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Criminology, Law & Society
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Tues. & Thurs. 9-11:50 a.m.
SSL 228
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HATE CRIME (C127)

Almost daily news reports on violence based on prejudice and bigotry abound. For example, a 20-year old man walked up to another man, asked if he's Arab, and then punched him¹; there was a plot to bomb Somali immigrants in Kansas²; 30 years after the fact, a gay man's fall from an Australian cliff is ruled a hate crime;³ and bullying across the U.S. is a daily event. These are just a few of the ways bias-motivated violence takes form. When confronted with these and many other forms of violence that target particular types of people, the interrelated questions of "why," "how," and "what" are prompted. Why does this happen? How can we make sense of it? And, what can we do about it?

During the latter part of the 20th century, so-called "hate crime" became recognized as a taken for granted feature of violence and crime in the U.S. and abroad, and now it is assumed to be part and parcel of the crime and criminal justice landscape. It is a fact of history and a decidedly modern social problem connected to systematic discrimination, changing and strained intergroup relations, legal mobilization, and bias-motivated violence. As such, it presents a paradox: on the one hand, the behaviors we think of as hate crimes are as old as humankind; on the other hand, the notion of "hate crime" as a special type of crime is a fairly recent invention. At the turn of the 20th century, *The National Law Journal* noted that the 1990s may go down in history as "the decade of hate—or at least of hate crime" (Rovella 1994:A1) and shortly thereafter Levin and McDevitt (2002) referred to bias-motivated violence as a "rising tide of bigotry and bloodshed." By the summer of 2018, journalists and others were observing and asking questions about attacks on police, religious minorities, people of color, immigrants, and members of the LGBT community. There is demonstrable public concern with the perpetration of violence motivated by hate or bias, as well as contemporary legal and extra-legal efforts undertaken. With this in

1 <https://patch.com/illinois/alsip-crestwood/alsip-man-charged-hate-crime>, last visited June 24, 2018.

2 https://www.nytimes.com/2018/04/18/us/kansas-militia-somali-trial-verdict.html?ref=collection%2Ftimestopic%2FHate%20Crimes&action=click&contentCollection=timestopics®ion=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=collection, last visited June 24, 2018.

3 https://www.nytimes.com/2017/11/30/world/australia/hate-crime-scott-johnson.html?ref=collection%2Ftimestopic%2FHate%20Crimes&action=click&contentCollection=timestopics®ion=stream&module=stream_unit&version=latest&contentPlacement=8&pgtype=collection, last visited June 24, 2018.

mind, this course focuses on hate crime as a specific type of violent conduct and criminal activity, as well as social control efforts designed to curb such violence.

Objectives and Key Questions

The purpose of this course is to examine the causes, manifestations, and consequences of hate crime, as well as the larger social context within which they occur, are reacted to, and increase or decline in prevalence. Throughout the course we will treat the study of hate crime as a window through which a variety of social structures and processes can be rendered visible and amenable to examination, especially those related to social stability, social change, and social control. Specifically, this course addresses a set of interrelated questions about the politics and dynamics of intergroup violence born of bigotry and manifested as discrimination. For example:

- 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, given that violence directed at people because of their real or imagined characteristics is as old as humankind?
- 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 similar to and dissimilar from other types of crime?
- How are efforts to curb hate crime connected to larger social movements? Under what conditions and how do communities in which hate crimes occur respond to such acts?
- What types of behaviors seem to be getting center stage in both public and policy discussions of hate crimes? 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?

To address these questions, this course is organized around: 1) conceptualizing and measuring hate crimes, 2) the social context of hate crimes, and 3) the social regulation of hate crime.

Since no single conceptual framework or theoretical position can adequately account for the complexity of the production, maintenance and control of hate crime, this course draws upon an

array of classical and contemporary theoretical work, empirical research, and case studies to address the questions identified above and to raise related questions.

By the time this course is over, you should be able to think critically about the people, social structures, and cultural milieu implicated in hate crime, proposals for addressing this form of violence, and the many ways in which hate crime interfaces with other institutions (e.g., the media, the family, the economy, etc.). Moreover, you will be able to think about crime and crime control policies in a more critical, systematic, empirical, and fruitful way. Ultimately, the goal of this course is to accomplish what good education always accomplishes: stimulate curiosity and the desire to learn more; acquire, critique, and apply knowledge; understand and respond to the complexities of life by using information tools, research skills, creative thinking, reasoning and analysis; and benefit from the ability to communicate effectively, including in productive dialogue with people whose experiences differ from your own and who may be separated from you by time, space, culture, and station in life.

Requirements

The most basic requirements are threefold: that you read the syllabus and other course materials, routinely check Canvas for course updates, and come to class prepared to engage and ready to learn. This means that you should come to class having completed the required reading for that day. You are expected and will be encouraged to actively engage in class by asking questions, providing comments, and participating in exercises. If you miss class, you are responsible for getting notes from another student (not from the Professor or the TA). Missing class more than once or twice is likely to compromise your grade because you will not be there to participate in class and earn credit accordingly. Likewise, it is your responsibility to read course e-mails and consult Canvas to keep up-to-date on the course.

Along with attending class, reading assigned material, and routinely checking Canvas for course updates, the following constitute course requirements:

1. Quizzes on the required readings (10% of your grade). Due dates for quizzes are posted on Canvas. If you miss a quiz, you cannot make it up.
2. Short reaction essays (10% of your grade). Each student is required to respond in writing to prompts provided in class and/or on Canvas. Details will be provided in class and/or on Canvas. If you miss class, you cannot make up in-class assignments.
3. A short paper assignment (worth 15% of your grade). Papers must be turned in via Canvas by the due date and will be subjected to Turnitin.com (for more information on this service, see: <http://turnitin.com/>). Details on the assignment options will be provided on Canvas.
4. A midterm examination (25% of your grade). Midterm exams must be taken on the scheduled date at the scheduled time; there will be no make-up exams absent proof of an

emergency.

5. A comprehensive final exam (40% of your grade). The final exams must be taken on the scheduled date at the scheduled time; there will be no make-up exams absent proof of an emergency.
6. 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. It is every student’s responsibility to read and understand UCI’s academic honesty and integrity policies.
7. This is a University of California class and, as with all UC classes, students are expected to abide by the student code of conduct 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.
8. Electronic devices can be useful tools for learning and they can distract from learning. We want the former and not the latter. Make sure your cell phones are silenced and put away during class, and please do not text or make/accept phone calls during class. Students with phones that ring during class will be asked to leave. You may use a laptop/tablet in class, but only to take notes, access course material, and look-up information related to the course. During class, do not use your laptop to explore the Internet, Tweet, visit Facebook, etc. If the professor or the TA see you browsing Facebook or some other website/application during class, we will ask you to leave class. The professor may ask that all devices be put away during some portions of selected class sessions, so please come to class prepared with pen and paper.
9. Abide by the following e-mail protocol: Student e-mail inquiries about course material, course logistics, and administrative matters should be sent to the TA via Canvas. If the TA determines that the inquiry is addressed on the syllabus, the TA will refer the student to the syllabus by writing back, simply, “IT’S” (in the syllabus). If the TA thinks an issue raised via e-mail should be addressed by the instructor, the TA will forward the e-mail to the instructor. The TA and the instructor may not respond directly to an individual e-mail, and may instead choose to address issues raised via communication to the entire class either in class or via Canvas.
10. If you want to dispute a grade you must do so via a memo addressed to the TA and submit the memo to the TA within a week of receiving the grade you wish to contest. In the memo, explain what you are disputing, how you understand the grading criteria, and

why your work should be reconsidered. The TA or the professor will seriously consider your request and may adjust your grade in an upward or downward direction.

11. Finally, understand that the course material provided by the instructor, including power point slides and handouts, is protected by copyright. Duplicating any course material for any reason other than copying for this course is prohibited without permission. None of the course material may be given or sold to any individual or firm. None of these materials may be used for case studies, class notes to accompany textbooks, teaching materials provided to others, teaching materials produced commercially for sale or distribution, examples of course materials or any other use. No recording of lectures or taking pictures of slides is permissible without prior approval. © 2018, Professor Valerie Jenness.

Teaching Assistant

The Teaching Assistant for this course is Labreonna Stori-Turner Bland. She will be working closely with you to facilitate your success in this course. Her office hours are on Thursdays after class from noon to 2 p.m. or by appointment and will be held in Social Ecology II, Room 3346. Also, you can reach her via Canvas.

Suggestions for Success

Although it is not required, you are encouraged to:

1. Raise your hand in class, question the professor, engage with the material via discussion, and otherwise actively participate in class!
2. Get acquainted with one another. Exchange e-mail addresses and phone numbers. Form study groups. Engage in collaborative learning. Studies show that students who engage in collaborative learning tend to do better in college and beyond. Also, knowing other students in the class will be helpful if and when you miss class because if you miss class you are responsible for getting notes from another student.
3. See the instructor and/or the TA as often as is necessary to do well in this course. Do not wait until problems are irreparable or concerns are outdated to seek assistance. Try to make it to our office hours, but if that is not possible, make an appointment. If you extend the effort, we will be available and willing to help you do well in this class. We want you to do well in this class!
4. If you need an accommodation based on the impact of a disability, please contact the Disability Services Center as soon as possible to better ensure that such accommodations are implemented in a timely fashion.
5. The University of California welcomes and supports students without regard to their immigration status. The professor personally supports these policies and is available to

discuss campus resources and accommodations as needed. Specialized services and consultations are available to students who are facing challenges related to their immigration status, or the status of their family members, through the UCI Dreamers Office (<http://dreamers.uci.edu>).

6. Try to have fun. Learning can be both hard work and it can also be fun.

Materials

The course outline below lists required readings. Most of the required reading can be found in the required book for the course, *Hate and Bias Crime: A Reader*, edited by Barbara Perry. Other required readings will be made available on Canvas, which registered students can access by signing in under their UCI NetID at <http://eee.uci.edu>.

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 in class and/or via Canvas. It is your responsibility to be in class and to routinely check Canvas for updates.

WEEK 1: THINKING ABOUT AND CONCEPTUALIZING HATE CRIME

DAY 1: THINKING ABOUT HATE CRIME

Hate as Cultural Justification for Violence, by Jack Levin and Gordana Rabrenovic (on Canvas)

- Connecting the Past to the Future: Hate Crime in America, Chapter 1 of *Hate and Bias Crime: A Reader*
- Hate Crimes Hurt More, Chapter 9 of *Hate and Bias Crime: A Reader*
- Consequences for Victims: A Comparison of Bias and Non-Bias-Motivated Assaults, Chapter 10 of *Hate and Bias Crime: A Reader*

DAY 2: CONCEPTUALIZING HATE CRIME

- The Emergence, Content, and Institutionalization of Hate Crime Law: How a Diverse Policy Community Produced a Modern Legal Fact, by Valerie Jenness (on Canvas)
- Thinking More Clearly About Hate Motivated Crimes, Chapter 3 of *Hate and Bias Crime: A Reader*
- Gender Bias Hate Crimes: A Review, Beverly McPhail, Chapter 19 of *Hate and Bias Crime: A Reader*
- Examining the Boundaries of Hate Crime Law: Disabilities and the “Dilemma of Difference,” Chapter 20 of *Hate and Bias Crime: A Reader*

WEEK 2: MEASURING HATE CRIME & UNDERSTANDING EPIDEMIOLOGICAL PORTRAITS OF HATE CRIME

DAY 1: MEASURING HATE CRIME

- Defining and Measuring Hate Crime: A Potpourri of Issues, by Susie Bennett, James Nolan, and Norman Conti (on Canvas)
- 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*
- 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*

DAY 2: EPIDEMIOLOGICAL PORTRAITS OF HATE CRIME

- Anti-Muslim Retaliatory Violence Following the 9/11 Terrorist Attacks, Chapter 13 of *Hate and Bias Crime: A Reader*
- Victim Experiences in Hate Crimes Based on Sexual Orientation, Chapter 18 of *Hate and Bias Crime: A Reader*
- 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*
- Racial Violence Against Asian Americans, Chapter 16 of *Hate and Bias Crime: A Reader*
- 2001 Audit of Anti-Semitic Incidents, Chapter 17 of *Hate and Bias Crime: A Reader*

WEEK 3: THE SOCIAL CONTEXT OF HATE CRIME: UNDERSTANDING HATE CRIMES

DAY 1 & 2: INDIVIDUAL AND SOCIETAL LEVEL THEORIES

- 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*
- Accounting for Hate Crime: Doing Difference, Chapter 6 of *Hate and Bias Crime: A Reader*
- Black Church Arson in the United States, 1989-1996, Chapter 12 of *Hate and Bias Crime: A Reader*
- Constructing Whiteness: The Intersections of Race and Gender in U.S. White Supremacist Discourse, Chapter 24 of *Hate and Bias Crime: A Reader*
- *The Urban Ecology of Bias Crime: A Study of Disorganized and Defended Neighborhoods*, by Ryken Grattet (on Canvas)

WEEK 4: THE SOCIAL CONTEXT & MORAL ENTREPRENEURS, MORAL PANICS AND SOCIAL MOVEMENTS

DAY 1: MIDTERM EXAMINATION

DAY 2: MORAL ENTREPRENEURS, MORAL PANICS AND SOCIAL MOVEMENTS

- *Rebranding Hate in the Age of Obama*, by Eve Conant
- Defenders of the Faith: Hate Groups and Ideologies of Power, Chapter 21 of *Hate and Bias Crime: A Reader*
- Becoming a Racist: Women in Contemporary Ku Klux Klan and Neo Nazi Groups, Chapter 23 of *Hate and Bias Crime: A Reader*
- (Review) Constructing Whiteness: The Intersections of Race and Gender in U.S. White Supremacist Discourse, Chapter 24 of *Hate and Bias Crime: A Reader*

WEEK 5: THE SOCIAL CONTROL OF HATE CRIME

DAY 1: COMMUNITY AND LAW ENFORCEMENT RESPONSES

- The Emergence and Implications of American Hate Crime Jurisprudence, Chapter 27 of *Hate and Bias Crime: A Reader*
- Hate Crimes, by Valerie Jenness (on Canvas)
- Policing and Surveillance, Jeannine Bell (on Canvas)
- Policing Hatred: Police Bias Units and the Construction of Hate Crime, Chapter 28 of *Hate and Bias Crimes: A Reader*
- *Hate Crime Prosecution*, by Richard A. Devine and Alan J. Spellberg

DAY 2: CONSTITUTIONAL BASIS FOR HATE CRIME

- *Judicial Rhetoric, Meaning-Making, and the Institutionalization of Hate Crime Law*, by Scott Phillips and Ryken Grattet
- *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992) (available at: <http://laws.findlaw.com/us/505/377.html>)
- Responding to Neighborhood Hate Crimes, Chapter 6 in *Hate Thy Neighbor: Move-in Violence and the Persistence of Racial Segregation in American Housing*, by Jeannine Bell.
- *Wisconsin v. Mitchell*, 508 U.S. 476 (1993) (available at: <http://laws.findlaw.com/us/508/476.html>)

DAY 2: REVIEW AND RECONSIDERATION

- The Birth and Maturation of Hate Crime Policy in the United States, Chapter 26 of *Hate and Bias Crimes: A Reader*
- *Hate Crime as a Human Rights Violation*, by Barbara Perry and Patrik Olsson
- Promising Practices Against Hate Crimes: Five State and Local Demonstration Projects, Chapter 30 of *Hate and Bias Crimes: A Reader*