

***CREATING A HATE-FREE
ENVIRONMENT
AT THE
UNIVERSITY OF ARIZONA***

*A White Paper of the
Commission on the Status of Women
Hate Crime/ Bias-Motivated Incident Taskforce*

*Taskforce Chair
Ann Samuelson*

*Taskforce Members
Brett Applegate
Joan E. Curry
Marc Kolb
Eileen Luna-Firebaugh*

Diane Perreira, Chair
Commission on the Status of Women

Emily Chiles, Program Coordinator,
Commission on the Status of Women

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1 INTRODUCTION

As members of the University of Arizona (UA) community we want to live on a campus where we can exist free from bigotry based on our race, religion, ethnic/national origin, sexual orientation, gender or disability. We want to be able to go through our daily lives, practice our religion and associate with our friends and family free from attack by unknown persons based on how we are judged because of our appearance, our practices or our associations.

Additionally we want all UA students and employees to know what a hate crime or bias-motivated incident is, to understand issues of bias, to know where to report such a crime or incident, and to know where to get help when such a crime or incident occurs. The goal of this paper is to examine the mechanisms currently in place at the University of Arizona to educate students and employees about hate crimes and bias-motivated incidents, to delineate the current response to such crimes or incidents and to offer recommendations to improve the existing systems or to establish new systems.

This paper focuses on all types of bias-motivated incidents (BMIs) at the University of Arizona. Hate crimes are reportable crimes that have strict rules regarding their recognition and are a subcategory of BMIs. Since the elimination of BMIs will ultimately result in a hate crime-free environment, this paper focuses on BMIs in general rather than specifically on the more extreme hate crimes.

2 WHAT IS A HATE CRIME OR BIAS-MOTIVATED INCIDENT?

According to the UA Campus & Safety Security Report 2002 a hate crime is:

“A criminal offense committed against a person or public property that is motivated, in whole or in part, by the offender’s bias against a race, religion, ethnic/national origin, sexual orientation, gender or disability”¹

Hate crimes, because of their violence and irrationality, have gotten much attention and instigated legal responses at a variety of levels: United States Supreme Court, The Arizona Legislature, The University of Arizona Police Department and various other law enforcement communities.

Bias-Motivated Incident or BMI is a term used for an incident with a similar motivation to a hate crime, but which does not rise to the level of a hate crime. While the UA currently does not have a published definition for a bias or hate-motivated incident, the Anti-Defamation League defines a hate-related incident as:

“...behavior which constitutes an expression of hostility against the person or property of another because of the victim's race, religion, disability, gender, ethnicity or sexual orientation. However, hate-motivated incidents include those

¹ UAPD website, found at <http://www.uapd.arizona.edu/securityreport2002.htm>

*actions that are motivated by bias, but do not meet the necessary elements required to prove a crime. This may include such behavior as non-threatening name calling, using racial slurs or disseminating racist leaflets”.*²

3 WHY BIAS-MOTIVATED INCIDENTS ARE IMPORTANT TO THE UNIVERSITY

The need to eliminate bias-motivated incidents is an integral part of the University of Arizona mission. The mission compels the University to prepare “students for a diverse and technological world while improving the quality of life for the people of Arizona”, and at the same time recognizing that “A student-centered research university is a place of learning and discovery where students... will engage in and be members of a diverse community” as well as being present in an “atmosphere of mutual respect and responsibility”.³

The University’s Diversity Action Plan [Fall 2002] further echoes and expands these principles:

*“Because we seek an inclusive understanding of diversity, we define diversity as a qualitative concept, applying not only to numbers and to percentages, but to ways we interact with people who are different, while they are at the UA and beyond. While we believe that the quantitative concept of diversity is essential, we believe our ultimate goal is the qualitative objective of a campus climate that is inclusive, understanding, respectful and appreciative of the full range of human experience. We are interested in elaborating for our students and ourselves the benefits of truly embracing different ways of understanding the world and relationships and participating in societal systems and institutions, in addition to the pragmatic need to get along in an increasingly multicultural, multiethnic, and international set of social connections”*⁴

To achieve diversity and a campus climate that is “*inclusive, understanding, respectful and appreciative*” hate-motivated incidents must be minimized and mitigated.

4 BACKGROUND

The Commission on the Status of Women’s (CSW) Hate Crimes/Bias-Motivated Incidents Taskforce evolved out of a coalition called *Seeds of Peace*, founded by former UA employee and CSW member Carlene Franklin. In 1999 the campus experienced a series of hate-related incidents culminating in the stabbing of a 20-year old philosophy junior who was attacked because of his sexual orientation.^{5, 6, 7} This, in addition to several

² Anti-Defamation League Website: http://www.adl.org/prejudice/prejudice_hate_crime.asp

³ From the University of Arizona Mission, September 2001: <http://www.arizona.edu/home/mission.shtml>

⁴ Diversity Action Plan, Fall 2002, see web at: <http://omar.opi.arizona.edu/likins/diversity/diversityreport.html>

⁵ The shouts of the stabber made clear the intent of the stabbing.

⁶ Davis, Hillary, “Rally Against Hate, Homophobia draws 1,000”, Daily Wildcat, February 14, 2000

other incidents including a cross burning at the Martin Luther King Jr. building, the assault on an Asian American student and a threatening letter sent to a Hispanic student group⁸ made Ms. Franklin and the coalition recognize the need for some type of comprehensive, integrated campus plan to simultaneously establish a systematic response to these crimes and to lessen such crimes on campus. *Seeds of Peace* laid the foundation for this report and some of the material in this report is directly drawn from the *Seeds of Peace* Draft Proposal from March of 2001.⁹

Since the formation of *Seeds of Peace*, CSW has been engaged in researching BMIs on the UA campus. Before offering any recommendations we wanted to obtain a clear idea of how many BMIs occur on campus each year and of the University's response to these BMIs.

In the process of investigating BMIs on campus we conducted interviews with the officials on campus most likely to deal with BMIs including two interviews with Veda Kowalski, Associate Dean of Students and one interview each with Commander Kevin Haywood of the University of Arizona Police Department; Irene Anderson, Director, Oasis Center for Sexual Assault and Relationship Violence; Commander Brian Seastone, Police Commander and Public Relations Officer, University of Arizona Police Department; Lynette Cook Francis, Associate Dean and Director, Multicultural Programs and Services and Chair, President's Council on Diversity; and Brian Shimamoto, Coordinator, Multicultural Education and Advocacy and Residential Education Chair, El Mundo Committee and Sarah Gonzales, Graduate Student and Residence Hall Director, Residence Life. Three interviews were conducted in 2001 and Spring 2002¹⁰ and four interviews were conducted in the 2002-2003 academic year.¹¹

What we have discovered is that there is no place to go to obtain a clear idea of how many BMIs occur on the UA campus in a year. While the police force tags some of the BMI's reported to them in their database, some others are apparently missed. With the exception of the residence halls, there isn't any systematic reporting of BMIs except to the police and, because people are frequently embarrassed to report them or simply don't believe they are worthy of reporting, many BMIs go unreported. Additionally there doesn't seem to be any mechanism in place to encourage the reporting of such incidents.

⁷ Davis, Hillary, "Hate Crimes Forum Draws Scores", Daily Wildcat, February 17, 2000

⁸ Everett-Hayes, La Monica, "Hate Crimes Prompt Campus Campaign", Daily Wildcat, January 13, 2000.

⁹ *Seeds of Peace, Draft Proposal, March 18, 2001*, unpublished manuscript in possession of CSW taskforce.

¹⁰ Tuesday, March 13th, 2001, Interview with Veda Hunn, Associate Dean of Students, April 10, 2001, Interview with Commander Kevin Haywood of the University of Arizona Police Department, February 26, 2002, Interview with M. Irene Anderson, Director, Oasis Center for Sexual Assault and Relationship Violence.

¹¹ September 24th, 2002, Interview with Brian Seastone, Police Commander and Public Relations Officer, University of Arizona Police Department; October 15, 2002, Interview with Lynette Cook-Francis, Associate Dean and Director, Multicultural Programs and Services and Chair, President's Council on Diversity; December 3, 2002, Interview with Veda Kowalski, Associate Dean of Students and January 28, 2003, Interview with Brian Shimamoto, Coordinator, Multicultural Education and Advocacy and Residential Education Chair, El Mundo Committee and Sarah Gonzales, Graduate Student and Residence Hall Director, Residence Life.

With the exception of the residence halls, the University's response to bias incidents is not transparent. In the residence halls, the RAs are specifically trained to respond to hate incidents. The preprinted incident report form contains a block to check if an incident involves bias and if the incident is significant enough it is referred up through an administrative chain. Although on the rest of the campus there seem to be some mechanisms in place by the administration to respond to bias incidents,¹² there does not appear to be any systematic, universally known response to them.

5 HOW MANY BIAS-MOTIVATED INCIDENTS AND HATE CRIMES OCCUR AT THE UNIVERSITY OF ARIZONA?

5.1 Hate Crimes

In our interviews with both Brian Seastone¹³ and Veda Kowalski¹⁴ they told us there had been no hate crimes on campus since September 11, 2001. Commander Seastone stated that to be a "hate crime" a victim must be threatened. While calling someone names is not considered a "hate crime", instead being regarded as free speech, a written message to the same effect might be considered a "hate crime". According to Commander Seastone, the police generally look for assault, criminal damages and direct threats to classify a crime as a hate crime. Commander Seastone left the committee members with the impression that the magnitude of the crime and the seriousness of the threat were the determining factors in whether an incident was a hate crime. Finally Commander Seastone stated that the police force was worried about hate crimes, especially after September 11th, and had kept in constant contact with the Mosques in the area.

In order to further investigate the procedure the police department uses to classify hate crimes, Taskforce Chair Ann Samuelson spoke with Officer Luis Puig, the University of Arizona Police and Communications Supervisor. Officer Puig reported that the police currently use the Uniform Crime Reporting system, a system that does not have coding classification for hate crimes. Officers may write "hate" on the police report form if they believe it appropriate but of the six police reports the committee received that had been tagged as hate-related only one had "hate" written on it. Otherwise the officers simply record the reported incident to the best of their ability. The UAPD records department reviews the police report forms and if they judge that an incident is potentially hate-related they tag it as such in the database.

¹² Information on responses to bias incidents provided by Brian Seastone, Police Commander and Public Relations Officer of the University of Arizona Police Department, interviewed by members of the Hate Crimes/Bias-Motivated Incidents Taskforce of the Commission of the Status of Women on September 24, 2002; and Veda Kowalski, Associate Dean of Students interviewed by members of the Hate Crimes/Bias-Motivated Incidents Taskforce of the Commission of the Status of Women on December 3, 2002.

¹³ Brian Seastone, Police Commander and Public Relations Officer of the University of Arizona Police Department was interviewed by members of the Hate Crimes/Bias-Motivated Incidents Taskforce of the Commission of the Status of Women on September 24, 2002

¹⁴ Veda Kowalski, Associate Dean of Students was interviewed by members of the Hate Crimes/Bias-Motivated Incidents Taskforce of the Commission of the Status of Women on December 3, 2002

According to Officer Puig, reported criminal activities are NEVER initially identified as hate crimes, no matter what the offense. Only if the police identify and arrest the perpetrator are incidents classified hate crimes. So, if a perpetrator is never caught, a crime is never considered a “hate crime” no matter what its magnitude. Thus there were no reported hate crimes on campus since September 11, 2001.

5.2 *Bias-Motivated Incidents*

As hate crimes are subsumed in the category of bias-motivated incidents and as eliminating BMIs will successfully eliminate hate crimes, we decided to try to determine the number of BMIs that have occurred on the UA campus since September 11, 2001. To arrive at a number we examined several sources.

5.2.1 *Campus Police Reports*

Six incidents reported to the police since September 11, 2001 were tagged as hate-related incidents. These included anti-gay/hate graffiti on campus hall walls (2), racist graffiti on campus hall walls (1), racist graffiti inscribed on a private vehicle (1), anti-ethnic screams directed at a pedestrian from a car (1), and anti-Semitic instant message on a computer (1).¹⁵

5.2.2 *Daily Wildcat “Police Beat” Column*

The “*Police Beat*” column in the Arizona Daily Wildcat gives a further glimpse into the number and various types of incidents that are occurring on campus. Approximately six months of the Arizona Daily Wildcat between September 11th, 2001 and today were reviewed.¹⁶ Six additional unambiguously hate-related incidents were reported during this period that were not flagged in the police database. These included a racial epithet carved into a classroom door¹⁷, anti-immigration and racist comments on a flyer posted on campus¹⁸, anti-gay graffiti on a fraternity house¹⁹, anti-gay and anti-ethnic graffiti in a University stairwell²⁰, a racial slur yelled at two students near a residence hall²¹, and a student who was beaten up by two men who first walked by and made a derogatory anti-gay statement.²²

Additionally noted were several other incidents that are probably hate-inspired. For instance a Professor had “this jerk celebrated the death of 3,000 human beings on Sept. 11” etched into his door, along with the words “jerk” and “pro-terrorist” scratched into his nameplate²³. Also, in November of 2001, a Hillel Foundation employee felt

¹⁵ Flagged hate-incident reports provided by Luis Puig of the University of Arizona Police Department; as they are confidential the exact reports are not listed here but can be provided if requested.

¹⁶ Months reviewed included September, October and November 2001, and September, October and November 2002, with a very few additional dates in March and April 2003. In the interest of time only those Wildcats that were easily retrievable through the on-line search engine were thoroughly examined.

¹⁷ Simmons, Devin, *Police Beat*, Arizona Daily Wildcat, March 13, 2003

¹⁸ Califano, Kristopher, *Police Beat*, Arizona Daily Wildcat, November 25, 2002

¹⁹ Halperin, David, *Police Beat*, Arizona Daily Wildcat, October 11, 2002

²⁰ Sklar, Jeff, *Police Beat*, Arizona Daily Wildcat, September 24, 2001

²¹ Califano, Kristopher, *Police Beat*, Arizona Daily Wildcat, September 19, 2001

²² Halperin, David, *Police Beat*, Arizona Daily Wildcat, November 21, 2001

²³ Califano, Kristopher, *Police Beat*, Arizona Daily Wildcat, November 21, 2002

threatened when she received a letter containing the “Ten Commandments by Ronald Reagan”.²⁴

The fighting in Iraq has created some of the strongest tension in the community.²⁵ The University of Arizona Daily Wildcat on March 28th of this year reports on attacks and threats on people of Arab descent and Jewish people.²⁶ According to the article entitled *Muslims Targets Of Hate Crimes*:

“Many Arab students did not want their names printed because they fear retaliation. Some said, however, they have been the targets of verbal harassment, and chants of “Go Home!” and “Get out of our country!” are common”.

There were numerous misogynist incidents recorded in *Police Beat* during this time period that could be construed as BMIs. These included women who were physically harassed or assaulted, and sexually harassing phone calls made to female students. These kinds of incidents are considered BMIs because they are almost always directed against women *specifically* because of their gender (See Appendix 1 for more details on several of these incidents).

Finally, there are a number of instances where a crime is committed with no apparent motive; some of these might be BMIs. While on the surface many of these appear to be mean pranks or cases of personal vengeance, without keen attention and observation on the part of the recording police officer those that actually could be hate-related incidents would go unnoticed (See Appendix 2 for more details).

5.2.3 *Interviews with Residence Life Staff*

On January 28th, 2003 we interviewed Brian Shimamoto²⁷ and Sarah Gonzalez²⁸, who told us that during 4.5 months (from September to December 16th, 2003) there were 12 BMIs reported in the residence halls. Sarah Gonzalez suggested that she had noticed quite a few more incidents occurring than were reported. A little over 5,500 students live in residence halls.²⁹

5.3 *An Estimate Of The Number Of BMIs That Occur In One Year On The University Of Arizona Campus*

Conservatively, using just the flagged police reports (six reports in 18 months) and the additional hate-related incidents reported in the *Police Beat* column of the *Arizona Daily*

²⁴ Califano, Kristopher, *Police Beat*, Arizona Daily Wildcat, November 2, 2001

²⁵ This occurred after consultation with the police so was not yet reflected in police records.

²⁶ “*Muslims targets of hate crimes*”, By Aaron Mackey and Bob Purvis,
http://wildcat.arizona.edu/papers/96/121/01_1.html

²⁷ Brian Shimamoto is the Coordinator of Multicultural Education and Advocacy and the Residential Education Chair, El Mundo Committee

²⁸ Sarah Gonzalez is a Graduate Student and Residential Hall Director, Residential life.

²⁹ Cole, Cyndy, “*Residence Halls Could be Packed this Fall*”, Arizona Daily Wildcat, July 25, 2001 and reconfirmed on April 9, 2003 in a phone interview with Pamela Obando, Assistant Director of Residential Life.

Wildcat (six in six months) we can extrapolate a minimum of 24 hate-related incidents in 18 months, or 16 hate-related incidents in a year. Brian Seastone estimated that the number of hate-related incidents that occur is 10 times the number of hate-related incidents that are reported to the police,³⁰ suggesting approximately 160 incidents per year. However extrapolating from the residence life figures (12 in four months) 36 BMIs are reported just among the 5,500+ residential students per year. Extrapolating this further to the entire campus community of 44,830³¹ yields an estimate of 293 incidents a year. While this number may be a bit inflated because the residential halls are 80% filled with Freshman who, because of their age and immaturity may be more inclined to commit hate-related incidents, it must be remembered that the number this is based on includes only reported incidents. Undoubtedly there are numerous incidents of name-calling, small vandalism and graffiti writing that go unreported as suggested by Sarah Gonzalez. Certainly we can say at a bare minimum 16 of these incidents occur each year with a possible maximum of over 300.

6 HOW BIAS-MOTIVATED INCIDENTS ARE CURRENTLY DEALT WITH AT THE UNIVERSITY OF ARIZONA

To get an overall impression of how the University currently deals with BMIs, let's look at a not-so hypothetical situation: Suppose I am a young Native American woman. On September 12, 2001 I am walking across campus talking with my friends and a group of young men shout at me angrily that I should get out of this country and "go home". I feel threatened and frightened. Based on the information that has been provided to me by the University, do I know where to go to get help? Do I know who to talk to? Do I even know how the administration feels about such a situation?

If I feel threatened enough, I might consider calling the police, but while the police might file a report, this sort of incident is regarded as free speech and they can't actually do anything. If the officer involved realizes I am deeply upset, s/he might suggest going to a counselor. If I don't feel the situation warrants talking to the police or if I'm afraid to go to the police, do I know of an alternative? If I were a student in a residence hall I would probably know to go to my RA. If I am part of the rest of the community, where do I go? Who can I talk to and feel safe and not ignored? Is there a visible system of response of which every member of the campus community is aware?

If the University had a transparent, uniform policy on hate motivated incidents I would know the answer to all these questions.

6.1 Policy

The University currently lacks a policy clearly asserting the University's position regarding hate-motivated incidents on campus. While there is much support for diversity

³⁰ Brian Seastone, Police Commander and Public Relations Officer of the University of Arizona Police Department was interviewed by members of the Hate Crimes/Bias-Motivated Incidents Taskforce of the Commission of the Status of Women on September 24, 2002

³¹ According to UA Factbook found on-line at <http://daps.arizona.edu/daps/factbook/factbook.html>

and diversity is addressed frequently in University publications and campaigns, there is no official statement about hate.

6.2 Reporting Procedures

There are two reporting procedures currently visible on campus to address hate-related incidents. The first is through the UAPD. The University relies on the field officers to completely and fully relate any hate-related incidents that are reported to them. The current coding system does not have a code for hate-related crimes, so the officer must remember to think about bias motivation when completing the report form. On their shoulders is the burden to be completely vigilant so that if an American from the Middle-East reports in September 2001 that her/his windshield has been broken but that nothing was stolen, the officer must think to question the victim to ascertain if s/he knows why this might have occurred, and the officer must independently consider the possible existence of hate-related overtones. The UAPD relies on the field officer to record any hate-related information in the text of the report and then it relies on the police record keepers to recover this information and tag the report in their database.

The second reporting procedure is through the residence halls as discussed above. Both the police and the campus administration have told us there is a chain of responses in effect as well as a phone tree to handle severe incidents (including the Dean of Students, Residential Life, the Provost and the academic departments). However, outside of the residence halls, students and employees do not know where or how to report such incidents if they do not want to go to the police. There is no clearly visible system of response.

6.3 Support for the Victim

There is some support for victims of hate-related incidents on campus, which is available if the victim knows where to look. The police and the administration have reported to us that in cases where victims are visibly upset they will recommend counseling to them. Presumably this would be through Counseling and Psychological Services (CAPS) for students and through UA Life and Work Connections for staff. There is no counseling service they could go to specifically for hate-related incidents such as the Oasis Center provides for sexual assault and relationship violence.

6.4 Perpetrators

There are no clearly delineated consequences for behavior related to hate-motivated incidents on the UA Campus. The UA employs sanctions contained in the codes of conducts and utilizes polices including those addressing harassment and discrimination to go after perpetrators; when incidents rise to the level of crimes, State and Federal statutes are utilized.

6.5 Education and Training

Currently, the most aggressive effort to educate the campus community about bias-motivated incidents has emerged from the Residence Life Multicultural Programming and Advocacy Program and the El Mundo Diversity Committee. This year they ran “No Room for Hate on Campus”, a campaign whose purpose is to demonstrate to the

residence halls, UA campus and Tucson community as a whole that the University of Arizona is united against hate on the campus. This campaign, which ran from September 3-10, 2002, allowed students, staff and faculty to sign a pledge affirming they were against hate on the UA campus. Each signed pledge was then linked with the other pledges, creating a visual chain that showed the campus community how many people on campus are committed to making the campus hate-free. Additionally, for each of the past five year residential life has hosted the Tunnel of Oppression – an opportunity for the campus community to actually experience various forms of oppression. These efforts to reduce bias-motivated incidents are undoubtedly effective and are to be commended.

Unfortunately, these efforts focus primarily on the residence halls. While students in residential housing form a vital part of the campus community, these students only make up about 10% of the University community membership. A broader educational program is lacking.

Unlike the campaign on diversity and the “crayon” posters, there are no posters displayed regularly on campus decrying hate and bias-related incidents. Incoming students and employees are not provided with a statement concerning the University’s position on hate and bias-related incidents. Orientation materials do not include information about hate incidents and how to eliminate them on campus. Simple brochures about hate-related crimes are not available at the Police Department, as are brochures about sexual assault and various other types of common crimes.

BMI related-training for UA police officers is minimal. Individual officers, according to the police department, have a total of about three hours of training in hate-related crimes in their entire career on the UA police force. They have one hour at the University of Arizona police department and two hours at the police academy.³² No further refresher training is required.

7 BIAS-MOTIVATED INCIDENTS AND HATE CRIMES AT OTHER UNIVERSITIES

As we found at the University of Arizona, it is difficult to assess the extent and type of BMIs that occur at other institutions; there is no mandate to report these incidents. It is understandable that Universities do not want to report these vile crimes at the same time they are trying to entice students to attend their institutions. Therefore our research on BMIs at other institutions has primarily focused on hate crimes.

Hate crime reporting is mandated by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (1990). The University of Arizona reported three hate crimes in 2001, one in 2000 and seven in 1999. The University of Florida reported one hate crime by religion and one by sexual orientation in 2001 and two hate crimes by gender in 2000. The University of Illinois reported no hate crime attempts or

³² Interview with Brian Seastone, Police Commander and Public Relations Officer, UAPD, September 24, 2002

offenses in 2001 or 2000, with only a single assault based upon sexual orientation in 1999. Michigan State University (MSU) reported no hate crime incidents in 2001 and 1999. However, in 1999, MSU reported three hate crimes, all involving bodily injury, one each based on race, ethnicity, and sexual orientation. The University of Michigan reported no hate crimes in their reports spanning 1999 to 2001.

We tried to assess hate crimes beyond these statistics by looking at newspaper reports of university-related hate crimes over the past six months. This gives an overall impression of the types and severity of crimes that are occurring on campuses today.

These included:

- University of Virginia: a candidate for student council president (of Korean and African American heritage) had her head slammed against the steering wheel of her vehicle after the assailant made a racial slur. Being investigated as a hate crime.³³
- San Jose State University: In the six weeks prior to the war death threats were made against Muslim students.³⁴
- York University: A student was arrested and accused of making a death threat after an ugly dispute erupted over a yellow Star of David displayed by Palestinian students at York University.³⁵
- Gonzaga University: A basketball player apologized to a San Francisco man who said he was taunted by a racist remark as he walked past team members on Van Ness Ave.³⁶
- University of San Diego: Nine incidents apparently motivated by prejudice have shaken the USD campus since fall, prompting the school to boost its tolerance training for students and consider making a class in diversity mandatory.³⁷
- Morehouse College: A student attacked another student with a baseball bat on Nov 3rd for being gay.³⁸
- University of Massachusetts: Indian graduate students were beaten and called children of Osama bin Laden near the University of Massachusetts Lowell campus.³⁹
- Penn State: A huge metal menorah was stolen from the Penn State campus.⁴⁰
- Boston University: A Boston University student from Saudi Arabia was stabbed three times by a group of men as he left a Back Bay nightclub.⁴¹

33 New York Times, Feb 27, 2003

34 Washington Post, Mar 24, 2003

35 Toronto Star Newspapers, Mar 14, 2003

36 San Francisco Chronicle, Jan 23, 2003

37 San Diego Union-Tribune, Jan 14, 2003

38 The Atlanta Journal-Constitution, Dec 29, 2002

39 The Boston Globe, Dec 22, 2002

40 Pittsburgh Post-Gazette, Dec 10, 2002

41 Boston Herald, Nov 26, 2002

8 RECOMMENDATIONS FOR CHANGES AT THE UNIVERSITY OF ARIZONA

Based on our research there are a number of suggestions we propose to deal with hate crimes and BMIs at the University of Arizona as a way to prevent their occurrence and to provide resources to mitigate them when they do occur.

We recommend the newly-forming diversity office currently being created under the direction of Dr. Patti Ota, Vice President for Executive Affairs and University Initiatives, Dr. Carolyn Maddy-Bernstein, Associate to the Vice President for Executive Affairs and University Initiatives and Ms. Sofia Ramos, Associate to the Vice President for Executive Affairs and University Initiatives, be charged with implementing anti-hate measures. This is the logical place to serve as a central hub in the fight against BMIs since hate incidents arise out of a lack of acceptance of diversity.

8.1 Policy

Provide a definitive policy and issue a letter/statement once a year to the campus community defining BMIs and affirming that hate crimes/bias-motivated incidents are unacceptable (A sample policy is included as Appendix 3). This is a low cost, simple but effective measure that will clarify the University's position on BMIs for the entire campus community.

There are precedents at other Universities for issuing such a policy or statement:

- Cal Poly at Pomona has instituted a policy stating that investigating “hate motivated crimes and incidents is a priority of the university and the University Police Department... this policy provides: (a) guidelines for identifying and investigating reportable crimes and incidents and (b) the resources to which victims can be referred for assistance.” They suggest reporting hate crimes and incidents to the Police, the Vice President for Student Affairs and the Judicial Affairs departments.⁴²
- Miami University has a section in its Procedures and Policies book which lays out in detail exactly how hate crimes and bias-motivated incidents are dealt with including: what the victim should do, what will the University do, options for victims, definitions, charts and statistics. They suggest all instances be reported to the police.⁴³
- The Chancellor of the University of California at Berkeley⁴⁴ and the Chancellor of the University of California at Los Angeles⁴⁵ have both issued statements about hate on their campuses, which are posted on the hate crime websites.

⁴² http://www.csupomona.edu/~public_safety/security_report/section2.shtml#xx27

⁴³ http://www.miami.muohio.edu/documents_and_policies/nohate/index.cfm

⁴⁴ <http://www.asuc.org/hatecrimes/message.html>

⁴⁵ <http://www.reporthathe.ucla.edu/>

8.2 Clarify The Processes For Reporting BMIs And Hate Crimes And Provide A Uniform Response

Does every person on campus know where to go if they are a victim of a BMI? Do they know who to go to and where to get help? We believe they should. To achieve this goal, the administration needs to lay out a protocol to respond to all BMIs.

- *There should be one place known where these incidents should be reported. This place should be known by the entire campus community.* This could be to the police or it could be to a different department within the University. Regardless, we believe the University should establish one central hub where all such incidents are reported and dealt with. The advantage of having a hub would be that the person or persons dealing with BMIs would deal with them on a regular basis, would be able to accurately assess their severity, and would have all the resources available at their finger tips to support victims and prosecute perpetrators.

Cornell University stands out in its efforts to track BMIs. They have a bias-motivated incident report and protocol administered through the Office of Workforce Diversity, Equity and Life Quality. The packet they provide consists of a three-page report to be filled out by the victim, perpetrator, or witness to the incident. The report covers the basics of the incidents, as well as options for how the victim would like to be contacted and assisted. The report then passes through the hands of a campus committee who assigns a member(s) to follow-up on the incident. Following the report, the packet lists resources for the victim to use to seek counseling and the protocols used to deal with bias incidents. The adoption of a similar procedure on this campus would be both simple and cheap.⁴⁶

UC Davis also actively encourages the reporting of such incidents to the police and even suggests the filing of a grievance if the perpetrator is a campus community member. They also provide their community with detailed information as to where to go for assistance.⁴⁷

- *Create a special incident report form for all BMIs.* This will provide a way to measure the prevalence of BMIs at the University and to measure the effects of efforts to educate the campus community about BMIs. This could be anonymous if necessary.

Due to known campus budgetary constraints our further suggestions, beyond the establishment of a policy and a basic protocol dealing with BMIs, are divided into Lower Cost and Higher Cost Recommendations.

⁴⁶ http://www.cupolice.cornell.edu/bias_crimes.htm; and http://campuslife.cornell.edu/sa_d/bias_related_activity.asp

⁴⁷ <http://cvpp.ucdavis.edu/help/hate-crime/index.htm>

8.3 Lower Cost Recommendations

8.3.1 *Make The Process Known To Everyone On Campus*

Advertise the University policy and protocol regarding hate-related incidents widely. We want everyone on campus to know what to do if a BMI is committed and to be aware of resources available for victims. Depending on the amount of funds available this may include:

- *Website to provide overview of policy and protocol, and provide a centralized location supplying all relevant resources.*

A number of peer Universities provide excellent examples of hate-incident related websites. One is the University of California at Berkeley. They have a website devoted to hate crimes and BMI's including a definition of hate crimes, a statement deploring hate crimes and BMIs by the University Chancellor, an anonymous on-line reporting form for BMI's, a page of instructions as to what to do if you have been a victim of a BMI or hate crime, a list of community resources available for victims, pages of statistics and legislation regarding these issues and a link to the UC Berkeley student advocacy program.⁴⁸

UCLA also provides information and resources on hate crimes and hate-related incidents on a website which includes a statement by the Chancellor regarding UCLA position on hate crimes and hate-related incidents, an email address where information about hate-related incidents can be submitted and an anonymous on-line reporting form.⁴⁹

- *Put on a variety of lectures and teach-ins*
- *Provide 15 minutes of training on BMIs at on-campus orientation.* This should be provided to all employees, freshman and new graduate students. Everyone these days knows that sexual assault is not okay, but people come from different backgrounds and there are probably people on campus who do not know that BMIs are not okay.
- *Make available literature outlining what BMIs are, who to report them to, and how and where to get help*
- *Create a simple pamphlet to leave in the police and various other public administration offices, and to provide all incoming students and staff (See Appendix 4 for sample pamphlet from the University of Illinois⁵⁰)*
- *Conduct a Poster campaign similar to the "crayon" campaign on diversity.* This would go a long way towards making everyone on campus aware of BMIs.

⁴⁸ <http://www.asuc.org/hatecrimes/main.html>

⁴⁹ <http://www.reporthathe.ucla.edu/>

⁵⁰ Pamphlet found at http://www.odos.uiuc.edu/helpdean/Stop_Hate_Brochure.pdf

The University of Texas has emphasized education about hate crimes. They provide a hate crime handbook to their student staff in the residence halls. This handbook provides examples of the types of incidents that may be defined as hate crimes or BMI's, delineates the policies relevant to hate incidents, provides a scheme for evaluating an incident to determine if hate was a factor, and suggests how to respond. The handbook concludes with a list of resources to be employed should it be determined that a hate incident has occurred. This handbook is another good example of a low cost, basic approach that could be adopted on this campus in order to increase awareness of these issues and effectiveness in dealing with them.⁵¹

8.3.2 *Enlist Help from the Police*

- *We suggest better and more frequent training of the officers of the UA police force.*
As stated above, the UAPD receives a maximum of three hours training in a lifetime of being on the police force. We have viewed a Department of Justice Administration videotape owned by the UAPD (“Responding to Hate Crimes”) that goes through step-by-step how to identify hate crimes and bias-motivated incidents. It is excellent. Even if officers only viewed this ~20 minute long videotape once a year, it would significantly increase their awareness of what characteristics comprise a hate crime. A clearer idea of hate crimes and BMIs would allow all such incidents to be identified correctly in the database and would assure that none were missed.
- *We suggest training officers to note "BMI" on forms when a relevant incident occurs.*
This would act as a double-check for the police records department to carefully screen the report for motives that are bias-related, making sure some of these reports are not missed.
- *If not already done, we suggest training officers to carefully consider crimes which do not have an apparent motivation (like "car windshield broken, nothing taken") to consider the possibility of a bias motivation – is the victim a member of a minority? A women? Is the incident occurring right after some major event causing a reaction against persons of color (such as on September 12th, 2001?)*
- *Keep literature on hate crimes and bias-motivated incidents available at the police station, as well as at other public University offices.*

8.4 *Higher Cost Recommendations*

- *Further educate the campus community with more expensive resources as listed previously*
 - *More extensive lectures and teach-ins*
 - *More expansive/substantial literature*

⁵¹ “Responding to Hate Incidents: A Guide for Resident Assistants”, Division of Housing and Food Service, The University of Texas at Austin.

- *Provide a physical location for victims to go and be supported emotionally including possibly providing a counseling office and hiring a 1/2 -1/4-time person to act as a counselor specifically to victims of hate incidents.*

Irene Anderson, Director, Oasis Center for Sexual Assault and Relationship Violence, has offered to encompass this counseling program within the Oasis Center or to help set up an additional center located somewhere else on campus, as long as the University or grants provide funds for these additional expenses.

- *Hire more police officers.* The UA campus has a population of 44,830 including faculty, staff and students.⁵² According to information provided by Commander Brian Seastone to Taskforce member Mark Kolb⁵³, there are 50 officers in the UAPD (44 on campus and six at Mt. Graham) and 15 security officers who do not have police authority. Commander Seastone reported that they are short on staffing and often day and swing shifts consist of the minimum staffing of three officers plus security officers.

In comparison, our peer institution of UC Berkeley has a similar population of approximately 43,201⁵⁴ but has a police department with 77 officers, and 45 full time non-sworn personnel.⁵⁵ Taking into account that UA has six officers stationed at Mount Graham, we have only have ~57% of the police force available that is available at UC Berkeley.

- *Provide "civility training" for entering students covering a broad spectrum of issues including BMIs.* This might consist of a required one-unit course for all undergraduate students. Not only could this course deal with BMIs but also discuss diversity and acceptance, simple courtesies such as cell phones in the classroom, appreciation for fellow students, Good Samaritan activities, etc.
- *Include a 1-2 day unit in Freshman English dealing with hate crimes and BMIs.*

9 CONCLUSION

This Taskforce was charged with the responsibility of examining bias-motivated incidents on campus. Our investigations have revealed that there is:

- No policy on hate crimes or bias-motivated incidents.
- No centralized place collecting data on BMIs so the number that occur on campus is known.
- No obvious systematic response to hate crimes or bias-motivated incidents.

⁵² UA Factbook found on line at <http://daps.arizona.edu/daps/factbook/factbook.html>

⁵³ E-mail response of October 4, 2002 to Taskforce member Marc Kolb from Commander Seastone.

⁵⁴ According to Steve Kelly at Visitor Services at UC Berkeley, interviewed via phone on 4/14/03.

⁵⁵ According to the UC Berkeley police website at: <http://public-safety.berkeley.edu/police/aboutucpd.html>

- Little educational outreach to the University community about hate crimes or bias-motivated incidents.
- No mechanism to encourage the reporting of such incidents.
- Lack of common knowledge of University resources available to victims of BMIs.
- Limited police officer training in hate-related incidents.

This University places great value on diversity. In order to support diversity at its highest level and to create a campus community that is safe and comfortable for all, we must rid the University of hate crimes and bias-motivated incidents. Implementing these recommendations will serve as the first step toward the goal of ensuring that all UA students and employees know what a hate crime or bias-motivated incident is, understand issues of bias, know where to report such a crime or incident, and know where to get help when such a crime or incident occurs. These recommendations should be developed and implemented if we are to create a hate-free campus community.

10 APPENDIX 1: EXAMPLES OF MISOGYNIST INCIDENTS AT THE UNIVERSITY OF ARIZONA

On the UA campus there were reported numerous misogynist incidents. For instance, on April 3rd 2003, a woman was walking down the street and was slapped on the rear by a passenger in a passing car (Simmons, Devin; *Police Beat*, Arizona Daily Wildcat, April 3, 2003); a similar incident occurred on September 28th, 2001 (Califanco, Kristopher; *Police Beat*, Arizona Daily Wildcat, September 28, 2001). Another incident where a woman was physically harassed occurred on December 7, 2002 (Califano, Kristopher; *Police Beat*, Arizona Daily Wildcat, December 7, 2002). A fourth incident occurred on December 6, 2002 when an employee received a letter that read “Asshole Bitch”. The employee stated she felt a “little bit threatened” by the letter, and didn’t know who it was from (Halperin, David; *Police Beat*, Arizona Daily Wildcat, December 6, 2002). There were so many sexually harassing phone calls made to female students that we did not even record the dates of these. Interestingly, Miami University notes that the most common hate crimes on their campus are instances of telephone or electronic harassment to female victims.⁵⁶

⁵⁶ http://www.miami.muohio.edu/documents_and_policies/nohate/index.cfm

11 APPENDIX 2: EXAMPLES OF SUSPICIOUS INCIDENTS WHICH MAYBE HATE-RELATED

There are some incidents that may very well be hate-related but because the circumstances of the incident are unclear the motive of the incident is not detectable. On December 4, 2002, a married couple returned to their car to find the word “hate” scratched into the driver’s side door (Halperin, David; *Police Beat*, Arizona Daily Wildcat, December 4, 2002). Because the report does not include the ethnicity or race of the couple, it is difficult to tell if this is a hate-incident or just a mean prank. Similar incidents include the September 20, 2001 smashing to a vehicle’s rear window, bending of the driver’s side mirror, and tearing of the driver side door molding. Because nothing was taken, it is difficult to tell the motive of this crime. It could be simply a mean prank done by a person unknown to the victim, it could be some sort of person vengeance, or it could have occurred as a result of a hate-inspired incident (Sarkissian II, Arek; *Police Beat*, Arizona Daily Wildcat, September 20, 2001).

12 APPENDIX 3: SAMPLE POLICY

The University of Arizona Policy on Hate-Motivated Incidents

Hate motivated incidents affect each and every member of the campus community. Many individuals become targets of hateful acts because others are unable to accept differences based on race, gender, sexual orientation, religion, age, ethnicity or disability. The University of Arizona condemns such acts. At the University of Arizona, a hateful incident directed at an individual or group, owing to their difference, is viewed as an attack on the entire community. Investigation of hate-motivated crimes and incidents is a priority of the University of Arizona. Our response is necessary to assure the community that discrimination and violence will not be tolerated, and perpetrators of such crimes will be prosecuted to the full extent of the law.

The Role of Education in Ending Hate-Motivated Incidents

As members of a society that prides itself on liberty, freedom and justice for all, we have an obligation to educate ourselves about hate crimes and bias-motivated incidents and about how they affect our family, our friends, our community and ourselves. We recognize that hate crimes exist and can damage the very fiber of the nation that we live in. We encourage you to educate yourself about hate crimes and to take the next step by joining us in efforts to end hate-motivated violence. Far too many people fall victim each year and many of them do not report that they have been victimized. Please see the University of Arizona "Stop the Hate" website for information about reporting hate-motivated incidents, on-campus and neighboring resources for victims, information regarding the current legislation pertaining to hate crimes, and hate crime statistics. We believe that education is an essential component in stopping hate-motivated activity. This is an effort that needs the help of everyone -- students, faculty, staff, administration, and community members. Please join us in ending the hate and stopping the violence.

13 APPENDIX 4: EXAMPLE OF A PAMPHLET ON STOPPING HATE