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BIAS CRIME IN SACRAMENTO

1995-2002

A Report Prepared by UCD Sociology Undergraduates
Under the Direction of Professor Ryken Grattet

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IMAGES OF BIAS CRIME IN RIVER CITY

The Harvard Civil Rights Project recently declared Sacramento the most integrated city in the United States. Sacramento has a rich history of ethnic communities, from the Chinese neighborhood that formed on lower I Street in the 1850s, to the German and Irish immigrants who established Oak Park in 1903, to the Mexican Americans who settled in Alkali Flats in the 1950s, and to the "Filipino town" community that emerged on L Street between 3rd and 5th Streets in the 1960s. Sacramento continues to have a large immigrant population, considerable religious diversity, a vibrant gay and lesbian community, and an African-American population that is proportionally larger than the state as a whole. Despite or perhaps because of its diversity, Sacramento is also a city that has experienced its share of hate-motivated violence. A partial list from the last decade includes the following incidents:

Four bias-motivated arsons were committed and three others were attempted between the months of July and October of 1993. The first incident was the attempted arson of a Jewish temple in July. A few days later, the NAACP's Sacramento office was gutted by fire. Later that summer Molotov cocktails were used to ignite the offices of the Japanese American Citizens League, the State Office of Fair Employment and Housing, and the home of an Asian American city councilman. The culprit was eventually captured and convicted of seven counts of firebombing.

During Gay Pride festivities at California State University, Sacramento in October of 1998, several pro-tolerance signs were defaced with homophobic slurs. A placard displaying "Hate is not a family value" was altered to read "Butt f--ing is not a family value." Also, more than twenty sketches drawn on campus sidewalks to celebrate Gay Pride Week were vandalized.

Sacramento's most infamous hate crime took place before dawn on June 18, 1999 when three synagogues in Sacramento were set on fire. Anti-Semitic fliers were found at one site blaming the "International Jewsmedia" for the war in Kosovo. Less than two weeks after the arsons, Gary Matson and his partner, Winfield Scott Mowder, were shot to death in their home near Redding. The day after the murders, arson was again committed at an area abortion clinic. Officials captured two White Supremacist brothers in relation to these crimes. One brother committed suicide in prison and the other is serving two concurrent sentences of 30 years to life in prison.

On Halloween in 1999, a 15-year-old African American girl was stabbed while trick-or-treating in Curtis Park. The victim attempted to fend off a theft of her candy from two youths while a third youth approached the victim from behind, uttered a racial epithet, and plunged a knife into her back.

On March 15, 2002 the offices of Sacramento attorneys and Latino community organizations received racist letters containing white powdery substances. Though the substances were deemed to be benign, the hate letters, received during the nation's anthrax scare, were intended to intimidate and terrorize.

Based on research conducted by a Professor and four undergraduate students in Sociology at the University of California, Davis, this report seeks to place incidents like these into a broader sociological context. Data were collected on the characteristics of bias crime reported to the Sacramento Police Department and the State of California from 1995-2002. Such data construct an aggregate picture of the distribution and character of officially reported bias crime in the city based

upon the best available sources. This report provides a statistical snapshot of bias crime in Sacramento and, as a result, suffers from the same flaws as all such snapshots. It is important to recognize that numbers cannot express the psychological or social damage such crimes often entail. Nor can they convey the emotional and financial impact such incidents have on victims and communities. The facts and figures presented in this report are meant to provide a broad summary of bias crime in Sacramento and to stimulate further interest, research, and policymaking on the issue.

The term "bias crime" is more inclusive and accurate than the more commonly used "hate crime," so the former is used in this report. We provide further details of the distinction between the two terms on page 5.

MAJOR FINDINGS

- From 1995 to 2002, 282 bias crimes were reported by the Sacramento Police Department and confirmed by the California Department of Justice for the City of Sacramento. There has been no discernable increase or decrease in the reported incidence of bias crime over the period.
- The rate of bias crime in Sacramento was higher than the rate for the state of California as a whole, however, it is comparable to the rates for other urbanized areas.
- 209 (74%) of the incidents were race-based bias crimes. Half were anti-black. Race-based bias crimes are more prevalent in the Northern and Southeastern parts of Sacramento. 27% of the crimes motivated by racial bias were violent felonies.
- The percentage of race-based bias crimes in Sacramento is about the same as the state and nation as a whole, however, the percentage of specifically anti-black hate crime in Sacramento is higher than is found in the statewide and nationwide statistics.
- 20% of the incidents were based on sexual orientation bias. This is slightly higher than is found in the statewide and national statistics. 60% of crimes motivated by sexual orientation occurred in the Midtown/Downtown section of Sacramento. Moreover, such crimes were more serious than any other type of bias crime. 29% of these crimes were violent felonies.
- Religious-based bias crime is less common in Sacramento than in the state and the nation as a whole. Consistent with the state and national patterns, 75% of crimes motivated by religion were property crimes.
- Gender and disability-based bias crime is rarely reported. Only 2 such crimes were reported between 1995 and 2002.
- Sacramento experienced no discernable increase in Anti-Arab or Anti-Muslim bias crime in the wake of 9/11.
- Nine out of ten victims of bias crimes in Sacramento were individuals; the remaining were businesses, government, religious organizations, or various other targets.
- One-third of bias crimes occurred at private residences, another third occurred on streets and roadways, and the remaining occurred at various other locations. 5% of hate crimes happened on or near school grounds.
- 40% of bias crimes occurred in circumstances where the perpetrator was a stranger to the victim.
- 26% of reported bias crimes were serious felonies. 28% involved destruction of property, 23% were simple assaults, 20% were aggravated assaults, and 19% involved intimidation.
- 47% of bias crimes involve multiple offenders. Moreover, multiple offender bias crimes tend to be more violent than crimes involving a single suspect.

WHAT IS BIAS CRIME?

The legal definition of bias crime under California law is:

No person, whether or not acting under the color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States because of race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics. (Cal Pen Code § 422.6)

This statute uses identical phrasing to describe acts involving the defacement, damage, and destruction of property. Punishments under California law allow for a variety of fines and sentence enhancements.

Most police agencies throughout the state have relied on a simpler articulation of the law and the Sacramento Police Department is no exception. The Sacramento Police Department defines bias-motivated crimes as:

Any crime which is committed primarily to injure, degrade, or deprive a person of their dignity, well-being, or possessions because of prejudice against their race, nationality, age, sexual preference, sex, religion, or disability (Sacramento Police Department General Order 524.04).

It is important to acknowledge that neither the State law nor the Sacramento Police Department definition requires that the crime be motivated by hatred in order to qualify. As a result, to more accurately reflect the scope of the law and the operational definition employed by the Sacramento Police Department we have chosen to refer to such incidents as "bias crimes" rather than the more commonly used "hate crime."

It is also important to note that bias crimes do not cover speech acts that are protected by the First Amendment of the U.S. Constitution. California law only covers acts that are already criminalized. Speech, however, emerges as an important consideration in classifying incidents as bias crime in so far as it is one source of evidence used to determine the motivation for the act.

DATA

The data for this report come from the Sacramento Police Department and the State of California, Department of Justice (DOJ). It does not include incidents occurring outside the city limits of Sacramento or incidents reported by other agencies operating within the city limits, such as university or railroad police. As Table 1 shows, 248 incidents were reported in both databases over the eight year period from 1995 to 2002. An additional 374 incidents were reported in the Sacramento Police Department database and 34 incidents were reported by the California DOJ but were not reported in the city database. Reasons for these discrepancies are

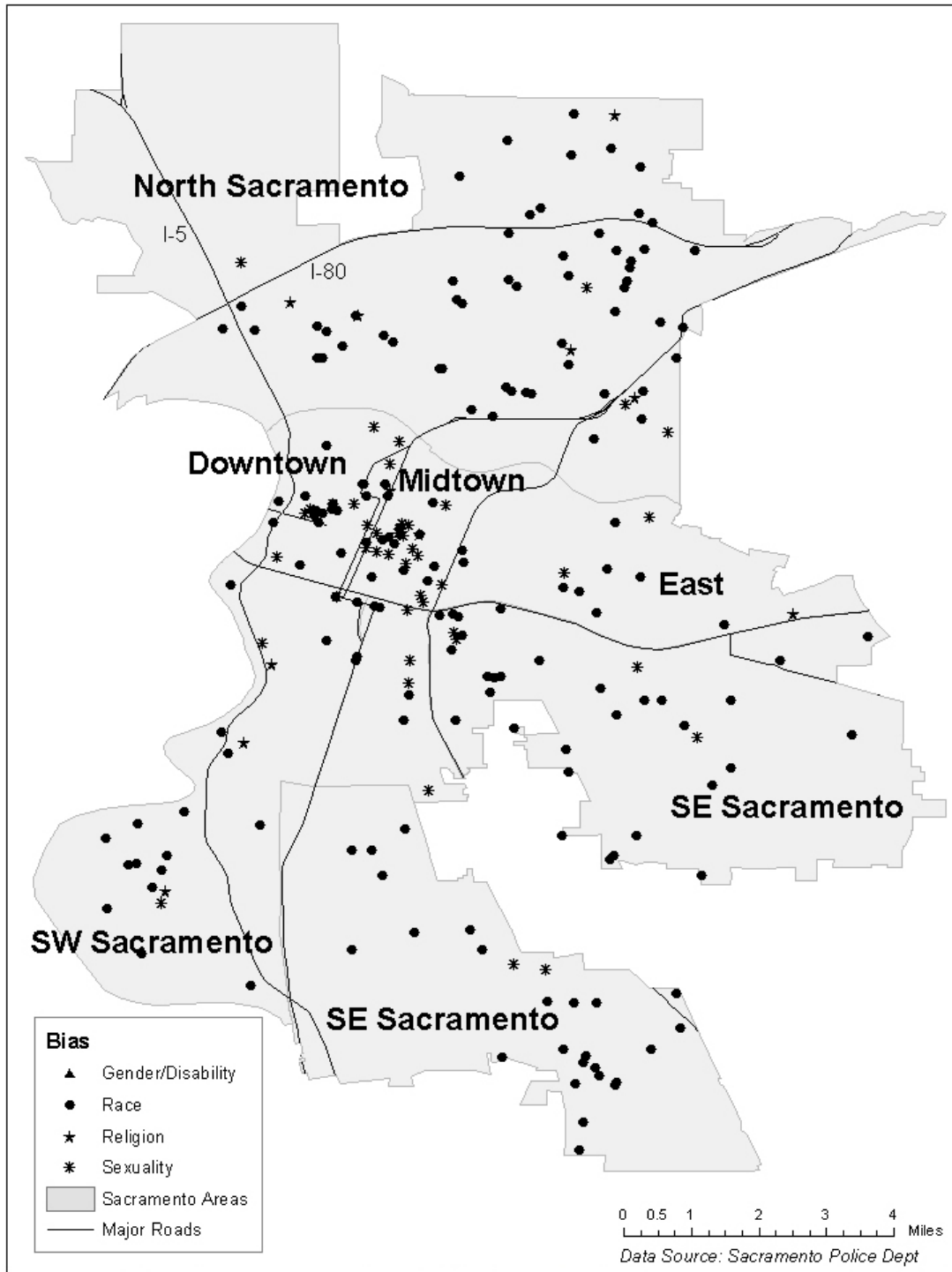
discussed in the Methodology section below.

Table 1. Incidents Reported by Source

Sacramento Police Alone	374	57%
CA DOJ Alone	34	5%
Both Databases	248	37%
Total Reported Incidents	656	

The tables and figures used in the report are based upon the 282 cases reported in both databases and in the DOJ alone. These cases have been subjected to multiple levels of screening prior to being classified as bias crimes.

REPORTED BIAS CRIMES IN SACRAMENTO, 1995-2002



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The map shows where bias-motivated crimes occurred throughout the city of Sacramento from 1995 to 2002. Race-based bias crimes, although widely dispersed throughout the city, are more prevalent in the Northern and Southeastern sections of the city. Additionally, a majority of crimes motivated by sexual orientation occur in Midtown, the heart of the gay and lesbian community in Sacramento.

CRIMES BY BIAS TYPE

Race-based incidents make up almost three quarters of reported Sacramento bias crimes. Sexuality based crimes constitute the next most common category with nearly twenty percent. There were only 16 reported bias crimes based on religion. Bias crimes motivated by gender and disability are less frequently reported in the city.

Table 2. Crimes by Type of Bias.

Bias Type	Frequency	Percent
Race	209	74%
Religion	16	6%
Sexuality	55	20%
Gender/Disability	2	1%
Total	282	

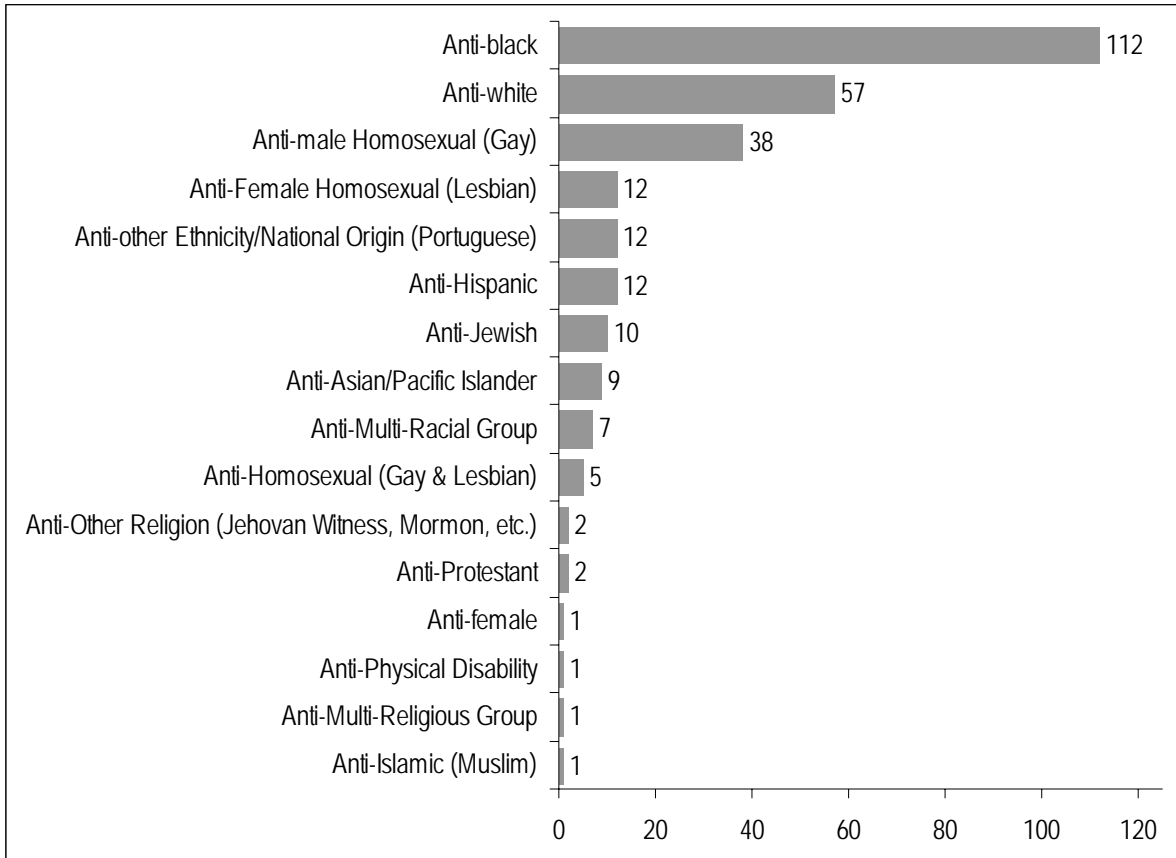


Figure 1. Bias Crime by Targeted Group.

Within the race category anti-black bias crimes are the most common type of incidents, followed by anti-white incidents. Anti-black bias crimes constitute forty percent of all bias crimes in Sacramento. Gays and lesbians are the next most common group of victims. Of the sixteen religious based bias crimes, ten of the victims were Jewish. Four of the other bias crimes motivated by ethnicity and/or national origin occurred between September 11 and October 13, 2001. All four crimes involved victims that were coded as Asian. It is unknown whether these incidents were responses to the September 11 terrorist attacks. Only one specifically Anti-Islamic crime was reported during the period and that crime occurred prior to September 11, 2001.

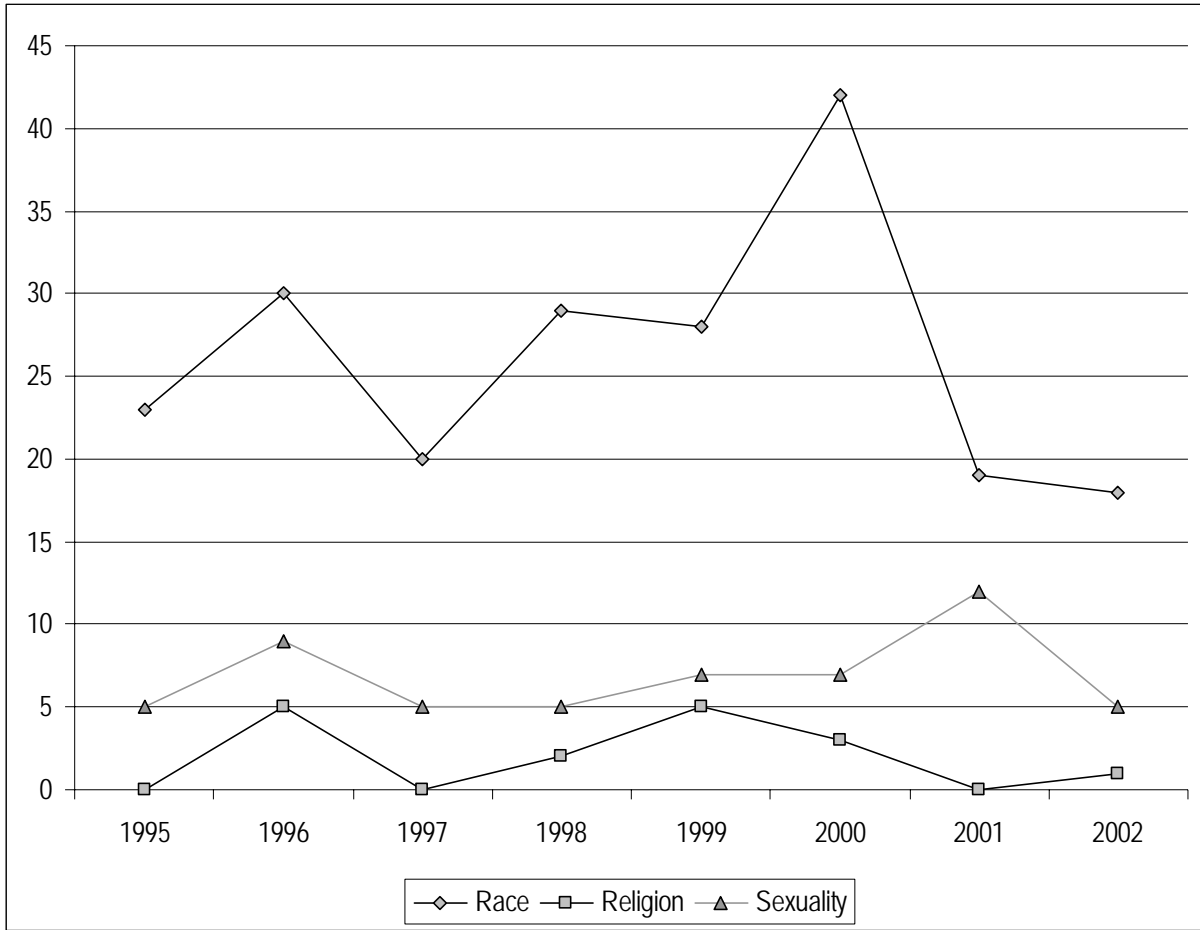


Figure 2. Crimes by Type of Bias.

Race-based incidents have been the most prevalent type of bias crime from 1995 to 2002. In 2000, there was a marked increase in the number of racial incidents while crimes motivated by religion and sexuality remained relatively constant. The reasons for the upsurge in reported race based incidents remain unclear. Sexuality based offenses peaked in 2001, constituting forty percent of all bias crimes reported during that year. There was only one gender and one disability based bias crime reported throughout the 1995 to 2002 period. For that reason, gender and disability are not included in Figure 2. No category of bias crime appears to have experienced a discernible growth or decline throughout the period.

CHARACTERISTICS OF BIAS CRIMES

While it is helpful to understand who is targeted in bias crimes, it is equally important to assess the types of acts bias criminals perpetrate. All bias crimes involve acts that could be prosecuted under criminal statutes other than those relating to bias crime. As a result, bias crime reports always indicate the “parallel” crime involved in the incident.

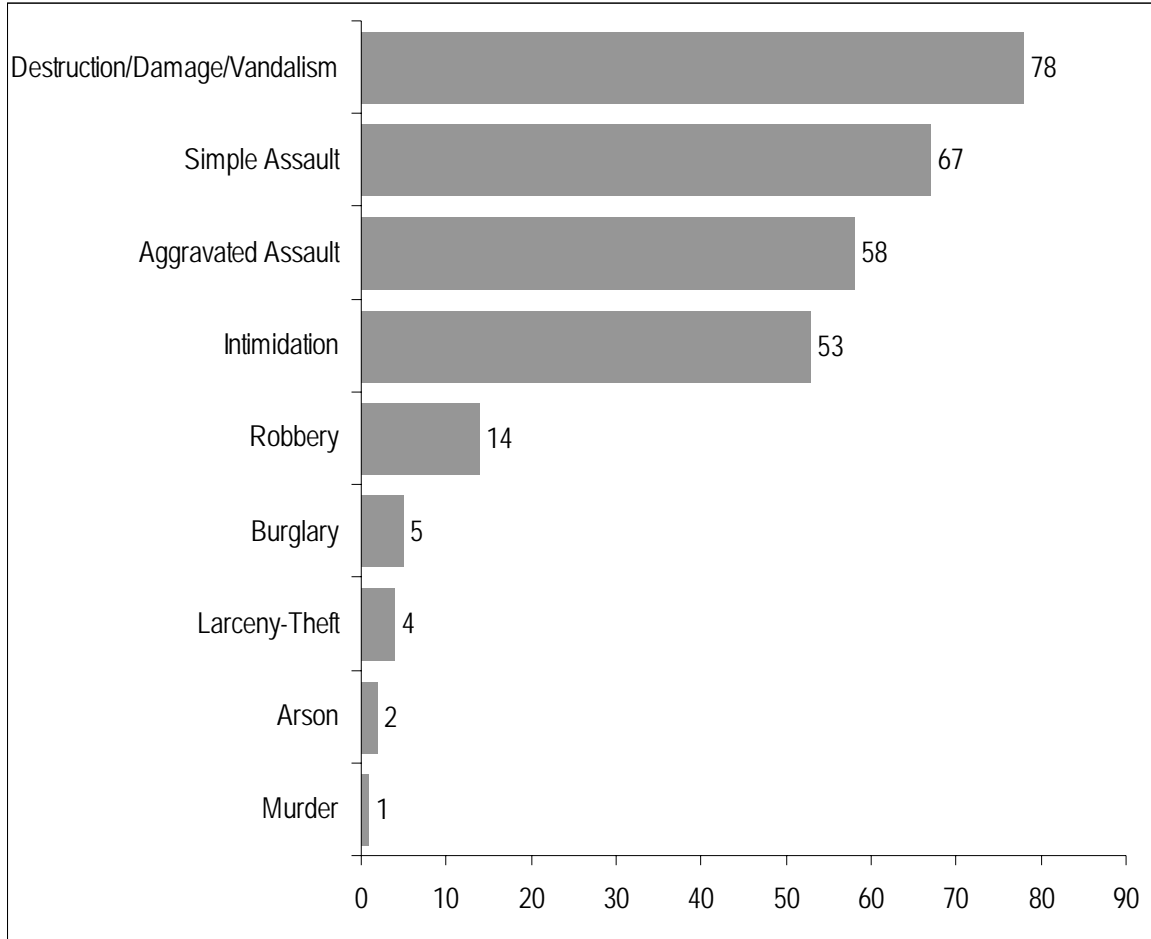


Figure 3. Criminal Conduct Involved in Bias Crimes.

Destruction of property and vandalism are the most common parallel offenses involved in Sacramento bias crimes, followed closely by simple and aggravated assault. Intimidation is also frequent. Robbery, burglary, larceny, and arson are less common. Murder occurred only once between 1995 and 2002.

Table 3. Crime Seriousness.

	Frequency	Percent
UCR Index Violent	73	26%
UCR Index Property	11	4%
Nonindex Offenses	198	70%
Total	282	

The FBI Uniform Crime Reporting (UCR) system provides a standardized method for describing the seriousness of criminal offenses. UCR Index crimes are the most serious offenses and are used to calculate the national crime index. UCR Index Violent crime refers to the most serious violent offenses and includes murder, aggravated assault, robbery, and forcible rape. Twenty-six percent of Sacramento bias crimes were violent crimes according to UCR definition. Bias crime rarely occurs as murder and rape; thus, the vast majority of violent offenses

are aggravated assault and robbery. UCR Index Property crimes are the most serious property crimes and include arson, burglary, larceny-theft, and motor vehicle theft. Only eleven of these are present in the data. All other offenses (70%) are the less serious nonindex offenses.

In addition, consistent with previous research on crime seriousness and type of bias, crimes based on sexual orientation and race tend to be more violent than other bias crimes. Twenty-nine percent of crimes motivated by sexual orientation were Index Violent crimes. Twenty-seven percent of race-based bias crimes were Index Violent crimes. None of the crimes motivated by religion, gender, or disability were Index Violent crimes.

Indicators of bias are crucial to determining whether or not an offense is, in fact, motivated by race, religion, national origin, sexual orientation, gender, or disability. The main such indicators are the presence of offensive symbols, acts, or verbal slurs. In one hundred and sixty-six incidents (59%) verbal slurs were identified as bias indicators. The second most frequent bias indicator was graffiti, found in 62 incidents. Eleven incidents involved the daubing of swastikas on private residences, commercial properties, and religious institutions. Swastikas were found four times in anti-Semitic crimes and four times in incidents where African-Americans were targeted.

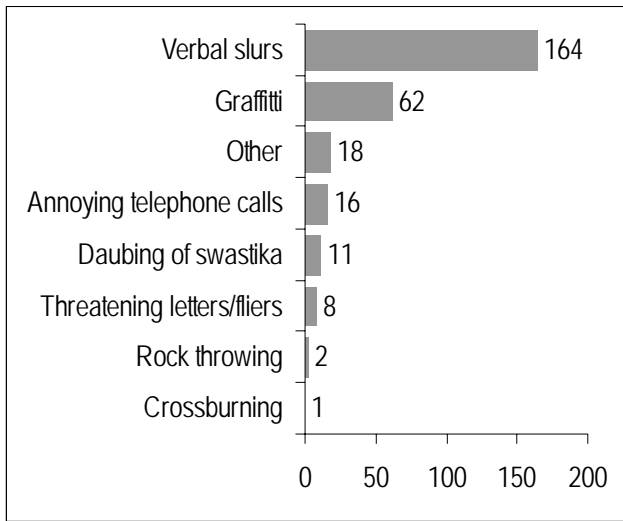


Figure 4. Bias Indicators Present in Bias Crimes.

Fifty-one percent of bias crimes did not report the use of a weapon, and 26% of the crimes involved the use of hands, feet, and teeth.

Table 4. Weapon Used.

	Frequency	Percent
Firearm/Handgun/Rifle	8	3%
Knife or Cutting instrument	9	3%
Bludgeon, Club, etc.	25	9%
Hands, Feet, Teeth, etc.	74	26%
Bottle, Rocks, Spitting, etc.	26	9%
None Reported	144	51%
Total	282	

Bias crimes are distributed unevenly throughout the day. Most occur between 3pm and 3am. They are relatively uncommon in the early morning and afternoon hours.

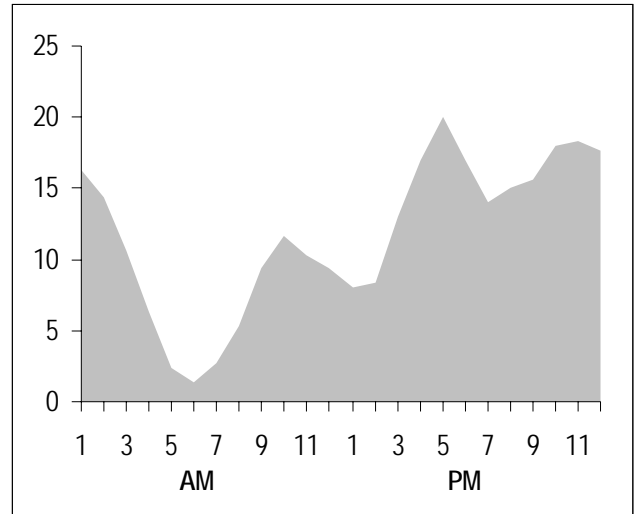


Figure 5. Time of Day

VICTIMS AND SUSPECTS

Ninety one percent of victims of bias crime were individuals; the remaining were businesses, government, religious organizations, or various other targets.

Information on the characteristics of individual victims and suspects represents a subsample of cases, restricted to incidents where the victim was an individual rather than a business, government, or religious organization. Moreover, information on victims tends to be more complete than information on suspects because suspects frequently evade detection. Also, suspect information is often lacking because it depends upon the testimony of victims who may, for a variety of reasons, be unable to describe the characteristics of their attackers.

Table 5. Gender of Suspects and Victims.

	Suspect	Victim
Male	141 (80%)	153 (65%)
Female	36 (20%)	81 (35%)
Total	177	234

The available data shows that males are more likely to be both suspects and victims. In addition, the median age for known bias crime suspects in Sacramento is 20. This is slightly lower than the median age for all types of criminal offenders nationally, which stands at 23. Bias crime victims, on the other hand, have a median age of 33.

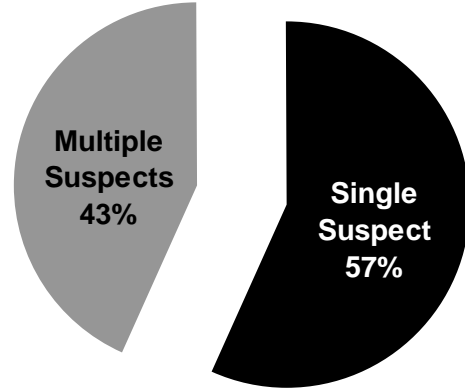


Figure 6. Group versus Solo Perpetration.

Forty three percent of bias crimes involved multiple suspects. Moreover, consistent with research findings about other kinds of crime, when multiple offenders are present the crime is more likely to be violent. In this case, fifty-seven percent of the incidents involving multiple suspects were serious violent crimes (UCR Index Violent) compared to only twenty-seven percent of single suspect incidents. Thus, although crimes involving multiple suspects are less common than single suspect crimes, when two or more offenders are present, bias crimes tend to be more violent than single suspect crimes.

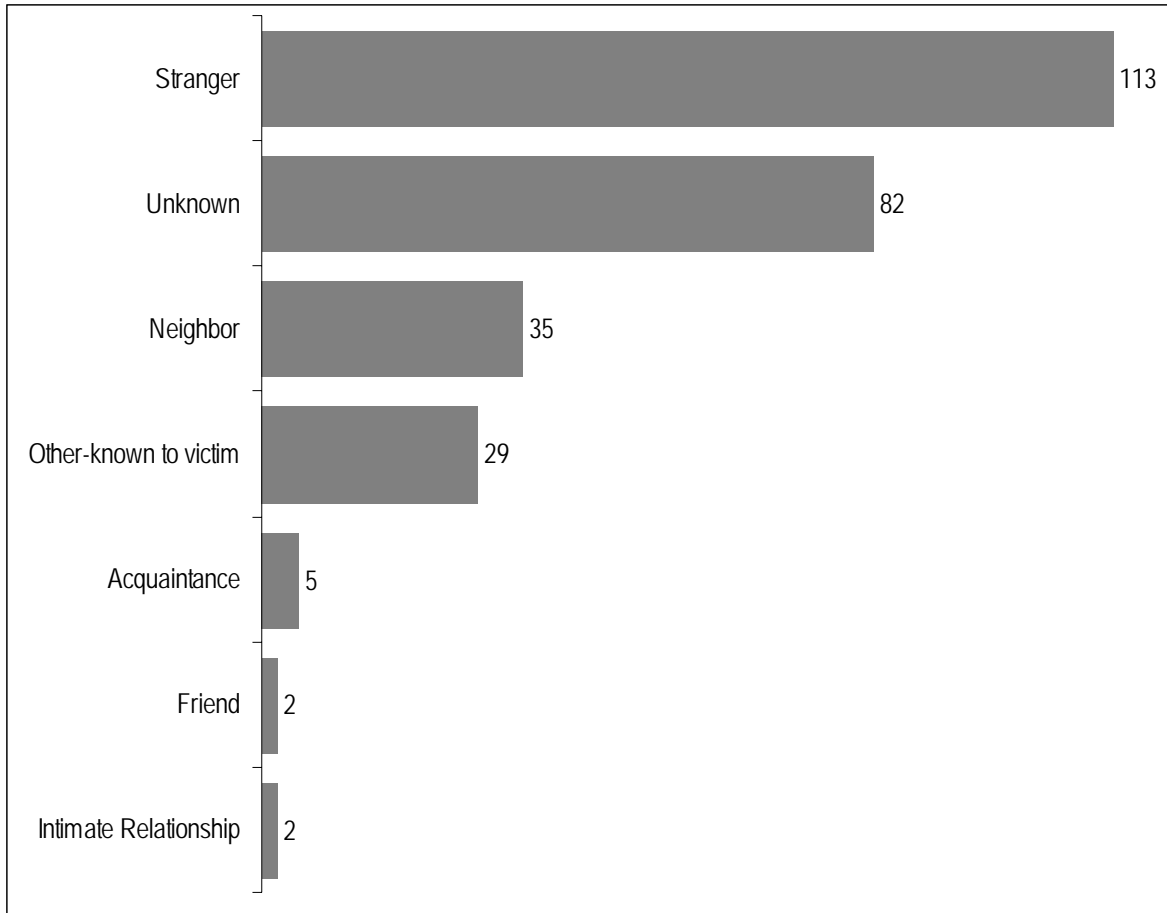


Figure 7. Relationship between Victims and Suspects

In 113 cases (40%), victims did not know the suspects prior to the incident. In eighty-two cases (30%) no information regarding the relationship between the victim and suspect was available. The majority (66%) of these “unknown” cases involved vandalism or other property destruction where suspect and the victim were never co-present and, thus, no information regarding suspect characteristics is known. Additionally, thirty-five cases (12%) were crimes involving neighbors and only four cases involved intimates or friends.

LOCATIONS

Table 6. Crime Locations.

	Frequency	Percent
Private Residence	87	31%
Commercial	53	19%
Public Building	36	13%
Street	77	27%
Religious Institution	5	2%
Other	24	9%
	282	

Almost one-third of the bias crimes reported in Sacramento occurred in private residences. Another 27% occurred in the street. Only eight cases occurred on or near school grounds (included in Table 6 under the "Public Building" figures). Four occurred on or near middle school grounds, two on or near high school grounds, and two on or near elementary schools.

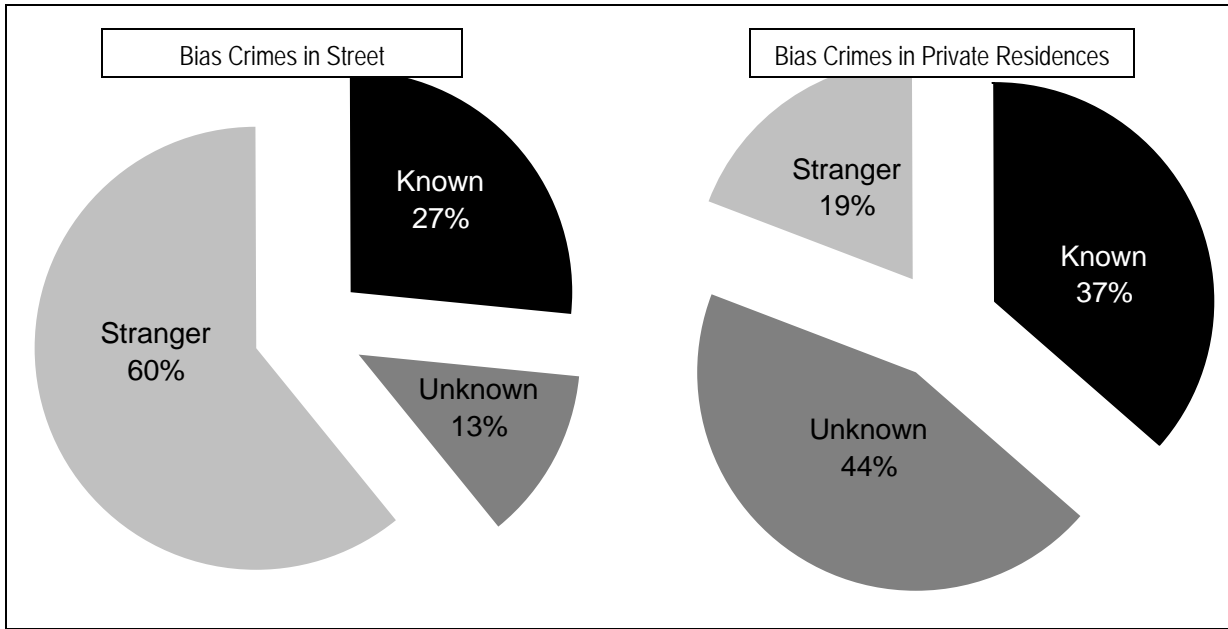


Figure 8. Victim-Suspect Relationship by Location

As might be expected, the victim-suspect relationship differs depending upon the crime location. While the nature of the relationship between victims and suspects is not known in 30% of the reported cases, some general comparisons can be made. The two most common locations are presented in Figure 8. Bias crimes that occurred in the street were most likely (60%) to involve perpetrators and victims who were strangers to one another. In contrast, only 19% of crimes that occurred in private residences involved strangers. Crimes in private residences were more likely than crimes that occurred in the street to involve neighbors and thus a greater proportion of those crimes occurred between victims and suspects who knew each other.

**SACRAMENTO IN CONTEXT:
A COMPARISON BETWEEN SACRAMENTO AND THE STATE OF
CALIFORNIA AS A WHOLE**

Sacramento generally conforms to the patterns found elsewhere in the state, yet some differences remain. For example, the reported bias crime rate for Sacramento is higher than the state as a whole. Sacramento reported 6.9 bias crimes for every 10,000 persons during 1985-2002. The rate for the State of California was 4.5. One reason for this difference might be that reporting is more likely to occur in urbanized jurisdictions like Sacramento than it is in many other parts of the state. Thus, it is better to compare Sacramento with another urban jurisdiction. The Los Angeles County Commission reports bias crime data for the same period. Los Angeles County is the most urbanized area of the state and reports 7.3 bias crimes for every 10,000 persons. Thus, the rate of bias crimes reported in Sacramento more closely resembles Los Angeles County than the State as a whole.

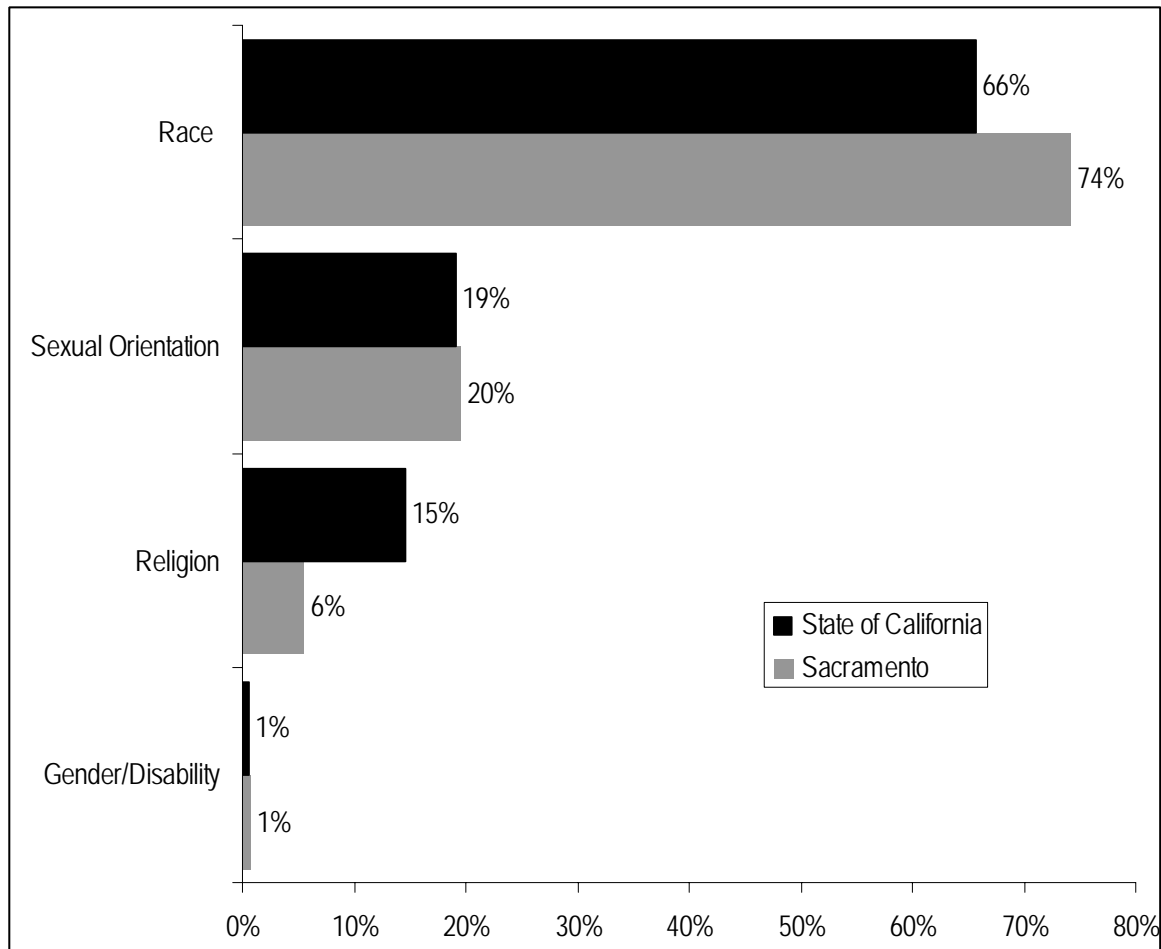


Figure 9. Comparison of Sacramento and the State of California Data.

In addition, bias crimes motivated by race make up a greater proportion of offenses in Sacramento than in the state as a whole. Race-based crimes constituted 74% of all bias crimes reported in Sacramento, compared to 66% statewide. Bias crimes motivated by religion, however, make up a smaller proportion of offenses in Sacramento than in the state as a whole. Six percent of bias

crimes in Sacramento were based on religion, compared with 15% in the state overall. Both gender and sexuality-based bias crimes are proportionate in Sacramento to the state totals.

Table 7. Comparison of Crime Location between Sacramento and the State of California.

	Sacramento		California	
	Frequency	Percent	Frequency	Percent
Private Residence	87	31%	4980	33%
Commercial	53	19%	2504	16%
Street	77	27%	4201	28%
Religious Institutions	5	2%	606	4%
Public Building	36	13%	1809	12%
Other	24	9%	1128	7%
Total	282		15228	

In terms of similarities with the statewide patterns, roughly 60% of bias crimes in the state take place in or near either private residences or the street. This holds for Sacramento as well. The proportion of bias crime occurring in or near government or public buildings is also similar. However, bias crime at religious institutions occur proportionally less often in Sacramento than in the state as whole and the proportion of bias crime in or near commercial establishments is higher in Sacramento than elsewhere in the state. However, both of these latter differences are slight.

METHODOLOGY

Data Sources: Data for this report are from the Sacramento Police Department and the California Department of Justice, Criminal Justice Statistics Center. The Sacramento Police Department publishes crime incident reports on its website (www.sacpd.org). Crime incident reports are computerized versions of reports filed by first responders (i.e., officers responding to service calls). The Sacramento Police Department website states,

Because this data is produced via a complex set of processes involving many different people and computer systems, there are many different places where errors are introduced into the data that you will be downloading from here. The margin of error in this data is around plus or minus 10%. Please keep this in mind when working with these databases. No representation is made or implied regarding the accuracy of the data being made available here. (sacpd.org)

Many of the incidents reported by the Sacramento Police Department were not included in the California Department of Justice data. In other words, the Sacramento Police Department initial incident reports indicate a higher number of bias crimes than the Department of Justice data for Sacramento. Three possible reasons exist for this discrepancy. First, cases that were reported in the Sacramento Police Department records, but not in the Department of Justice data, were excluded by the Sacramento Police Department as result of further screening inside the department. The Sacramento Police Department uses the FBI recommended two-tiered review process when

handling bias crime incidents. According to Sacramento Police Department General Order 524.04, "The Family Abuse/Bias Crimes Unit shall conduct a second-tier review of all crime and incident reports marked 'Bias'." It seems likely that the second tier would have screened out some cases initially classified as bias crimes.

Second, cases that were reported by the Sacramento Police Department, but not the California Department of Justice, may have been excluded by the Department of Justice. During 1995-2002, the Department of Justice conducted its own assessments of bias crime cases based upon the information forwarded from the reporting department. It is possible that some incidents that were classified by the Sacramento Police Department as hate crime were declassified by the Department of Justice and are not included in the state tallies.

Finally, a third possibility is human error in the data collection process. Given that the Sacramento Police Department acknowledges a margin of error of 10% in the crime incident reports provided on its website, it is possible that some incidents were mistakenly identified as bias crimes. Figure 10 shows that the gap between the Sacramento Police Department and the Department of Justice has closed overtime, which suggests that first responders might be learning what their superiors and the Department of Justice deem a bias crime. As a result, they are more likely to label cases as bias crime that stand a good chance of being classified as such by higher levels of review.

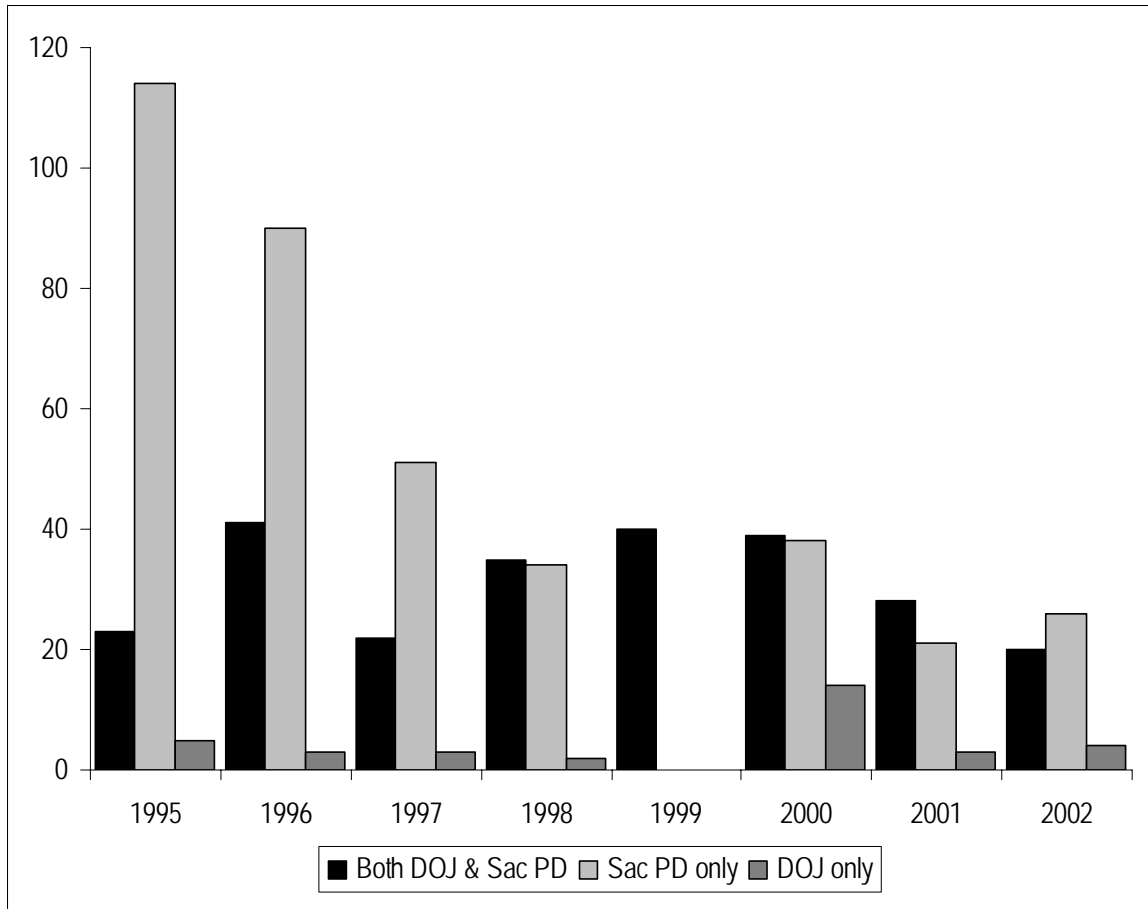


Figure 10. Reported Frequency of Bias Crime by Year and Data Source

Underreporting: In general, official crime statistics provide an imperfect measure of the actual level of crime in a community. Researchers describe two types of problems: errors in detection and errors in definition. Although bias crime statistics share these general problems, they are also unique in certain respects. Recently, the Attorney General’s Civil Rights Commission on Hate Crimes persuasively argued that both definitional and detection errors occur in bias crime reporting.

In terms of detection, a victim’s unwillingness to cooperate with the police may impede the detection of some crimes as bias crimes. It is reasonable to suppose that people who are victimized because of their sexual orientation may be reluctant to report such crimes because doing so will “out” them to the police and possibly others.

In terms of definitional issues, although the training of Sacramento police officers on bias crimes is among the best in the nation, it remains likely that officers vary in their understanding of what the state criminal statutes cover. Some incidents are relatively easily classified, such as when a youth is caught spray-painting a swastika on synagogue or a group of white “toughs” attack a new black resident in their neighborhood. Other bias crimes may not be so easily recognized, such as crimes directed at women or people with physical or mental disabilities. As a result, some bias crimes go unreported. Unfortunately, it is impossible to know how many.

Moreover, a consistent finding regarding the official reporting of crime is that the more serious the crime is, the more likely it is to be reported. Bias crimes range from being less serious misdemeanors to very serious felonies. Thus, we would expect that serious bias crimes such as those involving physical injuries or death are more accurately reflected in our data than cases of vandalism or graffiti.

Interpretations of the data included in this report should be viewed with these considerations in mind.

ACKNOWLEDGEMENTS

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