

# Hate crimes

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portant in combating bias-motivated violence. That's why he organized a panel discussion on campus several weeks ago to help people understand what hate crimes are and what the law can do about them.

Hate crimes, or bias crimes, which range from vandalism to murder, are committed against individuals based on their in a particular societal group. They are often intended to convey a message or a warning to other members of the group as well as to the individual, Corcoran said.

Although nationally hate crimes seem to be on the rise, in Oregon the number has actually dropped since the state began collecting statistics on them in 1991. That year, 488 hate crimes were reported in Oregon, compared to 108 in 1997, according to the Oregon Department of State Police.

Jeff Bock, manager of the State Uniform Crime Reporting Program, said he believes fewer people are committing hate crimes because they have a harder time getting away with them.

"People who commit them are learning that victims are no longer staying silent," he said. "Society doesn't accept bias crimes as much as before."

In the past, as well as in some places today, victims of hate crimes have been reluctant to report them, some out of humiliation and others out of a lack of a "safe" place to go, University law professor Dominick Vetri said.

"Historically, police have been part of the problem," he said. "They've sometimes treated hate crimes as less important than others." But as prominent bias-motivated murders such as Shepard's have brought the issue to the forefront of public discussion, both legislators and law enforcement agencies have mobilized to crack down on hate crimes.

Many agencies have established hate crime units to combat the problem, which not only increase investigations into such

crimes but also encourage victims to feel safer about reporting them, Bock explained.

In Eugene, police are making an effort to curb hate crimes, said Sgt. Ron Roberts, supervisor of the Eugene Police Department's violent crimes unit. "We respond to every call and investigate when it's a call about a bias crime," he said.

Roberts admits that many victims of hate crimes still don't feel comfortable going to the police.

"A majority of cases are certainly not going reported," he said. But he added that he believes these cases are becoming fewer.

At the same time, the number of hate crimes in Eugene has actually increased in the past year. Last year, 24 cases were reported, while 40 have been reported as of October in 1998. Part of this increase may be due to a larger number of cases being reported, but Roberts believes the number of actual crimes committed has also risen.

"We know the incidence of hate crimes in society is at an unacceptably high level," Vetri said. "Hate crime is a serious problem in America."

In spite of this, however, measures such as increased police attention and hate crime legislation have made a difference, Bock said. Oregon law provides an extra deterrent to perpetrators.

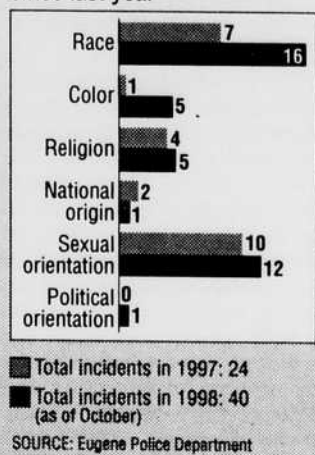
Currently, the law recognizes two hate crimes: intimidation in the first and second degrees.

If a crime is shown to spring from a bias against the victim based on membership in a definable societal group and is committed by an individual, the perpetrator can be charged with Intimidation in the second degree as well as with the original crime. Because intimidation in the second degree is a Class A misdemeanor, the perpetrator may face stiffer penalties, Bock said.

If more than one person takes part in the crime, all may be charged with intimidation in the first degree, which is a Class C

## Hate crimes in Eugene

The number of reported bias crimes in Eugene has risen since last year



Cara Strazzo/Emerald

felony and punishable by up to five years in prison.

Even if the crime in question is a less serious crime, such as vandalism, a bias-related motive really ups the ante, Bock explained.

"With bias crimes, you're not actually looking at a particular crime, but at a motivation for several different crimes," he said.

Because of this, critics of hate crime laws question whether perpetrators of hate crimes should face additional charges. They argue that a crime is a crime, regardless of the motive, and that hate crime laws give too much discretion to judges.

Bock disagrees. "If anybody out there believes that, they're wrong. You would be far more forgiving if someone burglarized your house to feed their starving kids than if they did it because of a bias against you. To say hate crimes should be ignored — that's terribly wrong."

Corcoran and other proponents of bias crime legislation emphasize that hate crimes do need to be differentiated from other crimes.

"Yes, all crimes are terrible and people get hurt," said Jean Harris, executive director of Basic Rights Oregon. "But that question is a de-

flection of the issues. It's important to talk about the difference between them."

A hate crime, specifically one involving death, differs from other murders in two ways, Corcoran explained.

"First, there's an excessive amount of brutality involved. It's not one person shooting another. It's not two people involved in a bar fight where one pulls a knife and stabs the other," he said. "Matthew Shepard was pistol-whipped, tied to a fence and left to die."

"Second, a hate crime is meant to terrorize a defined or definable group of people. It is committed because the victim is a member of a certain race, gender, religion or sexual orientation. It's the idea that because of that attribute, that person deserves to die, and everyone else who belongs to that group should be warned," Corcoran explained.

As a result, hate crimes are more humiliating, traumatic and psychologically damaging than other crimes — not just to the individual victim, but to the community the crime was directed toward, Vetri said.

"The real difference is that there is an impact on a particular community that makes it different from a regular kind of crime. We need to distinguish between them. With hate crimes, there's a particular message someone's trying to get across," said Gil Carrasco, a visiting law professor from Villanova University.

While Shepard's death has recently brought attention to hate crimes as a gay and lesbian issue, sexual orientation is one of many motives for these crimes. In Jasper, Texas, last June, a disabled African American man was beaten and then dragged to death by white men behind a truck in another instance of bias-motivated murder.

And, Corcoran added, "it's not just people of a minority race, but people who are Caucasian are sometimes killed because they're

white."

In Eugene this year, although hate crimes based on sexual orientation have risen, 28 of the 40 cases reported were based on other factors. Race, religion, age, socioeconomic status, political affiliation and disability are all among the numerous hate crime motives recognized under Oregon's Intimidation statutes.

Passing these statutes against bias-motivated crimes has been an important step in demonstrating that society won't tolerate such behavior, Vetri, Carrasco and Corcoran agree. However, they add, these laws are just that: first steps.

"They are a tiny step toward becoming more civilized," Vetri said. "But we need to find out, how does this bias get implanted in the minds of our children?"

Children need to be educated early about embracing diversity and overcoming prejudice, he said.

"I'm out in the trenches dealing with these issues of hate crimes every day," said Henry Luvert, president of the Eugene-area chapter of the National Association for the Advancement of Colored People. "We allow kids to have these little bitty behaviors, and then they grow into broader behaviors. We allow kids to do these little acts, and then these laws come up because we're embarrassed at the consequences."

In order to attack the problem, people need to open dialogue about their biases, said Lisa Klopfenberg, a University law professor.

"Talk about it in your classes, your churches, in your family and your neighborhood. This issue has to be addressed one-on-one," she said.

Nicole Garton covers general assignment and feature stories for the Emerald. She can be reached via e-mail at nicolekr@gladstone.uoregon.edu.

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