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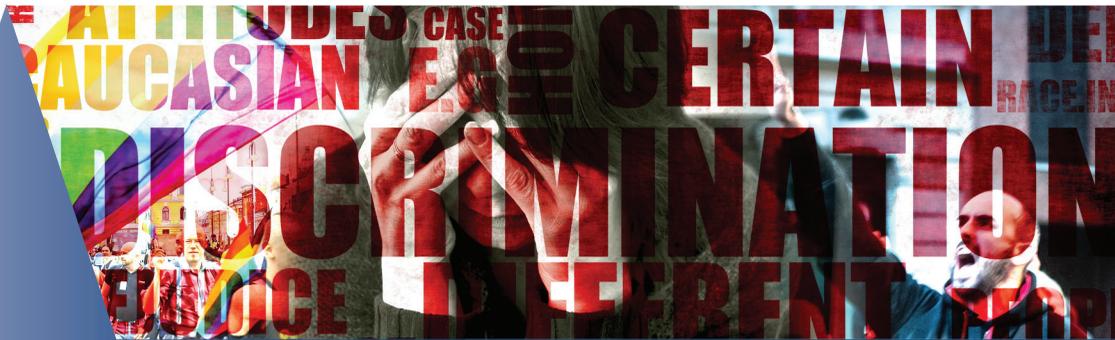


Problem-Specific Guides Series
Problem-Oriented Guides for Police

No. 72

Hate Crimes

Joshua D. Freilich
and Steven M. Chermak



Center for
Problem-Oriented Policing

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This project was supported by cooperative agreement #2011-CK-WX-K019 awarded by the Office of Community Oriented Policing Services, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement of the product by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

The Internet references cited in this publication were valid as of the date of this publication. Given that URLs and websites are in constant flux, neither the author(s) nor the COPS Office can vouch for their current validity.

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www.cops.usdoj.gov

ISBN: 978-1-932582-78-9

June 2013

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About the Problem-Specific Guide Series

The *Problem-Specific Guides* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who:

- **Understand basic problem-oriented policing principles and methods.** The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (A companion series of *Problem-Solving Tools* guides has been produced to aid in various aspects of problem analysis and assessment.)
- **Can look at a problem in depth.** Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.
- **Are willing to consider new ways of doing police business.** The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem. (A companion series of *Response Guides* has been produced to help you understand how commonly-used police responses work on a variety of problems.)



- **Understand the value and the limits of research knowledge.** For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
- **Are willing to work with others to find effective solutions to the problem.** The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with other responsible private and public bodies, including other government agencies, non-governmental organizations, private businesses, public utilities, community groups, and individual citizens. An effective problem-solver must know how to forge genuine partnerships with others and be prepared to invest considerable effort in making these partnerships work. Each guide identifies particular individuals or groups in the community with whom police might work to improve the overall response to that problem. Thorough analysis of problems often reveals that individuals and groups other than the police are in a stronger position to address problems and that police ought to shift some greater responsibility to them to do so. Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*, provides further discussion of this topic.

The COPS Office defines community policing as “a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.” These guides emphasize *problem-solving* and *police-community* partnerships in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate problem-solving and police-community partnerships vary considerably and discussion of them is beyond the scope of these guides.



These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs, and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

Each guide is informed by a thorough review of the research literature and reported police practice, and each guide is anonymously peer reviewed by a line police officer, a police executive, and a researcher prior to publication. The review process is independently managed by the COPS Office, which solicits the reviews.

For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at www.popcenter.org. This website offers free online access to:

- The *Problem-Specific Guides* series
- The companion *Response Guides* and *Problem-Solving Tools* series
- Special publications on crime analysis and on policing terrorism
- Instructional information about problem-oriented policing and related topics
- An interactive problem-oriented policing training exercise
- An interactive *Problem Analysis Module*
- Online access to important police research and practices
- Information about problem-oriented policing conferences and award programs



Acknowledgments

The *Problem-Oriented Guides for Police* are produced by the Center for Problem-Oriented Policing, whose officers are Michael S. Scott (Director), Ronald V. Clarke (Associate Director), and Graeme R. Newman (Associate Director). While each guide has a primary author, other project team members, COPS Office staff, and anonymous peer reviewers contributed to each guide by proposing text, recommending research, and offering suggestions on matters of format and style.

The project team that developed the guide series comprised Herman Goldstein (University of Wisconsin Law School), Ronald V. Clarke (Rutgers University), John E. Eck (University of Cincinnati), Michael S. Scott (University of Wisconsin Law School), Rana Sampson (Police Consultant), and Deborah Lamm Weisel (North Carolina State University).

Members of the San Diego; National City, California; and Savannah, Georgia police departments provided feedback on the guides' format and style in the early stages of the project.

Kimberly Nath oversaw the project for the COPS Office. Phyllis Schultze conducted research for the guide at Rutgers University's Criminal Justice Library. Nancy Leach coordinated the Center for Problem-Oriented Policing's production process. Marian Haggard edited this guide.



The Problem of Hate Crimes

This guide begins by describing the problem of hate crimes and reviewing factors that increase its risks. It then identifies a series of questions to help you analyze your local hate crimes problem. It reviews responses to the problem and what is known about these from evaluative research and police practice. Specifically, it describes what you can do to reduce underlying tension in the community that contributes to hate crimes. This guide also outlines what the police can do to address any special fear and trauma experienced by the individual victim and the racial, ethnic, religious, or sexual orientation community to which the victim belongs. Finally, it reviews the police role in monitoring hate groups that have members and conduct activities in your community.

What This Guide Does and Does Not Cover

Hate crime is a broad area because there is an array of substantive crimes that sometimes are committed because of a hate motivation. Hate crime is but one aspect of the larger set of problems related to these types of crimes. This guide is limited to addressing community tension that may generate hate crimes and the particular harms created by hate crimes to the individual victim and the community to which they belong. Related problems not directly addressed in this guide, each of which will require separate analysis, include many common crime types that are often motivated by hate, such as the following:

- Aggressive driving
- Assaults in and around bars
- Bullying in schools
- Cemetery vandalism
- Drive-by shootings
- Graffiti
- Homeless encampments
- School vandalism
- Stalking
- Street robbery

Many of these related problems are covered in other guides in this series, all of which are listed at the end of this guide. For the most up-to-date listing of current and future guides, see www.popcenter.org.

Some hate-related activity, such as hate-group meetings, rallies, and leafleting, encompasses constitutionally protected legal behaviors. The hate-crime problem at times is thus also related to policing political protests (such as a legal hate-group rally or a community protest against hate crimes).



General Description of the Problem

Hate crimes—also called bias crimes—are offenses where “the offender intentionally selects the victim because of the victim’s actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation.”¹ For instance, the Federal Bureau of Investigation’s (FBI) Uniform Crime Reporting (UCR) Hate Crime Statistics Program “collects data regarding criminal offenses that are motivated, in whole or in part, by the offender’s bias against a race, religion, sexual orientation, ethnicity/national origin, or disability and are committed against persons, property, or society.”² The act is considered a hate crime, in other words, if the offender is motivated in whole or in part by bias or hate and selects the victim because the victim had one of the above listed characteristics.³ If the perpetrator commits the crime for a variety of motives, such as both greed and hate of the victim’s characteristic, the offense is still considered a hate crime.⁴

A hate crime is a traditional offense like murder or vandalism with the added element of bias.⁵ Most states have passed hate-crime statutes that allow the penalty for certain substantive crimes to be increased if it is proved beyond a reasonable doubt that the offender was motivated by hate. These statutes vary, however, in which groups are protected by the statute, whether they mandate the compiling of hate-crime statistics, and in other aspects.⁶ The first federal statute, the Hate Crimes Statistics Act, focusing on gathering information about the number and types of hate crimes, was passed in 1990. This statute directed the U.S. Attorney General to gather data every year about hate crimes through the UCR.⁷ The collection of hate-crime data was continued and extended beyond race, religion, ethnicity, and sexual orientation to include bias against disability in the passage of the 1994 Violent Crime and Law Enforcement Act. The UCR’s data collection of hate crimes was made permanent with the passage of the Church Arson Prevention Act passed in 1996. Rape is usually not considered a hate crime, however, although certain feminist organizations would argue that it should be. The National Crime Victimization Survey (NCVS), run by the Bureau of Justice Statistics, began including questions about hate crimes in 2000. National-level statistics about the prevalence, nature, and scope of hate crimes are thus available from both the UCR and NCVS.



According to the NCVS, in recent years the annual number of hate crimes has declined.⁸ Nonetheless, between 2003 and 2009 an annual average of 195,000 hate-crime victimizations occurred against victims aged 12 years and older in the United States. Almost 90 percent of these hate crimes were thought to be motivated by racial or ethnic bias or both. Victims in 15 percent of hate crimes thought it was motivated by sexual orientation, in 12 percent of crimes they thought it was motivated by religious bias, and in 10 percent of crimes they suspected the motivation was against their disability.* The most common hate crime was simple assault (64 percent), followed by aggravated assault (16 percent).

Hate crimes are more likely to be violent compared to non-hate crimes. Over 85 percent of hate crimes involved violence and almost one-quarter were serious violent crimes (i.e., rape/sexual assault, robbery, aggravated assault). Only 13 percent of hate-crime victimizations involved property crimes. These figures are markedly different from non-hate crimes. According to the NCVS, only 23 percent of non-hate crimes are violent crimes, with close to 8 percent classified as serious violent crimes, and 76 percent are property crimes. These figures raise the possibility that victims may be underreporting property-related hate crimes. It is possible victims do not recognize that crimes committed against their property were also a hate crime. For example, if perpetrators vandalize a victim's property out of bias but do not leave any hate symbols at the crime scene, the victim may never realize it was a hate crime.

It is important to disaggregate hate crimes since the types of crimes committed against various minority groups differ, and how each group responds to their victimization varies. For example, anti-religious hate crimes are more likely than other types to involve property damage and vandalism. Different types of hate crimes will also vary across different locations and in their trends over time.

Significantly, 54 percent of hate-crime victims did not report their victimizations to the police.⁹ Many factors affect whether a victim reports a hate crime, including whether the victim was aware a crime occurred, whether the victim thought the crime was serious enough to report, whether the victim thought the police could respond to the crime, and the victim's relationship to the perpetrator.¹⁰ Victims of disability hate were the least likely to report their victimization to the police.

* These percentages come to more than 100% because victims may have reported more than one type of bias motivating the hate crime.



The NCVS estimates that an average of 169,000 violent hate-crime victimizations occur each year. The UCR's hate-crime numbers are lower and indicate that an average of 2,900 hate-crime victims are known to the police each year. If one takes into account NCVS's 54 percent of non-reporting victims and adds in that "12 percent of (NCVS) victims stated a complaint was signed, and [only] 7 percent received confirmation from police investigators that the crime was a hate crime...[then] the UCR estimate is no longer statistically different from the NCVS estimate due the relatively large standard error associated with the NCVS estimate."¹¹

Similar to the NCVS, the UCR's numbers show a decline in the number of hate-crime victimizations known to the police from 2003 to 2009. While the FBI's National Incident Based Reporting System (NIBRS) also seeks to capture information about hate-crime incidents, fewer police agencies participate in it compared to the UCR. The UCR's numbers are more frequently cited than NIBRS, and this is why only the UCR's findings are referenced here. Finally, the well-known measurement weaknesses of both the UCR and the NCVS, which are heightened in the hate-crime context, must be kept in mind. Again, hate-crime victims may not report their victimization because of shame, fear, distrust of police, and other reasons. In addition, not all police departments participate in the UCR, though around 95 percent of the population does reside in participating jurisdictions. Departments that do participate may not collect hate-crime statistics or may choose not to report them to the UCR. Importantly, police departments may not have received the same amount and types of training on the identification of hate crimes, which makes it difficult to make cross jurisdictional comparisons. (Some jurisdictions may under-report and other jurisdictions may over-report.) The UCR also only collects data on a limited number of motivational types of crime, and a limited number of hate-crime offenses. Similarly, victims in the NCVS sample may decide not to report their hate-crime victimizations to the NCVS for many of the same reasons.



Hate Groups

Although hate crimes are usually not committed by hate groups, white supremacists, or other types of political extremists, some are. Some jurisdictions with a larger number of hate-group activities also report high numbers of hate crimes. Supporters of organized hate groups have committed high-profile fatal attacks such as the August 2012 shooting at the Sikh Temple in Wisconsin that killed six, and the 1999 Fourth of July shooting spree in Indiana that killed two and wounded nine. The FBI and other data-collection efforts focused on terrorist acts, however, often exclude hate-motivated acts from their universe. These collection efforts argue that terrorist acts are committed to further a political or social goal, while most hate crimes lack these motives. Some disagree because a few hate crimes are ideologically motivated offenses committed by white supremacists or other extremists while other hate crimes are committed to further a social goal (for example “defending one’s neighborhood”).¹² The UCR and the NCVS do not note if the perpetrators of hate crimes are extremist or if the act was committed, or inspired, by a hate group.¹³ Since it is important, as demonstrated below, to differentiate between hate crimes committed by ideological white supremacists, other political extremists and non-extremist perpetrators, police and scholars must turn to other sources.

The U.S. Extremist Crime Database (ECDB) tracks ideologically motivated homicides committed by far-rightists and other extremists. It is possible to extract anti-minority homicides from the ECDB (i.e., hate-crime homicides committed by white supremacists and other extremists) and compare them to non-hate group/extremist hate homicides from the UCR.¹⁴ Finally, private watch-groups like the Anti-Defamation League, Southern Poverty Law Center, the Anti-Violence Project (formerly the National Gay and Lesbian Task Force (NGLTF)), and others track specific types of hate crimes, determined by their interest (i.e., anti-gay, anti-disability, anti-Jewish, anti-Black, etc.). Some of these sources also document if the hate crime was committed by supporters of a hate group or by white supremacists.

Interestingly, although watch-groups usually identify more hate crimes than the police, the two sources sometimes agree *where* such crimes occur. Thus, either source could be used to study differences in the distribution of hate crimes across locations and would provide the same results if used to identify where hate crimes are most and least likely to occur.¹⁵



Harms Caused by Hate Crimes

Hate crimes are thought to be different from other crimes and worthy of extra attention for a series of reasons. Violent hate crimes have been found to be more brutal than similar non-hate crimes.¹⁶ There is a tendency, in other words, for hate-crime offenders to use extreme violence and go beyond what is required to simply subdue the victim. Similarly, almost 25 percent of hate crimes are serious violent crimes (i.e., rape/sexual assault, robbery, aggravated assault), compared to only 8 percent of non-hate crimes that are classified in this way.¹⁷

Hate crimes often cause the direct victim of the attack to suffer from psychological stress such as depression, anxiety and feelings of heightened vulnerability, lack of concentration, and unintentional rethinking about an incident. Comparisons between hate-crime and non-hate crime victims find that hate-crime victims are significantly more likely to be fearful, expect to be targeted for additional victimizations, and are less comfortable visiting the area where they were victimized. Hate-crime victims are also more likely to have employment problems, suffer from health issues, and have difficulties overcoming the victimization.¹⁸ Some hate-crime victims are more likely to suffer from post-traumatic stress disorder compared to other types of victims. Indeed, the U.S. Supreme Court has accepted the claim that hate crimes cause ‘distinct emotional harm’ to victims. Hate crimes may increase fear in the victim’s family and their community and also lead them to experience the negative consequences outlined above. It is apparent that hate crimes can impact the spatial mobility of members of the targeted communities. That is, individuals restrict their everyday movements to only those environments where they feel safe. These reactions could undermine community cohesiveness and strain ties between the police and the community. Further, hate crimes could lead to retaliatory strikes from the victim’s community against members of the attackers’ community and thereby create a feud-like situation. Such an occurrence would further undermine public safety and community stability.¹⁹

Police actions that seem to minimize the hate crime and/or dismiss the victim’s concerns could have negative consequences. Some victims may feel re-victimized by the official response to their initial victimization. Further, the victim’s wider community may perceive these actions as reflecting the police department’s policies, and conclude that the police ignore their community’s concerns. Thus, police-community relations could be further undermined.²⁰



Factors Contributing to Hate Crimes, Community Tension, and Fear

Understanding the factors that contribute to your problem will help you frame your own local analysis questions, determine good effectiveness measures, recognize key intervention points, and select appropriate responses. Factors that increase tension in the community that contribute to hate crimes are reviewed. Next, there is a discussion of factors that contribute to the emergence of hate groups and their increased activities in the area. A review of what is known about hate-crime offenders and discussion of the characteristics and special needs of hate-crime victims rounds out this section.

Demographic change, social disorganization, and legal hate-group activity have been found to be associated with greater levels of hate crimes. Social disorganization is the “inability of a community...to realize the common values of its residents and maintain effective social controls.”²¹ It is important to be aware of the sometimes subtly different types of hate crimes. Violent hate crimes against racial minorities are more common in neighborhoods that are undergoing demographic change. These areas have long been inhabited by majority members but are experiencing an immigration of racial minority-group members. Majority members may feel threatened personally and conclude that their way of life is being undermined by the minority influx. Some commit hate crimes to defend the neighborhood. The larger community and its political elites at times endorse a cultural framework that understands and may even support the commission of hate crimes.²² Violent hate crimes, like “regular” crimes, also occur in socially disorganized areas. Even in neighborhoods that are not socially disorganized, increasing the numbers of minority members in majority areas is still associated with more hate offenses.²³ Importantly though, there is not much evidence to support the idea that hate crimes are caused by or increase due to poor economic conditions.²⁴

There are some important differences between anti-black and anti-white hate crimes.²⁵ Anti-black hate crime usually occurs in relatively organized communities with high levels of informal social control. In contrast, anti-white hate crimes are more likely to occur in disorganized locations where residential turnover is more common. Meanwhile, anti-gay hate crimes are more likely to occur in areas where gays are more numerous.²⁶ Again, context is important. It has been argued that local hate crimes against Jews are linked to a rise in tension or a specific event in the Israel-Palestine conflict or other tensions occurring in the Middle East.²⁷ Similarly, some find a correlation between the demonization of Muslims in the media and the victimization of local Muslims by hate crimes.²⁸



Hate crimes are also more common in areas that have recently experienced hate-group activity. For example, more hate crimes occurred in North Carolina counties that had recently had a cross burning.²⁹ It is possible these cross-burnings drew attention to the goals of the movement and encouraged individuals to act. The climate in these areas may also be more accepting of hate crimes. Hate groups may create an environment, in other words, that justifies the commission of hate crimes.

Similarly, hate groups may focus on areas that are undergoing demographic change to take advantage of the increased tension and use it as an opportunity to mobilize. These groups may recruit members, while also encouraging individuals to commit hate crimes in the area.³⁰ Some racist Skinhead and other types of hate groups seek to recruit and indoctrinate disaffected or alienated white youth who feel excluded from their peers.³¹

College towns and neighborhoods could also pose a special risk for hate crimes. In some primarily white American cities and towns the only racial and ethnic minority members residing in these cities may be minority students that came to the city to attend college. These minority-group members thus usually constitute only a small part of the overall community population. Moreover, where this is true, it often means that these minority students lack the normal family/adult support from members of their race or ethnicity. Even if these students are welcomed within the college community, they might not be in the outside community.

Older and larger hate groups are more likely to be violent. Similarly, groups led by charismatic leaders, and groups that advocate for leaderless resistance tactics are also more likely to be violent. Interestingly, groups that publish ideological literature are less likely to be violent.³²

Offenders

Most hate-crime offenders are male and white. Approximately 60 percent of violent hate crimes are committed by white males. Hate-crime offenders are usually juveniles or young people. In fact, nearly half of all hate-crime offenders are under the age of 20, although hate-crime offenders who commit violence tend to be older than those committing property crimes.

There are several hate-crime offender typologies.³³ Blending several typologies yields five major categories: thrill-seeking, reactive/defensive, retaliatory, mission, and bias peripheral/mixed.

**Thrill-seeking**

Thrill-seeking is the most common offender motivation. Thrill-seeking refers to hate crimes that are committed for fun: in many cases, any vulnerable minority might be targeted. Scholars have documented thrill-seeking offenders committing attacks against racial (e.g., African Americans, Asian Americans, white Americans), religious (e.g., Amish, Jewish), ethnic (e.g., Latino), and other (e.g., gay) groups. These offenses are often committed by groups of juveniles, with no criminal records, who use non-gun weapons. Sometimes alcohol and substance abuse is involved, and these crimes tend to occur in public locations like parks and streets.

Reactive/Defensive

Reactive/defensive refers to hate offenses that are committed to defend inferred incursions against one's area or way of life. These crimes are consistent with the defended neighborhood thesis discussed above that explains why hate crimes are more common in areas that are experiencing increases in minority populations. These crimes also usually occur in groups. The offenders specifically seek out victims from the minority group they view as encroaching upon their neighborhood. Often the perpetrators are emboldened to act because they believe the larger community shares their dislike of the minority group and would support or accept their crimes against them. Again, hate groups at times target these areas to take advantage of the situation by recruiting disaffected white males in the area and encouraging the commission of hate crimes.³⁴

Retaliatory

Retaliatory offenses occur when the offenders perceive that they or their group were previously the victims of a hate crime. These offenders subsequently commit a hate crime as revenge against members of the group seen as perpetrating the initial hate crime. This category illustrates the dangers hate crimes could play in creating tensions that undermine communities because retaliatory crimes negatively affect public safety and community cohesion.

Mission

Mission offenses encompass perpetrators subscribing to a belief system that views members of the minority group they target as evil. These offenders usually act alone, and unlike thrill-seekers, appear to deliberately choose their victims. Mission perpetrators are more likely than the other categories to be members of specific hate groups or supporters of the movement's ideology. Mission offenders are also more likely to commit deadly attacks, to be suffering from a mental illness, and to commit suicide or be killed during or after their attack.



Bias Peripheral/Mixed

Bias peripheral/mixed hate crimes are those committed for mixed reasons, with hate appearing to be peripheral. In other words, these are events where two parties argued (e.g., about a parking spot or property rights) and in the course of that dispute one party attacks the other while referencing their race, religion, or other status. Like mission offenders, these perpetrators are more likely to act alone. These types of crimes are particularly difficult for the police to classify. Police may also struggle with how to most effectively respond to them.³⁵

A few scholars have interviewed hate-crime offenders, focusing on those associated with racist hate groups. These studies have found that many offenders feared interracial marriage and increased minority immigration.³⁶ As noted, anti-religious hate crimes are more likely to involve property crimes while anti-race hate crimes are more likely to involve personal contact crimes. Although most hate-crime offenders are young and have no criminal record, it has been found that the criminal histories of hate-crime offenders differed based upon the groups they targeted. Offenders attacking racial minorities were found to have more extensive and violent criminal histories, while perpetrators targeting religious groups had fewer prior offenses and less serious criminal histories. Offenders striking against gays had prior histories of violence, but these were not hate-crime related. These crimes often involve multiple offenders. The offenders are more likely to be under the influence of drugs or alcohol and more likely to seriously injure the victim when compared to offenders who commit other types of assaults.³⁷

Victims

According to the NCVS, race (58 percent) is the most likely motivation of hate crime, with African Americans the most targeted. The next most frequent motivation is ethnicity (30 percent). Other motivations include sexual orientation (15 percent), religion (12 percent), and disability (10 percent). Interestingly, crimes motivated by religious bias are more likely to be property rather than personal crimes.³⁸ Similarly, the UCR's hate-crime data indicates that more than half of victims known to police thought it was motivated by race.

Compared to non-hate crimes, hate offenses are more likely to occur near the victim's home. Some have also noted the importance of opportunities. Perpetrators have been found to select victims that stood out (due to visual identifiers such as unique dress or clearly identified institutions that are associated with Orthodox Islam, Orthodox Judaism, or the Amish religion), and were thought to be more vulnerable because they would not fight back or report the crime.³⁹ Compared to regular crimes, hate offenses are more likely to involve strangers (as opposed to a family member or acquaintance), multiple offenders and victims, and occur in public places.



Finally, police departments vary in whether they offer training in recognizing and responding to hate crimes. Departments that do offer training may differ in the type of training provided, and if hate crime policing is prioritized. Police departments and officers differ in their ability to recognize a hate crime. Agencies also vary in how much importance they attach to correctly recording hate crimes, and how they treat offenders and victims of hate crimes. This in turn influences whether hate-crime victims will report the offense to the police.

Times

Specific local, national, or international events may result in a temporary spike in the number of hate crimes in your jurisdiction. Perhaps the most prominent example of this is the spike in anti-Muslim attacks that followed the September 11 terrorist attacks. It is important to be aware of such events, especially those that are covered extensively in the media. Similarly, “Mission” hate-crime offenders sometimes choose to commit their attacks on certain “special dates” for the movement, such as Hitler’s birthday. You should be aware of these dates’ significance and heighten scrutiny at these times.



Understanding Your Local Problem

The information provided above is only a generalized description of hate crimes. You must go beyond what is required by the UCR in terms of hate-crimes classifications to combine the basic facts with a more specific understanding of your local problem. Analyzing the local problem carefully will help you design a more effective response strategy.

To begin, consider implementing a two-stage review of hate-crime classifications. This review process will capture more hate crimes and lead to improved hate-crime recording by police and thus more accurate data that will produce better analyses. Under this system the responding police officers initially apply broad criteria (that captures even suspected hate crimes) that are subsequently reviewed by specially trained members of a hate-crime unit (or a specially trained supervisor in smaller police departments) who conduct follow-up investigations. Collecting and analyzing accurate statistics on the scope and trends of hate crimes is an important step in preventing and responding to hate crimes.⁴⁰

Neighborhoods may be composed of different groups, have varying levels of hate crimes, and experience different types of hate crimes. It is also likely that these characteristics can change significantly over time. Various targeted communities will have higher or lower levels of reporting their victimizations to the police. Different communities and neighborhoods will thus need to be analyzed separately. Disaggregating hate crimes by victim groups (e.g., Black, gay, Jewish, Muslim) will identify which groups are more vulnerable. Disaggregating by location will identify “hot spots” and problematic areas. Similarly, having an understanding of which communities are least likely to report hate-crime victimizations (e.g., disabled individuals) should inform your personnel- and resource-allocation decisions in addressing hate crimes and encouraging reporting. Tracking and categorizing hate-crime offenders (e.g., thrill-seekers versus mission perpetrators) will document which ones pose the greatest threat in your jurisdiction. For example, thrill-seeking hate-crime offenders may target any vulnerable minority while defenders may only focus on those viewed as a threat to their community.⁴¹



Stakeholders

In addition to criminal justice agencies, the following groups have an interest in the hate-crime problem and ought to be considered for the contribution they might make to gathering information about the problem and responding to it:

- *Mental health officials* may be able to assist in crafting responses to hate crimes committed by those with mental illnesses, especially mission offenders.
- *Watch groups* (e.g., the Anti-Defamation League, the Southern Poverty Law Center, or the National Association for the Advancement of Colored People) could provide their own data on hate-crime incidents against certain minority groups and information on organized hate groups, assist in police training initiatives, and help efforts to enhance relations between the police and minority communities.
- *Community organizations representing hate-crime victims* could assist victims in coping with their crimes, help victims navigate the legal system, act as a bridge between the police and the victim, work to reduce fear and trauma in the minority community, and assist in maintaining community and police relations.
- *Community organizations from the offender's community* could help reduce tension in the majority community, create an environment that does not tolerate hate crimes, and build a dialogue with the minority community.
- *The general media, and minority media outlets*, could educate the public about hate crimes, help reduce fear and tension and create a sense of calm in the community, encourage hate-crime reporting, and reinforce the message that such crimes will not be tolerated.
- *Schools, colleges, and universities* could sponsor hate/violence-prevention response networks, assemblies, and programs that publicize the strategies of hate groups; promote diversity and teach about tolerance; feature curricula on intergroup relations; and foster police and community dialogue. These institutions could also work with the police to improve hate-crime reporting in these institutions.
- *Victim services organizations* could help victims cope with the physical and psychological injuries, aid them as they engage the legal system, and assist them in their reintegration into the community.
- *Academics* could cooperate with police by analyzing hate crimes to identify characteristics of these crimes disaggregated by minority group, crime type, location, and offender type. This will aid police in deciding which prevention strategies to use, and their allocation of resources.
- *Other federal, state, and local government agencies* (e.g., federal and community relations services, or offices of victim assistance) can help the police craft responses to hate crimes that empower individual victims and their communities, and educate the public.



Asking the Right Questions

The following are some critical questions you should ask in analyzing your particular problem of hate crimes, even if the answers are not always readily available. Your answers to these and other questions will help you choose the most appropriate set of responses later on.

Community Characteristics

- Is your jurisdiction demographically diverse?
- Does your jurisdiction have highly visible minority populations (e.g., African American, Orthodox Muslims, or Orthodox Jews) or buildings (e.g., Jewish or Muslim institutions) associated with them?
- Are any areas in your jurisdiction undergoing demographic change?
- Is there racial, ethnic, or other community tension in your area?
- Is there tension between certain communities and police?
- Are there locations in your jurisdiction that are socially disorganized and/or are “hot spots” for “regular” crime?

Incidents

- How many hate crimes have occurred in your jurisdiction?
- What is the breakdown of hate crimes in terms of types of offenses (e.g., violent versus property offenses)?

Victims

- Why do some victims choose not to report their hate-crime victimizations?
- Which minority groups are most/least targeted by hate-crime offenders? What is the breakdown of hate victimization by minority group (e.g., percentage of crimes that are anti-African American, Anti-Latino, or anti-gay)?
- What percentage of hate-crime victims are under the influence of alcohol or drugs during the commission of the crime?
- How have hate-crime victims reacted to these offenses?
- How often do victims use community resources or victim-advocacy organizations?



Offenders

- What are the characteristics of hate-crime offenders (e.g., age, ethnicity, education level, and occupation)?
- What motivates offenders to commit these crimes (e.g., for thrills, to defend their community, in retaliation, or to express hateful attitudes and beliefs)?
- What percentage of hate-crime offenders use a weapon? What type of weapon?
- What percentage of hate-crime offenders are under the influence of alcohol or drugs during the commission of the crime?
- How far from the crime scene do offenders live?
- How many offenders tend to participate in hate-crime incidents (one perpetrator, two, more than three)?

Locations and Times

- Where do hate crimes occur? Are there hot spots?
- Are victims attacked in their own neighborhood? The offender's neighborhood? Another location?
- Do hate crimes tend to occur on specific "meaningful" dates?
- On what days of the week do most hate crimes occur? At what time of day?

Current Responses

- Do police offer and/or collaborate with community organizations to offer programs to educate citizens about hate crimes, reduce victim vulnerability, and encourage reporting?
- How have the larger communities that were targeted by hate-crime offenders reacted to these crimes?
- What community programs are available to educate the public about crimes? To aid victims of hate crimes? To encourage reporting of hate crimes? Has anyone assessed their effectiveness?
- What strategies have been used to combat the commission of hate crimes? Has anyone assessed their effectiveness?
- What percentage of reported hate crimes do police clear by arrest? What percentage do prosecutors take to court? What percentage of offenders accused of hate crimes are convicted?
- What types of sentences do convicted hate-crime offenders receive?



Measuring Your Effectiveness

Measurement allows you to determine to what degree your efforts have succeeded, and suggests how you might modify your responses if they are not producing the intended results.

You should take measures of your problem *before* you implement responses, to determine how serious the problem is, and *after* you implement them, to determine whether they have been effective. You should take all measures in both the target area and the surrounding area. For more detailed guidance on measuring effectiveness, see Problem-Solving Tools Guide No. 1, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers* and Problem-Solving Tools Guide No. 10, *Analyzing Crime Displacement and Diffusion*.

The following are potentially useful measures of the effectiveness of responses to hate crime. Process measures show the extent to which responses were properly implemented. Outcome measures show the extent to which the responses reduced the level or severity of the problem.

Process Measures

- Increased number of people willing to report hate crimes
- Increased number of officers trained in how to respond to hate crimes
- Increased number of officers who take policing hate crimes seriously
- Increased number of officers who respond to and interact with sensitivity with hate-crime victims
- Increased interactions, communication, and cooperation between the police and targeted minority communities about hate crimes
- Improvements in how hate crimes are investigated
- Increased number of officers who correctly recognize and categorize hate crimes
- Increased number of community members, both majority and minority, who express trust in the police
- Increased number of people in the community, both majority and minority members, who express support for tolerance and diversity, and outrage against hate crimes
- Increased compatibility between the number of hate-crime victims reporting their victimization to the police and the number who report to watch groups or in victimization surveys



Outcome Measures

- Decreased number of hate crimes in your community
- Decreased severity of harm caused by hate crimes (even if the number of hate crimes stays the same)
- Decreased fear of becoming a hate-crime victim
- Decreased number of hate groups in your community



Responses to the Problem of Hate Crimes

Your analysis of your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, you should consider possible responses to address the problem.

The following response strategies provide a foundation of ideas for addressing your particular problem. These strategies are drawn from a variety of studies and police reports. Several of these strategies may apply to your community's problem.

It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law-enforcement responses alone are seldom effective in reducing or solving the problem.

Do not limit yourself to considering what police can do: carefully consider whether others in your community share responsibility for the problem and can help police better respond to it. The responsibility of responding, in some cases, may need to be shifted toward those who have the capacity to implement more effective responses. For more detailed information on shifting and sharing responsibility, see Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*.

For further information on managing the implementation of response strategies, see Problem-Solving Tools Guide No. 7, *Implementing Responses to Problems*.

General Considerations for an Effective Strategy

1. **Prioritizing the response to hate crime within the police department.** Police departments that create a culture that takes the investigation of hate crimes seriously are more likely to have officers that enforce hate crime laws and adhere to the department's policies in addressing them.⁴² For example, issuing reminders to your department's officers about the importance of hate crimes at regular intervals will make clear to them that the department prioritizes the policing of hate crimes. Similarly, setting aside specific times during the year to publicly condemn hate crimes will underscore to the public that the department does not tolerate hate crimes. Agencies should also work with majority-community leaders such as public officials, and religious and business leaders to speak out against hate crimes and violence so that citizens understand that these crimes are not supported or accepted by their community.⁴³ Other means of prioritizing the police response to hate crimes include creating specialized hate-crime units, establishing liaisons for minority communities, or creating multi-agency task forces to better understand hate crime in a community.



Some of the advantages of having a hate-crime unit are that personnel develop a specialized expertise and can thus review and validate suspected cases of bias. Officers are also able to foster relationships with community agencies and prosecutors. Although there has not been much research that examines the effectiveness of hate-crime units, there is some evidence that such units send a positive message to the community that hate crimes are taken seriously, and this in turn could improve police-community relations, and lead to increased hate-crime reporting from the community.⁴⁴ There is some concern that even in departments with specialized units the level of organizational commitment to policing hate crimes is weak.⁴⁵ It is recognized that smaller police agencies likely lack the resources to create specialized units. Such departments could instead designate one officer or supervisor and provide them with specialized training to respond to and investigate all suspected hate crimes. This approach is more effective than a decentralized approach where officers from all districts/precincts receive specialized hate-crime training and are subsequently responsible for investigating hate crimes that occur in their area. The decentralized approach has several disadvantages. First, hate crimes are not randomly distributed within a community and many geographic areas will not experience any hate crimes. Second, since the officers work few cases, they are not able to build a working knowledge that will help them better understand hate crimes. Third, since a single officer is usually trained for a specific area, the officer is not able to benefit from interactions with others about a case.

Importantly, technology can be used to bolster these initiatives. For example, technology could be applied to scan police reports or narratives supplied by detectives to look for hate language or phrases. This may identify incidents that were not initially classified as hate crimes but should have been.

2. **Establishing multi-agency task forces.** Establishing task forces to coordinate across agencies composed of federal, state, other local police agencies and prosecutor offices will facilitate the sharing of information about violent hate groups and hate-crime suspects between and among departments. Police departments can also draw upon needed resources that they may lack, such as crime labs, software programs, advanced technical programs, databases on perpetrators or hate groups, and even additional trained personnel that their agency partners possess.⁴⁶ For example, in the early 1990s the Sacramento Police Department formed a multiagency task force to respond to a series of hate arsons. This task force coordinated and balanced the demands of the various involved agencies and eventually arrested the perpetrator.⁴⁷ Similarly, and more recently, the New York City Police Department's Hate Crime Task Force has played an important role in reducing hate crimes and racial tension in that city.⁴⁸



The Simon Wiesenthal Center brings together multijurisdictional teams for a four-day intensive training effort that results in a comprehensive community coordination plan on how to most effectively address hate crimes. This training includes sessions on the (i) characteristics of hate crimes and offenders, (ii) understanding hate groups, (iii) identifying tensions that exist between groups, (iv) responding to hate crimes, (v) outlining promising strategies, and (vi) discussing successful collaborations that have occurred. In addition, there is also discussion of the use of the Internet by hate groups and combating this significant problem.

Specific Responses to Reduce Hate Crimes

- 3. Training police officers.** Officer training should cover cultural awareness; how to correctly identify and categorize hate crimes (such as using an established check-sheet to aid in classification decisions); and how to investigate hate offenses, classify the perpetrator, interview and interact sensitively with the victim, act with the victim's community, and collaborate with the prosecutor's office. Taking into account the victim's distinct needs could ensure a better relationship with the victim and their community and thus reduce the community's fear and trauma, thereby encouraging better hate-crimes reporting. Training should improve hate-crime investigations and increase the likelihood of conviction and punishment of offenders, improve the assistance provided to hate-crime victims, and improve the response to the target community including better explanations of offenders' motives and identity. These benefits can enhance prevention efforts and increase hate-crime reporting.⁴⁹ Realize though, that increased reporting will result in "increased" numbers of hate crimes. But, this does not represent ineffective responses; instead it reflects a successful response. Thus, as noted below in response 7, reaching out to minority communities to accurately convey these developments is important.



4. **Responding to hate-crime victims' needs.** Hate-crime incidents should be responded to quickly and thoroughly. Doing so conveys to the victim and the community that police take hate crimes seriously, which also encourages others to report their victimization to the police. The quality of the police response is important for building trust between the agency and the offended community. Hate-crime victims may require special responses. A professional translator may be needed to communicate effectively with the victim. Relying on community translators (e.g., the victim's friend or family member) might not be effective if the victim is hesitant to discuss their victimization within their community. The investigating officer should explain the process to the victim, and assist them in accessing victim support services and community advocacy (by providing packets or contact information). The officer should also convey verbal support and understanding to the victim and allow the victim to express their thoughts and anxieties. Officers must be aware of possible special fears that the victim may have of the police or of their victimization or status being publicized. Importantly, the officer should provide the victim a specific point of contact so they can follow up and receive updates about this incident and assistance with their other needs. In addition, officers need to be aware of community resources that might help victims. In San Diego, for example, a victim assistance volunteer is brought in to assist victims, make them aware of resources, and keep them informed about the status of their case. Such relationships are important since the police are not always able to meet all victim needs on their own.
5. **Increasing police presence and attention in high-risk neighborhoods.** Pay more attention to and closely monitor areas that are more likely to experience more hate crimes. For instance, since hate crimes are more likely in areas with growing numbers of minorities and that are more socially disorganized, these areas should receive more police attention.⁵⁰ Although small agencies might not have the resources to specifically assign personnel to an area for a significant period of time, such agencies could strategically use specific interventions in these areas if there appears to be an increase in hate activity.
6. **Monitoring hate groups and tracking hate incidents.** Collecting information on violent hate groups and recording lawful hate activity (like leafleting or demonstrating by a white supremacist group) can itself improve minority community-police relations by demonstrating police commitment to addressing and preventing hate crime. Monitoring hate groups that participate in criminal activities may identify potentially threatening members. Since increased lawful hate activity has been associated with subsequent hate crimes, documenting this activity should inform police resource allocation. By recording lawful hate activity, the police could prevent illegal activity by hate-group opponents.⁵¹



You must be mindful of First Amendment protections for some forms of hateful speech and demonstrations, and that includes making sure not to improperly infringe upon constitutionally protected free speech. As the FBI notes, “hate itself is not a crime and [one] must be mindful of protecting freedom of speech and other civil liberties.”⁵² Similarly, you should be cautious when collecting data about hate-crime groups. Stay abreast of legal restrictions on the intelligence collection process. Intelligence about hate-crime groups can only be collected once a criminal predicate is established. Analysis of the characteristics of hate-crime groups in a jurisdiction should thus be limited to those groups involved in violence or other criminal activities. However, do consider establishing communications with non-violent extremist organizations operating in your jurisdiction. This outreach could include peacefully discussing issues of concern, assuring them that their free-speech rights will be protected, and encouraging them to focus on lawful activities while stressing that violence and hate crimes will not be tolerated.⁵³

For both responses 6 and 7, technology could be used to map violent hate groups’ headquarters or “hangouts,” as well as the changing demographics of both perpetrator and victim groups. This could help you visualize change and where problems might originate.

- 7. Reaching out to minority communities.** Try to build strong relationships with support organizations that interact with potential victims. Provide information and training so that officers have a better understanding about specific communities, their customs, languages, fears, and vulnerabilities. In communities where English is a second language for many residents, try to assign officers who are fluent in the dominant language and/or familiar with that culture. Co-sponsor and participate in community events and conduct direct mailings (including multi-lingual education campaigns) to community members. Since community members may distrust the police and be fearful of publicizing their victimization by going to a police station, make hate-crime reporting forms available in community organizations and online, and train organization staff about the reporting process.

Establish toll-free reporting hotlines. For example, a police department in Great Britain was concerned that anti-gay hate crimes were underreported in its jurisdiction. The agency installed a touch screen kiosk in a local gay community venue to provide easy access for people to report anti-gay hate crimes and access support agencies. The online completed forms were sent to the organization that ran the community venue. If the victims requested that the report be forwarded to the police the organization then did so.



This strategy was deemed successful because it increased victims' confidence to report these crimes and also resulted in increased reporting of these crimes.⁵⁴ Other departments have communicated successes like these to the public via both the general and local community presses.⁵⁵ Such successful outreach programs could have a broader impact on police community relations beyond hate crimes. It could increase the perceived legitimacy of the police and enhance community policing and other police tactics more generally.

Another step to take is to increase public awareness of hate crimes and educate target groups about strategies to reduce their vulnerability to hate crimes. Offenders have at times selected victims because they perceived them to be “easy marks,” unlikely to fight back or report the crime.⁵⁶ Educate community members to be cautious of walking alone while inebriated, late at night, especially in areas that have been found to be hate crime hot spots. Some police departments have distributed multi-lingual videos that contain this type of information to help warn community members.⁵⁷ Stress that reporting hate crimes to police is safe and will be taken seriously. Publicize specific initiatives that have been undertaken to encourage and/or improve the reporting of hate-crime victimizations.⁵⁸

8. **Engaging educational institutions and the mass media.** Collaborate with educational institutions and the mass media to teach students, staff, and the general public about hate crimes and hate groups' recruitment tactics. Target all levels of educational institutions (elementary, middle school, high school, and college) and emphasize tolerance.⁵⁹

Responses with Limited Effectiveness

9. **Treating hate crimes as regular crimes.** Because hate crimes cause special psychological fear and harm to both the individual victim and the targeted community, they merit special police attention. Even if the argument that crimes motivated by hate should be treated no differently by the courts than those not motivated by hate has some legal merit, it does not follow that the entire police response should be no different for hate crimes than it is for regular crimes. Effective police responses will encourage better hate-crime reporting, prevent retaliatory hate crimes, and help maintain community cohesion and public safety.

Appendix: Summary of Responses to Hate Crimes

The table below summarizes the responses to hate crimes, the mechanism by which they are intended to work, the conditions under which they ought to work best, and some factors you should consider before implementing a particular response. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<i>General Considerations for an Effective Strategy</i>					
1	25	Prioritizing the response to hate crime within the police department	Encourages victim reporting, enhances the likelihood of solving hate crimes, and promotes public confidence in police	...officers and the public are routinely reminded of the department's commitment to addressing hate crimes; specialist units or officers are designated to respond to hate crimes	Establishing specialized hate-crime units will not always be feasible for smaller agencies
2	26	Establishing multi-agency task forces	Facilitates information sharing about and enhances resources to address hate crimes	...participating agencies are equally committed to responding to hate crimes	Interagency protocols are useful for clarifying responsibilities and policies



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<i>Specific Responses to Reduce Hate Crimes</i>					
3	27	Training police officers	Increases the department's ability to identify and investigate hate crimes	...the training includes multiple examples and opportunities for actively applying what is learned to specific cases; training is coordinated with other community partners	Different employees have somewhat different training needs
4	28	Responding to hate-crime victims' needs	Reduces psychological trauma to victims and encourages other victims to report to police	...initial responding officers treat victims with sensitivity and professionalism	Specialized language translation and victim assistance may be required
5	28	Increasing police presence and attention in high-risk neighborhoods	Deters hate-crime activity and reassures at-risk communities	...data clearly indicates high-risk areas	Many police agencies lack the resources to significantly enhance police presence
6	28	Monitoring hate groups and tracking hate incidents	Promotes public confidence in police and improves police ability to detect and prevent hate crimes; deters unlawful hate activity	...public is aware of police actions in addressing hate crimes	Police must be mindful of legal restrictions on monitoring groups and inhibiting free speech and right to publicly assemble

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
7	29	Reaching out to minority communities	Encourages victim reporting of hate crimes; reduces fear in minority communities	...police are willing and able to communicate effectively with minority communities; police can recommend practical measures to discourage and prevent hate-crime victimization	Some communities may distrust police initially
8	30	Engaging educational institutions and the mass media	Makes large numbers of people aware of hate-crime problems and how to respond to them	...educational institutions and mass media are willing to acknowledge and discuss the hate-crime problem	Might require persuading decision-makers that hate crime is a problem worthy of special attention
<i>Responses with Limited Effectiveness</i>					
9	30	Treating hate crimes as regular crimes	Deemphasizes the seriousness of the hate element and ignores the impact such crimes can have on the broader community	Not a promising strategy	Research establishes the unique nature of these crimes and the types of impact such crimes produce. Policies and approaches to deal with this issue are necessary



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About the Authors

Joshua D. Freilich

Joshua Freilich is professor of criminal justice at John Jay College, City University of New York. He is a lead investigator for the National Consortium for the Study of Terrorism and Responses to Terrorism (START), a Center for Excellence of the U.S. Department of Homeland Security. Freilich is also a member of START's Executive Committee and member of the Global Terrorism Database's (GTD) Advisory Board. His research focuses on causes of and responses to terrorism as well as environmental criminology. Freilich is the co-creator and co-director (with Steven Chermak) of the U.S. Extremist Crime Database (ECDB) study, an open source relational database of violent and financial crimes committed by political extremists in the United States. He holds a B.A. from Brooklyn College, City University of New York, a J.D. from Brooklyn Law School, and a Ph.D. in criminal justice from the University at Albany, State University of New York.

Steven M. Chermak

Steven Chermak is professor of criminal justice at Michigan State University. His research focuses on domestic terrorism, intelligence practices and policing strategies, and media coverage of crime and justice. He is also a lead investigator for the National Consortium for the Study of Terrorism and Responses to Terrorism (START), a Center of Excellence of the U.S. Department of Homeland Security. Chermak is the co-creator and co-director (with Joshua Freilich) of the U.S. Extremist Crime Database (ECDB) study, an open source relational database of violent and financial crimes committed by political extremists in the United States. He holds a B.A. from Bowling Green State University and a Ph.D. in criminal justice from the University at Albany, State University of New York.



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