

As noted previously, the UCR Program collects information on both single-bias and multiple-bias hate crimes. Law enforcement agencies are required to note at least one bias motivation. A single-bias incident is “an incident in which one or more offense types are motivated by the same bias.” A multiple-bias incident is “an incident in which one or more offense types are motivated by two or more biases.”¹¹⁴

In 2014, over 15,000 law enforcement agencies participated in the Hate Crime Statistics Program. Of these, 1,666 reported 5,479 hate crime incidents involving 6,418 offenses. Recall that hate crimes are not separate or distinct crimes; rather, they are traditional offenses but considered hate crimes when they are motivated by the offender's bias. Among the 6,418 hate crime offenses, 63.1% were crimes against persons and 36.1% were crimes against property. The remaining offenses were considered crimes against society (see Table 2.6).

As noted previously, in 2009, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act was passed. It was named after Matthew Shepard, a gay college student who was tortured and killed in 1998. His murder was motivated by the offenders' bias against gay men. James Byrd Jr., an African-American, was chained to a pickup truck and dragged to his death, also in 1998. His murder was motivated by the offenders' bias against African-Americans. The act expanded the definition of hate crimes to include violence based on gender, sexual orientation, gender identity, or disability.¹¹⁵ In terms of sexual-orientation bias, law enforcement agencies reported 1,178 hate crime offenses based on sexual orientation bias in the *2014 Hate Crime Statistics*. Of these offenses:

- 58.0% were classified as anti-gay (male) bias.



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Would you consider this hate speech?

- 23.6% were classified as anti-lesbian, -gay, -bisexual, or transgender (mixed-group) bias.
- 14.3% were classified as anti-lesbian bias.
- 2.6% were classified as anti-bisexual bias.
- 1.5% were classified as anti-heterosexual bias.¹¹⁶

One example of a violent offense that was subsequently considered a hate crime occurred in June 2015 in Sacramento, California. Timothy Brownell was accused of attacking three area musicians because they wore skinny jeans. Brownell allegedly yelled a homophobic slur at the musicians and subsequently assaulted them with a knife because of their skinny jeans. Later, he turned himself in at the county jail. Brownell's initial arrest was on suspicion of assault with a deadly weapon and possessing a firearm. However, the police later issued an arrest warrant when the attack was reclassified as a hate crime. One of the three victims, Alex Lyman, stated that Brownell approached

him without any provocation. Next, Brownell called him a homophobic slur and then began to stab him just because he was wearing skinny jeans.¹¹⁷

THINK ABOUT IT:

1. After examining the factors associated with this incident, such as “no provocation” and using a homophobic slur, what do you think would cause him to react in this manner?
2. What are some key factors that would indicate this offense should be classified as a “hate crime”?

As noted in the previous chapter, throughout this text we will attempt to apply key points of the theories to either real or hypothetical situations. For this particular example, it is essential to realize that while this offense was initially considered an assault, law enforcement later realized that motivation was a key aspect of this offense—Timothy Brownell had a bias toward what he *perceived* were gay men because they were wearing skinny jeans.