by Richard A. Devine and Alan J. Spellberg (eee)

4. To Charge or Not to Charge—That is the Question: The Pursuit of Strategic Advantage in Prosecutorial Decision-Making Surrounding Hate Crime, Beverly McPhail and Valerie Jenness (eee)

Recommended, but not required:

5. The Emergence and Implications of American Hate Crime Jurisprudence, Chapter 27 of *Hate and Bias Crimes: A Reader* (BP)
6. Hate Crimes, by Valerie Jenness (in M. Tonry's *Crime and Public Policy*) (eee)

C. *Constitutional Basis for Hate Crime (Week 10)*

1. *Judicial Rhetoric, Meaning-Making, and the Institutionalization of Hate Crime Law*, by Scott Phillips and Ryken Grattet (eee)
2. *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992) (available at: <http://laws.findlaw.com/us/505/377.html>)
3. *Wisconsin v. Mitchell*, 508 U.S. 476 (available at: <http://laws.findlaw.com/us/508/476.html>)
4. Hate Crime as a Human Rights Violation, Barbara Perry and Patrik Olsson (eee).

Recommended, but not required: any current hate crime case.