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JUDGING THE HATE CRIME VICTIM: LAW SCHOOL STUDENT PERCEPTIONS
AND THE EFFECTS OF INDIVIDUAL AND LAW SCHOOL FACTORS

A Dissertation

Submitted to the School of Graduate Studies and Research

in Partial Fulfillment of the

Requirements for the Degree

Doctor of Philosophy

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Indiana University of Pennsylvania

December 2005

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Title: Judging the Hate Crime Victim: Law School Student Perceptions and the Effects of Individual and Law School Factors

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The present study examines the effects of individual and law school factors on the perceptions of African-American, gay, and lesbian hate crime victims for 283 law school students from two schools in western Pennsylvania. Although research on the perceptions of hate crimes and hate crime victims has increased over the last decade, research has neglected to focus on this particular population of students. This population is important because many of these law students will seek roles in the criminal justice system, while other students may have careers as lawmakers. Both of these career choices are important in how hate crime cases are processed and how victims are treated by the criminal justice system. Previous research also has neglected the consideration of school factors on perceptions of hate crimes and hate crime victims. The impact of individual factors on these perceptions is important; however, it also is important that school factors be examined to determine their unique impact on perceptions of hate crime victims.

Students of two law schools located in western Pennsylvania completed a Web-based survey, where they provided their level of agreement with a set of real-life hate crime scenarios. The data collected were analyzed using multivariate analyses and comparison models. The analyses found that the different victims shared predictors, but there also were predictors unique to each set of victims.

For this sample of law students, there were a total of five significant predictors for each victim group, with four shared between the victim groups. These shared predictors included: level of racism, prior hate crime victimization, views of gays and lesbians, and sex. Higher levels of racism, prior hate crime victimization, unfavorable views of gays and lesbians, and being male were associated with lower levels of agreement with the hate crime scenarios. Having completed the law school's course(s) on criminal law/criminal procedure was a unique predictor for the African-American Hate Crime Scenarios, while undergraduate major was the unique predictor for the Gay/Lesbian Hate Crime Scenarios. Finally, the results showed the individual factors explained more of the variation in the scores on the scenarios than the law school factors.

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CHAPTER I

INTRODUCTION

In recent years, the issue of hate crimes (or bias crimes) has been a focus of lawmakers, criminal justice personnel, the media, and the general public. Hate crimes have been defined differently by different groups and organizations, and the definition has evolved as the issue has gained more scholarly attention. Although scholarly attention has increased over the last fifteen years, the views of specialized populations such as law students have remained unexamined. Because of the importance of legal recognition and protection of hate crime victims, it seems important to research the perceptions of those who will be the future practitioners in the criminal justice system. These students also are likely to be the individuals making decisions regarding the implementation of hate crime legislation.

The Community Relations Service, a division of the Department of Justice (2001), defines a hate crime as “violence of intolerance and bigotry intended to hurt and intimidate someone because of their race, ethnicity, national origin, religious, sexual orientation, or disability” (p. 1). High profile cases such as James Byrd¹ and Matthew Shepard² fuel the concern and debate over crimes whose motivation rests in hatred or bias. Special interest groups also have been key in such crimes being recognized, not only publicly, but also legally. It has been these special interest groups that have been instrumental in preliminary research on the impact of hate crimes for the victim and

¹ In 1998, James Byrd (an African-American) was chained to a truck in Jasper, Texas and dragged to death. The three people convicted of his gruesome murder were men with suspected Neo-Nazi connections.

² The murder of Matthew Shepard also took place in 1998. He was savagely beaten and left to die in a deserted field in Laramie, Wyoming by three people who followed him from a gay bar.

community and highlighting the importance of the legal recognition of hate crime offenses.

As with any set of crimes that target specific victims, hate crimes have generated debate across the nation with respect to their actual versus perceived increased harm, the necessity for legal recognition for crimes based in hatred or bias, accuracy with reporting, and which groups are worthy of such specialized status. These debates also include arguments regarding the motivation requirement and what opponents view as the differential treatment of offenders (and victims) of hate crime incidents. These opponents believe that such offenses are already illegal and do not deserve any special recognition. However, Cogan (2002) argued that throughout criminal law there exists a hierarchy of crime from those considered most serious (felonies) to least serious (misdemeanors) - and motive is an important criterion (p. 177). Hate crimes are not unique in their requirement that motive be a focus because “circumstances and motive of the crime are always examined and considered as key to how the courts should respond” (Cogan, 2002, p. 177).

The Department of Justice reported in their annual Hate Crime Statistics that there were 7,485 single-bias hate crime incidents in 2003 (United States Department of Justice [DOJ], 2004). Of those single-bias incidents, 51% were due to racial bias. Religious bias incidents accounted for 17.9%, followed by bias based on sexual orientation with 16.5%. Single-bias incidents based on ethnicity or nation of origin accounted for 13.7% of all such incidents. While some groups and lawmakers argue that hate crimes do not constitute a significant issue or problem for members of this society, the statistics reported by local law enforcement agencies do not support such a conclusion.

The federal government first recognized hate crimes in the Hate Crimes Statistics Act (HCSA) of 1990. This Act mandated law enforcement agencies to collect and report information on hate crime incidents. Since that time, the federal government has continued to address these crimes by passing several different pieces of legislation. Currently, the federal government is considering key pieces of legislation that would expand the coverage of federal legislation and offer additional groups protection under the statutes.

State governments addressed hate crimes at varying paces and with varying degree. Some states, such as Washington and California, were at the forefront of offering legal recognition and protection to victims of such incidents. Other states have been slower in doing so (e.g., South Carolina), and still some states have failed to do so all together (e.g., Wyoming). Within these state statutes there is a great deal of variation in the wording, motivation requirements, penalties, and protected classes. This variation stems from the ability of individual states to choose how, and if, to address crimes motivated by hate or bias.

One of the major arguments of hate crime law proponents involves the nature of harm that is experienced by the victims and the community. Research has shown that the impact of hate crime victimization is different than for crimes without such a motivation; this victimization can affect an entire community in addition to the individual victim(s) (Barnes & Ephross, 1994; Cogan, 2002; Herek, Gillis, & Cogan, 1999; Iganski, 2001; Levin, 1999; Petrosino, 1999). In addition, supporters argue that crimes taking place because of an individual's membership in a particular group are particularly harmful because they violate the societal values of inclusion and diversity.

Hate crime victimization can impact the ability of law enforcement to provide accurate and reliable information. Oftentimes, victims of hate crimes are reluctant to contact law enforcement and report their victimization. For some groups likely to be victimized (e.g., gay men and lesbians), contacting law enforcement could lead to their “secondary victimization.” This type of victimization may cause individuals to experience reprisals such as loss of employment, housing, family relationships, and the continuation of a negative society response (Berrill & Herek, 1990; Bureau of Justice Assistance [BJA], 1999). Other victims may perceive law enforcement as not being particularly interested in their victimization or not taking seriously the claims of the victimization being based in hatred or bias. Law enforcement also may be impacted by several different agency and individual factors that influence their actions in suspected hate crime cases.

In addition to law enforcement, other criminal justice personnel are impacted by hate crime victimization. For example, prosecutors may have a difficult decision-making process when considering hate crime cases. For these legal actors, several different factors must be considered and weighed before they make a decision on how to proceed. In many cases, the extra burden of proving motivation to a jury may be too heavy or complicated for a prosecutor. Also, prosecutors may be painfully aware that their choice to proceed with a hate crime case may draw a great deal of media attention and failing to gain a conviction might impact their success in any future hate crime cases. Should prosecutors be successful in their prosecution and gain a conviction, that victory may be negatively impacted by a judge’s lenient sentencing decision.

While the political, public, and academic debate regarding hate crimes has been somewhat voluminous, there has not been the same response in empirical research. Few empirical studies have actually been conducted regarding this issue. Early research in this area focused on the impact of this victimization for the individual and their surrounding community (Barnes & Ephross, 1994; Cogan, 2002; Herek & Berrill, 1992; Herek, Gillis, & Cogan, 1999; Iganski, 2001; Torres, 1999; Weiss & Ephross, 1986; Wilson & Ruback, 2003). More recent research has focused on the perceptions of hate crimes and hate crime victims. This has been an area that has provided some insight into how different groups of individuals view these offenses, their victims, and their offenders (Blake, 2002; Craig & Waldo, 1996; Gerstenfeld, 2003; Marcus-Newhall, Blake, & Baumann, 2002; Miller, 2001; Rayburn, Mendoza, & Davison, 2003; Steen & Cohen, 2004; Vogel, 2000).

What has emerged from this research is the awareness that a variety of characteristics of the offense, victim(s), offender(s), and participant(s) impact how these incidents are perceived. In particular, existing research has focused on how individuals define hate crimes (Craig & Waldo, 1996); how different victim groups are perceived (Miller, 2001); judgments of blameworthiness and culpability of victims and perpetrators (Rayburn, et al., 2003); decisions regarding certainty of guilt and sentencing preferences (Blake, 2002; Gerstenfeld, 2003; Marcus-Newhall, et al., 2002); public support for penalty enhancements of hate crime offenses (Steen & Cohen, 2004); and, the extent to which the motive of hate aggravates or mitigates an individual's perception of a criminal act (Vogel, 2000). This research also has provided for an understanding that in order to consider perceptions of hate crimes themselves, there must be a consideration of the victim and victim groups. The nature of hate crime offenses makes it almost impossible

to separate the study of the crime from the study of the victim(s). This is an important component of hate crime offenses; by definition these offenses occur because of the characteristics or qualities of the victim.

Empirical research on hate crime perception research has sampled college students, non-college adults, and mixtures of both. Although researchers have made great use of college and general public populations in their investigation into the perceptions of hate crimes, there has been limited use of such populations as law enforcement, prosecutors, judges, lawyers, and lawmakers. Qualitative research in this area has used first hand accounts of offenders and victims and community members (Byers, Crider, & Biggers, 1999; Iganski, 2001; Ituarte, 2000). To date, no other groups of individuals have been examined to uncover their perceptions of hate crimes, hate crime victims, or hate crime perpetrators. In particular, researchers have neglected to use a variety of diverse and important populations that include future practitioners who are attending professional schools (e.g., law schools).

The Present Study

Because of the lack of empirical studies on hate crimes and hate crime victims, particularly in the area of perceptions, this study is extremely timely and relevant. Hate crimes have plagued this country for centuries, but their legal and widespread recognition is fairly recent. Therefore, it is important that scholars, criminal justice personnel, and the general public be made aware of these perceptions because of the very real consequences these acts have on communities, victims, and offenders. The present study will examine two primary research questions – 1) how individual factors impact the perceptions of law students regarding race and sexual orientation hate crimes and hate crime victims and 2)

how law school factors impact the perceptions of law students regarding race and sexual orientation hate crimes and hate crime victims.

Research on perceptions of hate crimes has neglected law students who are just as important in the future criminal justice system as those who are undergraduate students in criminal justice or criminology. Although not all law students will find their careers in the criminal justice system, many will find that some aspect of this system is where they would like to practice their profession. Therefore, their perceptions of hate crimes are important to understand how they view these offenses and the victims.

The following chapters will describe the present study that examines law student perceptions of hate crime victims. Chapter II presents a review of the relevant research on hate crimes. This includes the evolving federal response to hate crimes as well as the varied approaches of individual states. In addition, this chapter covers aspects related to victimization, responses of the criminal justice system to these offenses, and the results of previous research on the perceptions of hate crimes and hate crime victims.

Chapter III describes the methods and sampling used for this research. This research employed the use of a self-administered Web-based survey and was conducted using two law schools in western Pennsylvania. This chapter also discusses the use of qualitative questions that were included to examine the students' overall views regarding hate crime laws. Chapter IV discusses the quantitative and qualitative results. Finally, Chapter V presents the discussion of the findings in addition to policy implications, limitations and strengths, and directions for future research.

CHAPTER II

HATE CRIMES AND HATE CRIME VICTIMS

Victimization based on individual or personal characteristics such as race, ethnicity, religion, or sexual orientation has existed in some form for centuries. However, such victimization, and its recognition in the larger society and criminal justice system, has come only recently. The recognition of hate crime victimization and hate crime offenses has been spurred by the heavy involvement of special interest groups such as the Anti-Defamation League. Also, such recognition has not come without heavy debate from scholars, lawmakers, and other special interest groups who believe such recognition is unwarranted and unneeded. Despite the debate regarding the necessity and appropriateness of hate crimes legislation and the legal recognition of its victims, the federal and state governments have passed legislation to respond to offenses based in hatred or bias.

This chapter will discuss how hate crimes legislation cannot be considered separately from the victims it is meant to protect. In particular, this chapter will examine aspects of hate crime victimization based on race and sexual orientation. It is because of the victims that federal and state governments have moved to create, adopt, and implement hate crimes legislation. This chapter also will discuss previous research in this area – particularly the perceptions and attitudes regarding hate crimes and hate crime victims. Important to the investigation of these perceptions and attitudes is the understanding that it involves the very complicated nature of hate crime statutes, the types of information provided and available from law enforcement officials, the effects of victimization, and the responses of the criminal justice system. What is interesting about

previous studies on hate crimes and hate crime victims is the concentration on perceptions and attitudes of either the general public or college populations. Researchers have neglected to use other, equally interesting populations (e.g., law students, police academy cadets, lawmakers) in their studies of this highly debated topic.

Hate Crime Statutes

Although crimes based in bias and hatred have taken place in the United States for centuries (Altschiller, 1999; Brown, 1989 as cited in Barnes & Ephross, 1994; Jacobs & Potter, 1997; McPhail, 2000; Petrosino, 1999), it has only been over the course of the last fifteen years that federal and state governments have offered and provided legal recognition. At the federal level hate crime legislation can involve acts that are violations of constitutional rights, while at the state level such crimes can involve a violation of state law (Levin & McDevitt, 2002). The federal government has recognized crimes committed because of a person's membership in a particular status group since 1990 with the passing of legislation that required data on hate crimes to be collected and published. Since that time, the majority of state governments have followed by passing their own versions of hate crime statutes.

The Hate Crimes Statistics Act of 1990 was the first federal law to use the term "hate crime" and defined it as a "complex of crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity³, including (where appropriate) murder; non-negligent manslaughter; forcible rape; aggravated assault; simple assault; intimidation; arson; and, destruction, damage, or vandalism of property" (Jenness & Grattet, 2001, p. 44). Despite the federal government's delayed response to hate crime

³ Since that time, disability has been added as a protected class and one which law enforcement agencies are mandated to report.

offenses, it has since adopted several pieces of legislation, and as it will be discussed later, is in the process of expanding that legislation. The federal government's responses to hate crimes can be viewed as somewhat delayed because there were some states (e.g., Washington) legally addressing these offenses some ten years prior to the passage of the Hate Crimes Statistics Act. For the few states willing to take the initiative and successfully gain the legal recognition of hate crimes, other states experienced some difficulty in designing and implementing such legislation.

Early in the process of attempting to gain the legal recognition of hate crimes (late 1980s to early 1990s) there was little agreement on how to draft laws and what these laws should include (Jenness & Grattet, 2001). The Anti-Defamation League (ADL) was critical in assisting, supporting, and guiding both federal and state governments in their development of hate crimes legislation by developing model hate crimes legislation. The legislation developed by the ADL also provided some relief to those states that were struggling with the development of their own state-level legislation. This model legislation was drafted in 1981 and included criminal penalties for vandalism that targeted houses of worship, cemeteries, schools, and community centers (ADL, 2003; Altschiller, 1999). This model legislation was particularly important for the federal government because no laws existed at that level specifically targeting crimes based in bias.

Federal Level Statutes

Although the federal government had civil rights legislation in place (i.e., Civil Rights Act of 1964) that protected persons from bias motivated violence, these laws were not passed to specifically address bias-motivated actions. These civil rights laws

prohibited actions such as conspiracies intended to interfere with an individual's employment or civil rights; interference with an individual exercising his or her constitutional rights; actions committed by public officials who deprive an individual of constitutional rights; and, interference with a person's right to buy, rent, or live in his or her own home (Byers & Spillane, 2000; Levin & McDevitt, 2002).

Following the recognition that existing federal laws were inadequate to deal with offenses and victims of hate crimes, the federal government created and implemented several key pieces of legislation beginning in 1990. Some of this early legislation sought to gain an understanding of the scope and occurrence of hate crime victimization by mandating data collection and dissemination of information. Other federal legislation addressed what groups would be covered by federal hate crimes statutes, sentence enhancement for those crimes that violated the federal hate crimes statute, and crimes targeting houses of worship because of those who were members.

The federal government passed its first piece of hate crimes legislation with the Hate Crimes Statistics Act (HCSA) of 1990. The HCSA mandated that the United States Attorney General collect and disseminate information on hate crimes, but it made the reporting of such data voluntary on the part of local law enforcement agencies (Cogan, 2002; McPhail, 2000). As part of the Violent Crime Control and Law Enforcement Act (VCLEA) of 1994, the United States Congress passed the Violence Against Women Act. This provided for the inclusion of gender as a protected class; however, information on gender-based victimization is not collected under the HCSA.

The Hate Crimes Sentencing Enhancement Act (HCSEA) of 1994 also was part of the Violent Crime Control and Law Enforcement Act of 1994. The HCSEA allowed

longer sentences to be imposed on persons who were convicted of federal crimes determined to be hate crimes of not less than three offense levels. However, this law addressed only those crimes that took place on federal lands and property. The Church Arsons Prevention Act of 1996 made it unlawful to intentionally deface, damage, or destroy any religious real property because of the religious nature of that property and was the direct result of the string of black church arsons that plagued the south from 1994 through 1995. This federal statute also included damage done to Jewish synagogues, Catholic churches, as well as other religious property (ADL, 2003; Altschiller, 1999; civilrights.org, 2002; Cogan, 2002; Grigera, 1999; McPhail, 2000; NCJRS; Nolan, Akiyama, & Berhanu, 2002).

In 2005, four key pieces of legislation related to hate crimes were being considered by the federal government. These pieces of legislation seek to expand the coverage of what was considered a hate crime by federal standards and expand the groups protected by federal legislation. They included the Hate Crimes Prevention Act of 2005, Hate Crime Statistics Improvement Act of 2005, Equal Rights and Equal Dignity for Americans Act of 2003, and the Local Law Enforcement Enhancement Act of 2005 (American Counseling Association [ACA], 2004; Library of Congress, 2005; NCJRS). Currently, none of this legislation has been signed into law. These pieces of legislation are important to review because it demonstrates the federal government is making attempts to address hate crime victimization. The fact that these pieces of hate crime legislation has not been passed also indicates a reluctance on the part of some in federal government to expand the federal protection offered through legislation and a reluctance to offer assistance to state-level prosecutors as they bring hate crime cases to their courts.

The Hate Crimes Prevention Act (HCPA) of 2005 seeks to enhance federal enforcement of hate crimes (bill first introduced in 1999). In particular, the HCPA would extend federal involvement in hate crimes where a fire, firearm, or explosive device was used (covers actual or perceived race, color, religion, national origin, gender, sexual orientation, disability) and where an offense affected interstate or foreign commerce. In addition, the HCPA directs the US Sentencing Commission to study the adult recruitment of juveniles for hate crimes and to amend the Federal sentencing guidelines to include sentence enhancements if necessary. Finally, this legislation would authorize appropriations to the Department of the Treasury and to Department of Justice to increase the number of personnel to prevent and respond to alleged violations of provisions regarding interference with specified federally protected activities, such as voting (Library of Congress, 2005; NCJRS).

The Hate Crime Statistics Improvement Act of 2005 would require the Attorney General to collect data on hate crimes based on gender. The Equal Rights and Equal Dignity for Americans Act of 2003 is part of the larger Local Law Enforcement Enhancement Act of 2005 and would provide for the protection of civil rights for all Americans. The Local Law Enforcement Enhancement Act (LLEEA) would strengthen hate crimes protection on the federal level (Library of Congress, 2005; NCJRS). The LLEEA would not only increase the instances where the federal government could become involved and assist in state-level prosecutions, it also would expand the current statute to allow prosecution for crimes based on the victim's sexual orientation, gender, or disability.

In May 2005, a new piece of federal legislation was introduced that combined many of the goals and qualities of the four previously mentioned pieces of legislation. Broadly, the Local Law Enforcement Hate Crimes Prevention Act of 2005 is similar to the LLEEA of 2005 in that it would provide federal assistance to state and local jurisdictions to prosecute hate crimes. In particular, the Local Law Enforcement Hate Crimes Prevention Act of 2005, would permit the Attorney General to “provide technical, forensic, prosecutorial, or other assistance in the criminal investigation or prosecution of any crime that ...is motivated by prejudice based on race, color, religion, national origin, gender, sexual orientation, or disability of the victim or is a violation of the hate crimes laws of the State or tribe” (Library of Congress, 2005). Also, the Local Law Enforcement Hate Crimes Prevention Act of 2005 prohibits certain hate crime acts. In particular, this Act prohibits offenses involving “actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability (Library of Congress, 2005).

The Local Law Enforcement Hate Crimes Prevention Act of 2005 would address hate crime victimization by authorizing grants to be awarded by the Attorney General in an effort to assist state, local, and Indian law enforcement personnel with expenses associated with the prevention, investigation, and prosecution of hate crime offenses. In addition, this Act would direct the Office of Justice Programs to award grants to those state and local programs that have been designed to fight juvenile hate crime offenders (Library of Congress, 2005). Furthermore, this legislation amends the Hate Crimes Statistics Act to require data to be collected and published by Attorney General to include data about hate crimes based on gender (theorator.com; Library of Congress, 2005).

Legislation being developed for the protection of hate crimes victims on the state level also was assisted by development of federal hate crime legislation. Federal legislation provided guidance for some of the states struggling with developing and implementing their own hate crimes legislation. State level statutes are important because they impact how the majority of hate crimes victims will be protected and the way most hate crime offenses are investigated and prosecuted. As with other criminal prosecutions, the majority of hate crime prosecutions will take place on the state level (Altschiller, 1999; Levin & McDevitt, 2002).

State Level Statutes

The difficult development and implementation of hate crimes legislation was not only an issue for federal lawmakers. When state lawmakers set out to develop hate crime statutes, they experienced a similar set of problems. Unlike federal legislation, state level statutes are not applied uniformly or consistently across the entire United States; therefore, actions and groups covered at the state level vary from state to state. Also, individual state governments had to decide whether they would or would not address hate crimes and hate crime victims through legislation. For those states choosing to address hate crimes, the following activities were likely prohibited by statutory provision: institutional violence⁴; bias-motivated violence and intimidation; prohibition of acts traditionally associated with racial hatred (e.g., cross burning); civil provisions allowing for victims to be monetarily compensated; mandating law enforcement officials to be trained to recognize and investigate hate crimes; and, requiring law enforcement officials to maintain statistics on reported incidents of hate crimes (ADL, 2003; Altschiller, 1999).

⁴ Institutional vandalism involves vandalism aimed at houses of worship, cemeteries, schools and community centers.

The ADL has collected information on each state's hate crime statute and that information is presented in Appendix A.

Because individual states make the decision to adopt legislation, what activities and which groups are covered remain issues for consideration and debate. The list of statutory provisions by state (Appendix A) shows that some states (e.g., California and Louisiana) have opted to take a more inclusive approach by covering a wide range of activities and victim groups, while other states have taken a less inclusive approach (e.g., South Carolina and Indiana). Although some advocates of hate crimes legislation may be disappointed with how their state government has selected to approach the issues, it is important to recognize that even the least inclusive legislation is an acknowledgment that these offenses are deserving of the legal recognition.

Individual state governments are able to select a variety of language to represent their statutory provisions with respect to hate crimes. In designing hate crime laws, some states relied on an underlying offense to connect the criminal conduct element of hate crime law to the bias motivation element. Other states opted to create an entirely separate offense for their hate crimes statutes. Finally, other states required that in addition to bias motivation and criminal conduct, the defendant intentionally interfered with the victim's rights as granted by state and federal laws (National Gay & Lesbian Task Force [NGLTF], 2003).

A significant portion of state level hate crimes legislation involves some aspect of penalty-enhancement. Penalty-enhancement provides for an increase in the possible length of time that a person is eligible to spend incarcerated should they be convicted of a hate crime. Although some variation exists in how penalty-enhancement is incorporated

into state statutes, typically the enhancement is activated if the defendant intentionally selects a member of certain status-protected groups (Franklin, 2002). For states that rely on an underlying offense as the conduct element in their hate crimes provisions, the punishment and sentence enhancement for violating that provision was usually based on that underlying offense. For example, these states may apply the next highest category of penalty for a hate crime using the underlying offense as the starting point, or would consider the hate crime as the next highest degree of felony or misdemeanor as the underlying offense. Still other states used some sort of formula to add years to the penalty for the underlying offense. In those states that created a separate offense for a hate crime, they do not have the option or ability to rely on an underlying offense from which to base their penalties; they were simply classified and punished in the same manner as any other criminal offense (NGLTF, 2003).

Levin and McDevitt (2002) noted that state hate crime legislation was more progressive and dynamic than similar legislation that existed on the federal level. Implementing hate crime legislation on the state level allows states to offer more of their citizens protection, while federal government officials debate expanding legislation and providing assistance to state-level prosecutors. Hate crime laws on a state level are important because criminal law in this society is principally a state level function, with the bulk of legislative rule-making and enforcement done at that level (Altschiller, 1999; Jenness & Grattet, 2001). Because of this important quality of state-level legislation and enforcement, implementing hate crimes legislation on the state level could be considered more significant than hate crimes legislation on the federal level. This highlights the reality of how most hate crime cases will be investigated, prosecuted, and punished. Also,

the independence of states and their ability to implement criminal statutes allows communities to be aware of how their elected officials view hate crime offenses and potential victims.

According to the Anti-Defamation League [ADL] (2005), the year 2005 saw forty-nine states⁵ and the District of Columbia address hate crime offenses through adoption of some type of hate crime statute. Only the state of Wyoming⁶ had failed to adopt some form of hate crime statute by that year. It should be noted that some of these statutes are extremely selective in the groups protected and the actions covered. Of the forty-nine states and District of Columbia that addressed hate crimes through legislation, the most widely covered actions were bias-motivated violence and intimidation and institutional vandalism (ADL, 2005).

Pennsylvania Statutes

The Commonwealth of Pennsylvania titles its hate crimes statute “Ethnic Intimidation and Institutional Vandalism Act” and first adopted this policy in 1982 (see Appendix B for the statute). A person can be charged with ethnic intimidation when they commit a certain crime against persons or property. In addition, that crime must be motivated by hatred toward the victim’s actual or perceived race, color, religion, ancestry, mental or physical disability, sexual orientation, gender, or gender identity (ADL, 2003; PA Inter-Agency Task Force on Civil Tension, 2003). For the year 2003, Pennsylvania reported a total of 75 racially motivated hate crime incidents and 19 hate crime incidents based on sexual orientation (USDOJ, 2004).

⁵IN and SC cover only institutional vandalism and AR offers the option of civil action and covers only institutional vandalism. The Georgia Supreme Court recently found that state’s hate crime statute unconstitutional due to the vagueness of the wording of the statute.

⁶ Wyoming was the location of one of the most highly publicized and heinous hate crime incidents in recent years.

Researchers and scholars have identified two types of wording in hate crimes statutes. In doing so, these different statutes are characterized as the discriminatory selection and racial animus models. For a statute to be characterized as discriminatory selection, the language of that statute states the victim was selected “because of” their membership in a particular group. In contrast, racial animus statutes require that victims be selected because the offender has some hatred or bias toward members of that particular group (Steen & Cohen, 2004).

Pennsylvania requires the victim to be an individual who was selected because of the offender’s particular hatred or bias toward that person’s minority status, which categorizes it under the racial animus model (as opposed to the more common discriminatory selection model). In addition, Pennsylvania allows for the capability of victims to pursue civil action against hate crime offenders. For the Commonwealth, a person is subject to two charges – the underlying offense (which carries its own set of penalties) and the charge of ethnic intimidation. For example, if someone motivated by hatred for the national origin of a newly immigrated family paints ethnic slurs on that family’s home, they are subject to two penalties – criminal mischief and ethnic intimidation (Pennsylvania Inter-Agency Task Force on Civil Tension, 2003).

Pennsylvania’s hate crime statutes follows suit with the majority of other states’ legislation by increasing the penalty for committing a hate crime. However, the Commonwealth has selected to adopt the more complex discriminatory selection statute making it somewhat more difficult to deal with the issue of motivation. Whether a state employs the racial animus model or discriminatory selection model for the content of

their hate crime statutes, what remains important is that hate crime victimization be reported to and investigated by law enforcement officials.

Hate Crime Victimization

If hate crimes are to be accurately and appropriately addressed by criminal justice personnel, advocacy groups, communities, and victim assistance agencies it is imperative that these groups have the most complete and accurate information possible.

Victimization needs to be reported and recorded using a system that will provide the best information possible about the victim, incident, and the offender. Because of the enactment of the HCSA of 1990, the Federal Bureau of Investigation (FBI) is the agency charged with the collection and dissemination of hate crime data from each state and at the federal level.

The information collected by the FBI is reported in a separate document to the Uniform Crime Reports (UCR) entitled "Hate Crime Statistics." Like the UCR, information provided by local law enforcement officials and departments (including college and university police departments) to Hate Crime Statistics is completely voluntary. Because reporting is *voluntary*, individual agencies decide whether or not they will submit incident reports regarding these types of offenses. In another similarity to UCR data, hate crime statistics suffer from incomplete and inaccurate data. When agencies make the decision not to report incidents that *may be* motivated by hate, they not only impact the accuracy of the data they also mislead their community by failing to give an accurate assessment of the types of crimes and victimization that take place within their neighborhoods.

In addition to voluntary reporting, accurate and complete information regarding hate crimes is impacted by the subjective nature of determining motivation. While a suspected offender may believe in hate rhetoric, this does not mean the criminal act was committed because of, or due to, that belief. Both federal and state law enforcement officers must determine whether an incident involved hate or bias if their investigation “revealed sufficient, objective facts to lead a reasonable and prudent person to conclude that the offender’s actions were motivated in whole, or in part, by bias against a racial, religious, disability, ethnicity/national-origin, or sexual orientation group” (USDOJ, 2002, p.3).

Once the investigation has taken place, the results of that investigation determine how a case is processed by other parts of the criminal justice system. If law enforcement officials do not accurately determine that an incident was a hate crime, no other part of the criminal justice system will view or treat the case as a hate crime. Prosecutors will be unable to use the state or federal hate crime statutes in making charging decisions; judges will not be able to use that information in making sentencing recommendations; and, affected communities will not be able to feel the offense was addressed properly and justice was served. Therefore, it is critical that law enforcement personnel receive the training that is necessary to correctly and successfully identify the victims and offender of crimes with motivation in bias or hate.

For the year 2003, almost 12,000 participating law enforcement agencies in the UCR Hate Crime Reporting program (11,909) reported data to the national Uniform Crime Report Program. In 2003, these agencies reported 7,489 hate crime incidents, corresponding with 8,715 offenses. These incidents and offenses were reported from 49

states including the District of Columbia. In this same year, the Hate Crime Data Collection Program covered over 240 million potential hate crime victims living in the United States, or 82.8 percent of the country's population (USDOJ, 2003, p.1). Anti-Black bias was the motivation behind 34.6% of all single-bias offenses, while 16.0% were based on male, female, or general homosexual bias. These two categories of victims accounted for 4,604 of the 9,100 (50.6%) reported hate crime victims for 2003. Victims from these two categories consistently comprise nearly half of all reported victims from year to year (see Table 1). In addition, 36.0% of hate crime victimization reported was against property with 63.3% suffered by persons (USDOJ, 2004).

Table 1

Percentage of African-American and Gay/Lesbian Hate Crime Victims 1997- 2003

Year	<u>Percentage of Total Victims</u>		
	African-American	Gay/Lesbian	Total
1997	38.5	13.4	52.0
1998	37.6	14.9	52.6
1999	37.5	15.5	53.0
2000	35.6	15.3	50.9
2001	30.7	13.5	44.3
2002	33.3	16.0	49.3
2003	34.6	16.0	50.6

Recently, the National Incident-Based Reporting System (NIBRS) released data on hate crime, offenders, and victims for the years 1995-2002. Although the UCR and NIBRS do collect data on some of the same characteristics of hate crime incidents, victims, and offenders (e.g., number of incidents by bias motivation, number of incidents

by location, number of incidents reported by participating states), they differ in other areas of information gathered and reported. For example, NIBRS collects information on incidents involving juveniles (offenders and victims); age and number of victims and offenders; time of day of the incident(s) and offender age group; and, weapon type and injury (Nolan, Mencken, & McDevitt, 2004). Unlike the UCR that merely reports on an identified attribute of the suspect, NIBRS provides information on the age of the offender, sex of the offender, and the suspected use of alcohol and drugs by the offender. This system provides for a much fuller picture of the incident, victims, and offenders to be painted; however, NIBRS is disadvantaged by the number of agencies using the system. In 2002, 17% of the United States population was covered by NIBRS agencies (USDOJ, 2003). In contrast, the UCR covered 82.8% of the country's population for the same year (USDOJ, 2003).

Hate Crime Victimization in Pennsylvania

Using information from the UCR – Hate Crime Statistics for 2003, Pennsylvania reported seventy-five incidents based on racial bias, 19 based on religion bias, 19 based on sexual orientation bias, and two based on ethnicity. Of the 115 total hate crime incidents reported to law enforcement in Pennsylvania, 65.2% were based on racial bias and 16.5% were based on sexual orientation bias. Fifteen of the 115 hate crime incidents reported in Pennsylvania for 2003 (13%) took place in the city where this research was conducted.

One of the unique qualities of hate crime victimization is that it has the ability to impact the actual target of the attack and the entire community in which the incident took place. When a hate crime takes place, it is often seen not just as an attack on the

individual(s), but also as a message to other members of the target group. As opposed to victims of crimes without such a motivation, hate crime victims are interchangeable. For these victims, their status as a member of a particular group is typically readily discernable allowing for *anyone* who meets a particular standard to be victimized. This victimization also is unique in that persons are being targeted for ascribed qualities and characteristics. For example, a person who commits a hate crime based on racial bias can select a potential victim with relative ease. Victim selection based on actual or perceived sexual orientation also is made rather easily. Offenders often rely on stereotypes or neighborhoods known to be gay-friendly to locate potential victims.

Hate crime victimization is unique in that in addition to impacting or harming the individual victim, it also can cause “waves of harm” where the individual victim then becomes the initial victim (Iganski, 2001, p. 628). Because hate crimes often impact others beyond the individual victim, this person (or persons) can be referred to as the initial victim. This status or label indicates there are other victims to follow. From the initial victim, the harm of a hate crime moves out until other communities feel its impact. Finally, hate crimes can “strike at the core of societal values” because such victimization goes against our values of embracing uniqueness and diversity (Iganski, 2001, p. 631) (See Figure 1). Not only are the patterns and types of harm unique in hate crime offenses, but the effects of such victimization also can be unique.

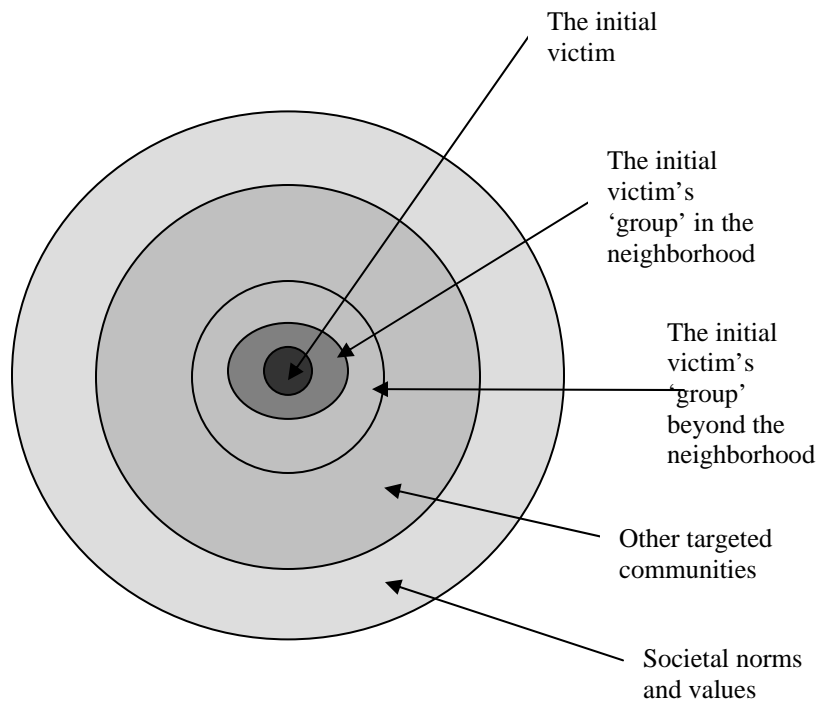


Figure 1. Waves of harm generated by hate crimes.⁷

Research on hate crime victimization found that this type of victimization often has a greater psychological and emotional impact on its victims (Barnes & Ephross, 1994; Levin, 1999; Petrosino, 1999). Hate crime victimization may cause more depression, traumatic stress, anxiety, and anger than non-hate crime victimization (Herek, Gillis, Cogan, & Glunt, 1997; Herek, Gillis, & Cogan, 1999). Herek, Gillis, and Cogan (1999) also found that victims of crimes based on their sexual orientation were likely to view the world as unsafe, to view people as malevolent, to exhibit a relatively low sense of personal mastery, and to attribute their personal setbacks to sexual prejudice (p. 949).

⁷ From "Hate Crimes Hurt More," by P. Iganski, 2001, *American Behavioral Scientist*, 45 (4), p. 629. Copyright 2001 by Sage Publications. Reprinted with permission.

Rayburn, Mendoza, and Davison (2003) noted Garnets, Herek, and Levy (1992) when they stated hate crimes may indeed be more psychologically damaging than other crimes because these crimes “link a victim’s core identity with a heightened sense of vulnerability” (p. 1070).

The severity of the victimization can also vary by type of victim. Investigating factors that impact law enforcement responses to hate crimes in Pennsylvania, Wilson and Ruback (2003) found that anti-racial incidents (including anti-white incidents and mutual exchanges between whites and blacks) tended to involve more violent, personal crimes. However, hate incidents involving anti-Semitic offense were more likely to involve property offenses. Wilson and Ruback also found that types of victimization could vary by county type. For example, anti-gay offenses were more likely to occur in rural counties as opposed to urban counties. Again, this highlights the uniqueness of hate crimes, both for the initial victim and the surrounding community.

The Impact of Victimization on Reporting

One of the complaints of hate crime supporters is that the information provided by law enforcement agencies is inaccurate. Proponents claim that law enforcement officials do not record statistics on all actual hate crime incidents within their jurisdictions. Later discussion will highlight some of the reasons behind incomplete and inaccurate reporting on the part of law enforcement agencies and individual officers. Without accurate and complete data on hate crime victimization, agencies cannot provide support to the initial hate crime victim or the surrounding community. In addition, possible hate crime incidents and victimization that go uninvestigated preclude communities and states from addressing any building tensions between particular groups.

Because the majority of hate crimes occur against individuals who are members of racial, ethnic, religious, or sexual minority groups, these victims may feel as though reporting their victimization to law enforcement will result in little interest or no investigation. Torres (1999) noted that distrust of law enforcement by African-Americans makes these particular hate crime victims reluctant to report the incidents to those charged with their protection. In addition, Torres stated that African-American victims fear embarrassment of recounting the details of the event, thus leading them to fail to report their victimization to law enforcement. When victims fail to report hate crime incidents to law enforcement, it prevents the criminal justice system from becoming involved and it prevents accurate data on hate crime incidents from being recorded and reported.

Several types of crime victims avoid contacting law enforcement after their victimization. As stated above, part of this reluctance is the result of historical tensions between certain minority groups and law enforcement, while another explanation involves the victim wanting to avoid reliving the incident (e.g., victims of sexual assault). Other victim groups choose not to report victimization because they fear the repercussions of such an action. This “secondary victimization” explains why victims such as immigrants, undocumented aliens, gay men and lesbians are reluctant to report their hate crime victimization to authorities (BJA, 1997; Berrill & Herek, 1990). For example, gay men and lesbians who report their victimization to law enforcement may experience an undesired “outing.” This “outing” may cause them to experience reprisals such as loss of employment, housing, family relationships, and the continuation of a negative society response (BJA, 1999; Berrill & Herek, 1990). In addition, victimized

members of the gay community were likely to have additional negative experiences such as indifference and rejection from family, friends, and community agencies. These victims also experienced loss of child custody and blame for provoking the attack when they appeared in court (Berrill & Herek, 1990).

Hate crime laws can offer a sense of inclusion, if not actual protection, to those members of potential victim groups. By choosing to adopt legislation, states are telling their citizens they are concerned about their safety and want to ensure their protection. Such legislation supports the belief that hate crimes produce a victimization that violates societal standards *and* criminal statutes. Hate crimes laws, and the accompanying sentencing options, have aided not only the victims of these offenses, but also have contributed to the safety and well-being of all neighborhoods across the country (Altschiller, 1999). However, for these laws to be effective, those with the power to enforce and implement them (i.e., law enforcement, prosecutors, judges) must do so.

Criminal Justice System Responses

In addition to being aware of statutory provisions and organizational policies regarding hate crimes, it is important that criminal justice personnel be aware of how hate crimes are unique and how they can impact the individual and the community. Appropriate training and responses by criminal justice personnel can assist in the accurate determination of whether or not a hate crime has taken place. Appropriate responses can assist in the avoidance of possible premature, hostile, or violent reactions by community members who feel that law enforcement mishandled the incident. Also, having appropriate responses by these personnel can not only comfort the initial victims of the offense, but also send a message to others members of the victim group that they are able

to rely and trust law enforcement and other criminal justice personnel. Law enforcement, prosecutors, and sentencing judges must be aware of what their response to a hate crime incident says to victims at both the individual and community levels.

Law Enforcement

Wilson and Ruback (2003) noted that previous research has found the primary determinants of police response to hate crimes are the severity of the crime, the type of bias, and “subjective judgments” made by law enforcement officers in determining the motivation for bias (Garofalo & Martin, 1991; Martin, 1995; Martin, 1996). Law enforcement is often cited and accused by advocacy groups of contributing to the lack of understanding of the occurrences of hate crimes by underreporting the number of incidents that actually take place (Nolan & Akiyama, 1999). Research on law enforcement and hate crime reporting has demonstrated several possible explanations of factors that may impact an officer’s or agency’s reporting. These explanations can range from perceived agency support to officer’s personal beliefs regarding hate crimes and hate crime legislation (Balboni & McDevitt, 2001; Bell, 2002; Boyd, Berk, & Hammer, 1996; Haider-Markel, 2001; Martin, 1999; Nolan & Akiyama, 1999; Nolan & Akiyama, 2002; Nolan, Akiyama, & Berhanu, 2002; Sloan, King, & Sheppard, 1998; Wilson & Ruback, 2003). Similar to research on sexual assault and rape (Campbell & Johnson, 1997 as cited in Komorosky, 2003; Komorosky, 2003), this research has found there were various factors that impact the rate and level at which law enforcement personnel investigate and report hate crime incidents including agency support, severity of the offense, and department policy.

Nolan and Akiyama (1999) identified variables that affect law enforcement *agency* reporting and those that affect law enforcement *officer* recording of hate crimes. Within these two categories, the authors noted variables that were both encouragers and discouragers to reporting. Agency variables identified as crucial to hate crime reporting included such characteristics as shared attitudes and beliefs about crime reporting, utility in community relations, organizational self-preservation, efficacy of police involvement, and resource allocation. In contrast, reporting decisions of the individual officer were impacted by such variables as supportive organization policies and practices, individual attitudes or beliefs about hate crime reporting, professional self-preservation, work-related difficulties, and the organization's commitment to hate crime reporting.

McDevitt, Balboni, and Bennett (2000) examined the hate crime reporting practices of a sample of law enforcement agencies in the United States and found that officers' attitudes and beliefs about hate crime do affect whether hate crimes are accurately recognized and reported; however, regardless of their personal beliefs officers do follow organizational policies and practices (as cited in Nolan et al., 2002). This would seem to imply that hate crime reporting could be improved if there were clear agency policies and practices in place.

In a study of how individual, situational, and contextual factors were related to law enforcement reporting of hate crimes in Pennsylvania, Wilson and Ruback (2003) used data spanning 15 years. Results of this research suggested that frequency and severity of hate incidents, as well as police involvement in response to hate crimes, were related to individual and community level influences. In addition, they found that some victim types were more likely to receive a response from police. The odds of police

involvement in offenses targeting white victims, Jewish victims, or multiple victims differed significantly from those targeting black victims. The authors noted this could be the result of some victims being more willing to have the police involved, or it could be that police take some cases more seriously than others based on the victim group. Finally, the authors suggested this differential treatment may not be solely the result of the particular victim groups, but instead may be the result of the circumstances surrounding the incident permitting some cases to be more easily identified as a hate crime.

Understanding the issues involved with law enforcement and hate crime investigation and reporting are important because of the role that law enforcement plays in the criminal justice system. Other parts of the criminal justice system (e.g., courts) rely on the information gathered by law enforcement agencies to fulfill their own roles and responsibilities within the system. However, in order for these agencies to report accurately and respond appropriately law enforcement officials need to possess the ability to recognize a hate crime offense and hate crime victim.

Prosecutors

In contrast to research on law enforcement, very little empirical research has been conducted on the nature and role of the prosecutor and decisions to charge persons who were suspected of being involved in hate crime offenses (Culotta, 2002; Grattet & Jenness, 2001; Levin & McDevitt, 2002; Jacobs & Potter, 1998; Riedel, 2002). Much of what is available involves piecemeal attempts to understand this pivotal role, however this research has provided much-needed insight into the complexities of a case involving a suspected hate crime offense. Oftentimes, prosecutors are forced to consider a variety of factors when making a decision to charge under a state's hate crime statute.

Culotta (2002) investigated the role of the prosecutor in hate crime cases in a jurisdiction in Chicago. Through participant observation in a special unit, she uncovered some factors that may affect decision-making from victim report through prosecution. She found that in this jurisdiction, evidence and identification of statute elements, the likelihood of conviction, interpretation of the hate crime statute, community pressure, lack of specialization, and outside pressure were some of the factors that impacted case processing and discretion in hate crime cases. While these issues are not unique to hate crimes, prosecutors do not yet have the experience with these crimes to deal with them in an effective manner.

Levin and McDevitt (2002) stated that far too often the system for prosecuting these offenses breaks down. This “breakdown” begins with suspects not being charged with violating the hate crime statute (when all evidence points to such a violation) and ends with unsympathetic, disinterested, or confused judges wondering what to do with these offenders if they are prosecuted (and convicted) of violating a state’s hate crime statute. The 2001 National Survey of Prosecutors (NSP) found that only 20.2 percent of the 2,341 chief prosecutors in the United States reported prosecuting a hate crime.

Research on hate crimes prosecutions has demonstrated that such prosecutions are relatively rare (Finn, 1988; Jacobs & Potter, 1998; Levin & McDevitt, 2002; Riedel, 2002). Riedel (2002) offered some insight by discussing some of the difficulties in pursuing such cases. He stated that hate crime statutes are relatively new and prosecutors may be cautious in their pursuit of charges. Realizing that a misstep on their part could hinder any future prosecutions, prosecutors may choose to proceed carefully so as not make any mistakes. Additionally, Riedel noted the small number of arrests in hate crime

cases; most offenders are strangers to the victims; evidence is often inadequate to sustain a conviction; and, uncertainty on the part of judges on how to proceed with punishment can all negatively impact the likelihood of prosecution. Also, low prosecution rates could be attributed to the need of prosecutors to identify the “perfect” hate crime case for prosecution; a statute being applied in a new way to a previously unprotected group; the unlikely nature that a prosecutor will ever face these offenses; reluctant or uncooperative witnesses; increasing the workload for prosecutors; special defenses; effort in explaining motive to jury members; and, lenient sentencing on the part of judges (Finn, 1988; Riedel, 2002).

Furthermore, Jacobs and Potter (1998) quote a former district attorney from Brooklyn on hate crime prosecutions who stated, “For the most part hate crime laws aren’t enforced. Once passed, they are forgotten about. Most perpetrators aren’t caught, so there aren’t many prosecutions” (p. 101). While the sentiment among some prosecutors is that hate crime laws are useless and unenforceable, others see these statutory provisions as meaningful responses to community tensions (Boxall, 1998 as cited in Grattet & Jenness, 2001; Jacobs & Potter, 1998). Similar to the role of law enforcement, prosecutors are in the position to signal to the hate crime victim and the community that this type of victimization is a priority.

Judicial Responses

Once prosecutors have made their case and been successful, they have to be concerned of the judge’s response when assessing a sentence. A judge in a hate crime case could use characteristics of the offender *and* victim in making their sentencing decisions. For example, information reported by the Bureau of Justice Statistics (2001)

showed that 33 percent of all hate crime offenses were committed by persons under the age of 18 in the years 1997-1999. Judges may decide not to punish the juvenile harshly or hold them criminally liable due to their age. This amounts to a judicial rationalization therefore allowing hate crime offenders to escape the label of convicted felon. In addition, judges may use a victim's sexual orientation (or other status characteristics) in making their sentencing decisions. In California, the "homosexual panic" or "gay advance" defense resulted in defendants receiving lenient sentences or acquittals in cases where they were charged with assaulting or even murdering gay men (Finn, 1988). Such defenses have gained popularity as defendants seek to play into the negative stereotypes that surround lesbians and gay men. While the research on the response of judges to defenses of "homosexual panic" or "gay advance" may be limited, the fact that such defenses have been used places judges in the position of having to consider these defenses during and after the trial.

If hate crime laws and enhanced sentences are to be more than symbolic, the courts must deal seriously with the cases brought before them (Martin, 1996). Prosecutors must file charges using their state's hate crime statutes, judges must be willing to understand that "special defenses" (such as "homosexual panic" or "gay advance") are not viable excuses for a suspected hate crime offenders' actions, and juries must remain impartial. While the police, prosecutors, and judges remain essential decision-makers of hate crime cases, a great deal of those decisions may depend on the public and their reactions to hate crime incidents. If the public remains disinterested and unaffected, not demanding some type of action by police and prosecutors, there may be little incentive

for these criminal justice personnel to respond to protect victims or potential victims of hate crime.

Perceptions of Hate Crimes and Hate Crime Victims

When a crime-related issue involves society-at-large, then it is best investigated using a sample that has the best chance of representing that society. This is particularly relevant when dealing with crime and social issues. In the last fifteen years, one of the most highly debated crimes and social issues has been hate crime; however, the amount of empirical research on hate crimes has not matched the debate (Blake, 2002; Gerstenfeld, 2003; Iganski, 2001). Some of the research on hate crimes has focused on victims and effects of victimization (Barnes & Ephross, 1994; Berrill & Herek, 1990; Herek & Berrill, 1992; Herek, Gillis, & Cogan, 1999; Herek, Gillis, Cogan, & Glunt, 1997; Torres, 1999), perpetrators (Byers, Crider, & Biggers, 1999; Ituarte, 2000), the legal implications of such legislation (Iganski, 2001), and issues related to the roles of criminal justice personnel (Bell, 2002; Culotta, 2002; Finn, 1988; Nolan & Akiyama, 1999; Nolan & Akiyama, 2002; Wilson & Ruback, 2003). One aspect that has received even less attention in the literature involves people's perceptions and attitudes about hate crimes (Marcus-Newhall, Blake, & Baumann, 2002).

Research on the opinion of the general public has focused on the necessity of such laws and legislation and the perception of penalties, victims, and perpetrators (Blake, 2002; Gerstenfeld, 2003; Marcus-Newhall et al., 2003; Rayburn et al., 2003; Steen & Cohen, 2002). Public support of hate crime legislation is seen as an important component in its successful application by law enforcement and prosecutors. Researchers have

sought to measure public perceptions by assessing jury decision-making and sentence recommendations.

Gerstenfeld (2003) focused on whether mock juror decision-making in hate crime cases was impacted by the race of the defendant. In particular, Gerstenfeld was interested in examining this impact when the defendant of the hate crime was black. The author noted that blacks were disproportionately represented in the criminal justice system and that blacks received harsher sentences than whites (inference being that jurors more likely/more often convict black defendants of crimes that make it to court than white defendants who make it court). Because of the overrepresentation of blacks in the criminal justice system (and the apparent willingness of jurors to convict them once they proceed to trial), Gerstenfeld hypothesized that participants would be more likely to find a black defendant guilty, more certain of a black defendant's guilt, and would give black defendants more severe sentences. Also, Gerstenfeld was interested in the influence of the victim's race and the participant's level of racism on the decision-making process.

Gerstenfeld (2003) used a sample that consisted of 101 undergraduate students with the remaining 89 participants being non-student residents of a local community. Each participant was presented with a packet of information containing an instruction sheet, juror questionnaire, case summary, summary of evidence in the case, jury instructions, jury decision form, and an opinion survey form. The information provided in the evidence summary was varied by the race of offender and victim, and participants were randomly assigned one of the six versions.

Gerstenfeld (2003) found that participants made different decisions as mock jurors when the offender and victim were of different groups than when they were of the

same group. Participants also were more certain of the perpetrator's guilt when he was a member of a different group than the victim. When offender and victim were of the same group, the race of the victim had a significant effect on whether the participants found him guilty of a hate crime and on the degree to which they were certain of his guilt. In a finding opposite to her hypothesis, white offenders were more frequently convicted of the hate crime than black offenders and participants were more certain of the white offenders' guilt. Black offenders did receive higher average sentences than white offenders (although the difference was not statistically significant), and was the one portion of author's hypotheses that seemed to be supported. Gerstenfeld used the Modern Racism Scale (MRS) to determine if the level of racism reported influenced the mock jurors' decision-making process. She found the only significant relationship between level of racism and sentence. Surprisingly, those who scored low on the MRS (based on median split score) tended to give higher sentences than those who scored high.

Gerstenfeld's study is interesting in that she focused only on examining the impact of the race of the defendant on juror decision-making. Much of the previous literature has focused on the victim, as it is this aspect of the hate crime that makes it unique to other offenses. By examining how the race of the defendant impacts the decision-making process of jurors in hate crime cases, Gerstenfeld offered much-needed insight into how extra-legal factors influence those charged with weighing evidence and deciding guilt. In addition, prosecutors may be impacted in a similar fashion when making decisions on whether or not to prosecute. While the type of victim may be extremely influential in the decision-making process, the characteristics of the offender may play an important role as well. Few researchers have given consideration and study

to the minority hate crime offender. Most likely this is due to the fact that researchers investigate and understand minorities in the role of victim as opposed to the role of perpetrator in hate crime cases.

Similarly, Marcus-Newhall, Blake, and Baumann (2002) were interested in the perceptions of mock jurors regarding an aspect of hate crime; however, unlike Gerstenfeld (2003) who focused on the impact of the race of the defendant on mock jurors' certainty of guilt and sentencing preferences, these authors were interested in the perceptions of hate crime perpetrators and victims. In particular, Marcus-Newhall et al. were interested in the possible impact of the extralegal factors of race (of both perpetrator and victim), political orientation, and peer group on mock jurors' decisions in hate crime cases. Extralegal factors are those factors that are not directly related to the case, but have the ability to impact criminal justice actors' (e.g., judges, prosecutors, jurors) decisions.

Marcus-Newhall et al. (2002) conducted three studies with three different populations in which participants read a scenario. The authors sought to identify factors that might affect people's perceptions of a racially-motivated hate crime and determine if those perceptions led to differences in the treatment of hate crime perpetrators in the criminal justice system. In the first two studies, the scenarios depicted a shooting between motorists where participants were then to assess guilt and jail sentencing recommendations, and the final study involved the possible impact of a peer group encouraging or discouraging the perpetrators' actions. In addition, because previous research has demonstrated the impact of race on decision-making, the authors varied the race of the perpetrator and victim in each experiment.

The first study by Marcus-Newhall et al. (2002) used a convenience sample of self-identified conservative and liberal Caucasian college students who read a one-paragraph scenario modified from a newspaper account of a shooting that took place between two motorists. The dependent measures for this study were certainty of guilt (0-100%) and sentencing (from less than 1 year to more than 10 years). The authors were interested in the effects of race of victim (African-American or Caucasian), race of perpetrator (African-American or Caucasian) and political orientation (measured using a six-point Likert scale from strongly conservative to strongly liberal with no neutral). In this study, the authors found that when the victim was African-American, there was higher certainty of guilt (supported hypothesis). Also, participants were more certain of guilt when perpetrator was Caucasian (supported hypothesis). Those who self-identified as liberal, were more certain of guilt when the perpetrator was Caucasian. A significant two-way interaction was found for race of victim and race of perpetrator, such that when the victim of the hate crime was African-American, participants were more certain of guilt for the Caucasian perpetrator. Also, when the victim was African-American, participants provided a longer sentence length for a Caucasian perpetrator as compared to the African-American perpetrator.

It should be noted that each participant for the first study was Caucasian. The authors provided no explanation as to why they neglected to include minority participants in this part of the study. The authors were unclear as to why it would be prudent to only include Caucasian participants in a study set up in a mock juror format when this is unlikely to occur in real-life situations. In addition, no information was provided on why the authors selected students from non-psychology courses. The authors point out that the

findings from Experiment 1 are interesting in that the Caucasian sample reported higher certainty of guilt and sentencing in the case where the victim is African-American and the perpetrator is Caucasian as compared to an African-American perpetrator and Caucasian victim. This is similar to the results found by Gerstenfeld (2003); however, she used both white and minority participants.

The second study was a replication of the first study using a convenience sample of Caucasian non-college participants. Similar to the first study, participants were more certain of guilt when the perpetrator of the hate crime was Caucasian. Marcus-Newhall et al. (2002) found a two-way interaction such that when the victim was African-American, participants were more certain of the guilt of the Caucasian perpetrator. In addition, there was an interaction of race of victim and political orientation. When the victim was African-American, self-identified liberals sentenced the perpetrator to more years.

For the final study, Marcus-Newhall et al. (2002) used a convenience sample of non-college Caucasian and minority participants. Participants read a one-paragraph scenario depicting either an African-American or Caucasian male walking down a crowded street in an area known for racial tension. This scenario was altered from the first two studies to include the role of a group encouraging or discouraging the attack. The dependent measures for this study included a jail sentence (from 0 to more than 12 years) and a rating of severity on a seven-point scale (not all severe to extremely severe). The design varied race of victim, role of group, and race of participant.

In this experiment, the race of the perpetrator was held constant at Caucasian. Participants provided longer sentences when the victim was African-American. Authors hypothesized that when the victim was African-American there would be longer

sentences and greater severity ratings compared to those for Caucasian victims. Also, the authors hypothesized that minority participants would provide longer sentences and greater severity ratings than Caucasian participants. There was an interaction between race of participant and victim race. Caucasian participants differed in their sentence rating based on race of victim and role of group. If the victim was African-American and the group was encouraging, these participants gave higher sentence ratings. Overall, Marcus-Newhall et al. (2002) found that the extralegal factors of race of victim, race of perpetrator, political orientation, race of participant, and role of peer group influence perceptions and decision-making in mock jury hate crime cases.

Only in the experiment involving group discourages and encourages were minority participants included. In addition, the race of participant was included as an extralegal factor (independent variable). Unlike that study, the present study seeks to include race of participant as a variable of interest at all stages of the research. Although Marcus-Newhall et al. sought to determine perceptions of hate crime in both a college and non-college sample, purposely excluding minority participants (with no clear justification) does not seem an appropriate method for fully examining this topic. This is particularly true when considering extralegal factors for mock jurors, and juries are unlikely to consist solely of Caucasians.

Steen and Cohen (2004) sought to measure public attitudes toward hate crime laws by separating symbolic support from concrete support of actual hate crime laws and the penalties they mandate. Specifically, the authors were interested in whether or not persons believe that crimes in which an offender purposely targets a member of a particular group were deserving of additional punishment. In this study, the authors used

a nationally representative sample of American adults who read vignettes where the victim (homosexual victim, black victim, Jewish victim, or non-bias victim) and motivation (no motivation; motivation based on membership in one of the included minority group) varied; however, the offender and offense characteristics were kept identical.

Steen and Cohen (2004) found there was minimal public support for harsher penalties for offenders who commit hate crimes than for offenders who commit identical crimes with no specific motivation. They also found that participants' concerns about hate crimes depended on which minority groups were targeted. The authors found that requested sentences for the offender involved in crimes against black victims were similar to those requested for Jewish victims (although not statistically significant); however, sentences for the offender involved in crimes against homosexuals were considerably shorter.⁸ Authors also found respondents' attitudes toward punishment, treatment, and minority rights had a significant effect on sentencing decisions. Respondents categorized as pro-punishment were more lenient in the sentencing of hate crime offenders compared to non-hate crime offenders. Respondents categorized as pro-treatment, while lenient in sentencing of non-hate crime offenders, did not demonstrate the same leniency for hate crime offenders. Finally, those who believed that minorities have too few rights were more punitive in sentencing hate crime offenders.

The authors connect these findings to research regarding attributions about causes of crime (Cullen, Clark, Cullen, & Mathers, 1985 as cited in Steen & Cohen, 2004).

Cullen et al. examined respondents' beliefs about causes of crime in an effort to predict

⁸ Authors note this could be due to the setting of the hate crime in the vignette. For the black victim and the Jewish victim the hate crimes were set at places of worship, while for the homosexual victim the setting was a gay bookstore.

attitudes toward responses to crime. These authors found that people who believe in classical ideas about what causes crime (e.g., criminals are aware of what they are doing when they break the law) were significantly more likely to support punitive responses to crime. In contrast, Cullen et al. found that those who leaned toward positivist arguments (e.g., poverty is a major cause of crime, criminals abused as children) were significantly more likely to support rehabilitative responses to crime.

Authors suggest a possible explanation for pro-treatment participants being more punitive involves a switch to a more classical view of choice when the crime involves purposely selecting a victim, such as is in the case of a hate crime. These participants may be attributing the behavior of hate crime offenders to choice, thereby opening these crimes up for harsher punishment. The authors noted that “it is possible, then, that the reasons underlying offenders’ choices are irrelevant to our pro-punishment respondents, and that choices that are based on prejudice should not be punished more harshly than are choice that are based on other factors” (Steen & Cohen, 2004, p. 121).

Although there are important, significant, and practical reasons for using the general public to investigate perceptions and attitudes of hate crime, hate crime victims, hate crime perpetrators, and hate crime penalties, there are some studies that have focused solely on the perceptions and attitudes of those in college (Craig & Waldo, 1996; Miller, 1999; Rayburn, Mendoza, & Davison, 2003). Researchers reported that one of the reasons for using this population involved the role of young adults in criminal victimization and offending. Young adults were as likely to be victims and perpetrators of hate-motivated offenses as they were to be victims and perpetrators of non-hate motivated attacks (Craig & Waldo, 1996). Nolan, Mencken, and McDevitt, 2004 reported

that for the years 1995-2000 NIBRS data showed 20.6% of victims and 26.0% of offenders of hate crimes were college-aged persons (between the ages of 18 and 24).

Craig and Waldo (1996) sought to identify college students' perceptions of hate crimes, victims, and perpetrators and to determine whether differences in perceptions exist for the different types of hate crimes included in the study (heterosexist⁹, racial, and anti-Semitic). The authors used a two-part study where the first part asked students to respond to various phrases about hate crimes. The authors chose to have the 113 participants complete five sentences as their way of tapping "the perceptions of the typicality of hate crimes, their victims, and their perpetrators" (p. 116). In the latter part of the study, the authors systematically varied the type of hate crime (racial bias, religious affiliation bias, heterosexism, or non-bias) scenarios describing an assault on a man or a woman. Here, the 125 participants were randomly assigned to one of the conditions and were asked to make judgments about the crime, victim, and perpetrator regarding disruption (i.e., negative impact) experienced by victim, who should be blamed, the likelihood that the perpetrators would be punished if apprehended, and the probability and frequency of occurrence of hate crime incidents. The latter part of the study also asked participants whether specific laws should exist that guarantee prosecution for crimes such as the one described and whether participants personally knew a victim or perpetrator of a crime such as the one described.

In the first study, approximately half of the respondents accurately identified minority groups as being involved in a typical hate crime and being the victim in a typical hate crime. People of color were twice as likely to state that hate crimes were motivated,

⁹ Heterosexist is analogous to the term homophobia. This term describes an ideological system that denies, denigrates, and stigmatizes any non-heterosexual form of behavior, identity, relationship, or community (Herek, 1990).

at least in part, by group membership. When describing the typical victim of hate crime only 23% of all respondents explicitly stated they were innocent (without blame). Respondents' racial status was significantly related to whether they believed most perpetrators of hate crimes were male – respondents of color were more likely to describe them as men. Also, significantly more persons of color mentioned the perpetrator being white.

Results of the second part of the study by Craig and Waldo (1996) found that both the race and sex of the participant were related to whether they reported personal knowledge of a victim of a similar type of assault (i.e., similar to the one they were assigned to read). Participants of color were more likely than white participants to report personally knowing a victim of any type of (hate crime) assault. Also, more participants reported they believed the perpetrators of each of the types of hate crime would be punished than would perpetrators of the non-hate crime. Each of the hate crime scenarios were perceived as disruptive to the victims; however, there were some significant sex differences found with the type of hate crime. Male respondents perceived the heterosexist hate crime as more disruptive, and female respondents perceived the non-bias specific assault as more disruptive for victims. Finally, Craig and Waldo reported that more women than men supported the enactment of laws that would guarantee the prosecution of those persons suspected of hate crime offenses.

Craig and Waldo (1996) did not ask participants to self-identify race, instead experimenters identified the racial status of participants based upon their physiognomic features (p. 116). Although they acknowledged the problem with people being categorized under the general umbrella of persons of color, the study would have been

improved by having participants self-identify racial or ethnic status. Simply categorizing participants into white and person of color neglects to consider the individual experiences of different racial and ethnic groups and how those may impact their responses. Also, failing to collect better information regarding racial or ethnic status precluded the researchers from doing any further (more detailed) analysis using this variable. Having gathered more detailed and accurate information may have provided the researchers with the opportunity to view the responses of different racial and ethnic groups separately before combining them into the generic category of 'persons of color.' This information is important because a complete understanding of the impact of race or ethnicity on perceptions of hate crimes and hate crime victims cannot be understood when the variable is not measured as accurately as possible.

The study by Craig and Waldo (1996) could be considered the first major attempt to examine how college students perceive and understand hate crimes and hate crime victims. These authors used both quantitative and qualitative methods to study a variety of issues associated with this topic. While these authors considered some demographic characteristics of the participants (e.g., race, age), they neglected other characteristics that are likely just as significant (e.g., sexual identity/orientation). Although the researchers asked if participants had any personal knowledge of a hate crime victim, they failed to ask respondents about personal hate crime victimization. It is extremely likely that personal knowledge of a hate crime victim and personal hate crime victimization will influence how one perceives scenarios involving a hate crime.

Miller (2001) conducted a study that used college students to investigate the perceptions of what actions they would define as hate crimes. Miller used hate crime

scenarios constructed from actual reported hate crime incidents using various victim groups. One of the primary focuses of the study was looking at the differences in perceptions between criminal justice majors and non-majors. The author noted that the perceptions of criminal justice students regarding hate crimes was important because many of these students would go on to become criminal justice practitioners and members of the criminal justice system. In addition, some of these students may assume roles which permit them to make policy decisions regarding these crimes (both which could be said of other populations of students such as those in professional schools, such as law schools). She hypothesized that criminal justice majors would be more inclined to agree with the scenarios because they had more training and education regarding crime, law, and issues surrounding equality than other majors. This training and education, Miller argued, would lead to criminal justice majors being more inclined to agree the incidents portrayed in the scenarios represented a hate crime. The victim groups represented in her study included African American, Jewish, gay, lesbian, and female victims.

Miller's (2001) initial analyses did not support her hypothesis that criminal justice majors would be more inclined to label the scenarios as hate crimes compared to non-criminal justice majors. For each type of victim, the mean perception scores were higher (less agreement) for criminal justice majors than for non-majors. She found that criminal justice males were less likely to agree that sexual minorities (i.e., gays and lesbians) and females were hate crime victims. Also, non-white criminal justice students did not recognize scenarios with Jewish victims as hate crimes. Miller did find that criminal justice students recognized certain crimes against African-Americans as hate crimes.

White and male non-criminal justice majors were more inclined to disagree over all four types of victim groups. Clearly, the lack of a significant difference in perceptions between criminal justice majors and non-majors was surprising due to the types of issues thought to be covered in criminal justice courses. Miller made the argument that criminal justice students were not receiving the type of inclusive, multicultural education they should be receiving.

While previous discussion on criminal justice responses would support the results found by Miller (2001), the fact that Miller's hypothesis was not supported is still surprising because it was believed that criminal justice courses were providing information on crime and victimization as it relates to the increasing multicultural society in which they will likely be employed. The results of Miller's study suggested these students may not be participating in programs with this type of inclusive, multicultural approach or understanding to criminal justice these students are likely to face.

Earlier discussion highlighted empirical studies regarding hate crimes and hate crime victims that have been conducted with members of the criminal justice system. The results of these limited empirical studies could be the product of several factors. First, these individuals could have attended college and/or professional school (law school) during a period where issues such as hate crimes were less likely to be discussed. In addition, these professionals could not have been expected to be familiar with issues of diversity and multiculturalism. At the time that Miller conducted her study, it could be argued that it is more common to include discussions of diversity and multiculturalism in curricula such as criminal justice/criminology.

Second, the results of studies regarding the criminal justice system response to hate crimes and hate crime victims could reflect more of an occupational influence. Just as it is expected that criminal justice curriculum could impact the perceptions of undergraduate students with respect to hate crimes, the occupational socialization of some criminal justice offices or agencies could have a similar impact. Individuals may gain employment in district attorney's offices (and later become judges/lawmakers) and law enforcement agencies and soon come to realize that as a professional in that role, there are certain beliefs and attitudes attached to it regarding certain crimes and certain victims.

Miller (2001) noted that there had been only one study (conducted by Craig and Waldo, 1996) that addressed college student perceptions of hate crimes prior to her research. In addition, Miller noted that Craig and Waldo did not specifically examine the differences between criminal justice majors and non-majors. Incidentally, Miller neglected to consider additional aspects of the university or college and how these aspects may influence perceptions. In her study, Miller focused on major and course/major curriculum, believing both were important and impacted perceptions. She neglected to include any measure of students' attitudes toward the groups represented in the scenarios, and she neglected to include any measure of how much contact the students have with members of the groups represented in the scenarios. Also, the types of incidents represented in her scenarios were not similar across the four victims groups. For example, she included a scenario regarding the murder of a gay man; however, there was no similar scenario presented when investigating perceptions of Jewish victims. The present study addresses each of these issues.

Rayburn, Mendoza, and Davison (2003) also used a college sample of 403 students recruited from a psychology department's participant pool to investigate the perceptions of hate crimes. These authors were interested in the perceptions of hate crime victims by bystanders to hate crime incidents based on race, religion, or sexual orientation bias. In this study, bystander referred to a person of the victim's social environment. The authors randomly assigned participants to read one of four vignettes (varied on race, religion, sexual orientation, or no bias) depicting an assault of a student. The authors were interested in how bystanders would rate the blameworthiness of the victim and the perpetrator in hate crime incidents.

It was hypothesized that bystanders would blame hate crime victims less than the victim in the non-hate crime scenario and blame the perpetrator more. Also, it was hypothesized that members of racial and ethnic minority groups would view victims in the hate crime scenarios as less culpable. Similar to the present study, Rayburn et al. used measures of attitudes toward homosexuality (Attitudes Toward Lesbian and Gay Men Scale) and attitudes of racism (Modern Racism Scale). In addition, these authors used attitude measures of anti-Semitism (Anti-Semitism Scale). Based on the scores of these measures, participants were categorized as prejudiced or unprejudiced.

Rayburn et al. (2003) found support for their hypothesis that participants would rate non-hate crime victims as more culpable compared to victims of hate crimes. Also, participants perceived perpetrators in the hate crime scenarios as more culpable than the perpetrator in the non-hate crime scenario. Perhaps, as the authors stated, these results were due to the fact that hate crime victims were specifically targeted because of their group membership. However, no group difference between racial or ethnic minority

participants and non-minority participants were found. The scenarios varied in an attempt to discover if ratings of blame differed depending on the victim group, but no significant differences among the three hate crime conditions in regards to perceptions of blame were found. It does appear that a bias motivation did impact participants' perceptions, however, the specific type of bias did not.

The final hypothesis involved participants with prejudiced attitudes. It was hypothesized that participants with prejudiced attitudes would perceive the hate crime victim as more blameworthy than a victim of a non-hate crime. The authors found that being prejudiced was associated with more blame for all crime victims in the study and less blame for all perpetrators.

The discussion of previous literature has seen some researchers attempt to study the broad issue of hate crimes separate from that of studying hate crime victims, while other researchers have attempted to merge the study of hate crimes with hate crime victims. The argument could be made that the study of the broad issue of hate crimes cannot take place without the consideration of the victims and victim groups. Perceptions about hate crimes reflect the underlying attitudes about members of the targeted groups (Craig & Waldo, 1996). For example, in Miller's (2001) study of the perceptions of college students she stated that perceptions students have concerning whether or not an act was a hate crime may reflect their overall attitudes about certain minority groups (e.g., those represented in the scenarios). In addition, these perceptions also may provide some insight to how these minority group members are viewed as hate crime victims. As Rayburn et al. noted, hate crime victims were judged less culpable than victims of crimes not rooted in hate or bias. Also, in Miller's study agreement with scenarios was

interpreted as a reflection of the students' perception of the victim group or victim category.

The empirical research into the perceptions of hate crime and hate crime victims is somewhat limited. Much of the literature has focused on the perceptions of undergraduate students and the general public. Criminal justice personnel also have been used to examine hate crimes and hate crime victims, but the difficulty in gaining access to these individuals combined with their possible reluctance to be honest about these cases leads to an unfortunate lack of information for these individuals. Each of the studies examining perceptions of hate crimes and/or hate crime victims included in this review used some form or type of a scenario. The variation in these studies has been demonstrated by how the scenarios were used; the type of information sought from the use of the scenarios; the type of scenarios used; the method of construction/development of the scenarios; and, the types of victim groups represented in the scenarios. It does appear, based on this previous literature, that the use of scenarios in the present study is consistent with previous investigation into this topic area. Because of the use and success of scenarios in previous research on hate crimes and hate crime victims, it is believed they are the best method of investigation for the present study.

The Impact of the School Experience and Interpersonal Contact

Although investigating the perceptions of college students (in particular those who are criminal justice/criminology majors) regarding hate crimes and hate crime victims is important, this research has not included an examination of the impact or influence of interpersonal interactions between students on the reported perceptions. Previous research neglected to address the impact of the higher education environment on

attitudes, beliefs, and values. More general research on the college experience has found that at least part of the change in attitudes, beliefs, and values that college students experience can be attributed to their interpersonal contacts with other students (Whitt et al., 2001). In an extensive study on the impact of college on undergraduate students, Astin (1993) found that student-student interactions had a positive correlation with cultural awareness and noted there were “positive benefits associated with frequent student-student interaction” (p.385). Two specific forms of student-student interactions (discussed racial or ethnic issues and socialized with someone from another racial or ethnic group) produced substantial positive correlations with self-reported gains in Cultural Awareness.

Allport (1954) stated that in addition to interpersonal contact being an important factor in changing attitudes, the kind of association and the types of persons involved in that contact also might be key elements to that change. For contact to be effective in changing attitudes and levels of prejudice, it must be more than merely superficial or surface contact. The contact must be in a form that forces individuals to complete tasks or to accomplish a goal together. Allport also noted that the contact had to take place in the context of the individuals being of equal status. One of the environments where this type of contact is possible (e.g., not superficial, goal-oriented, equal status) is the school environment. In this setting, individuals have equal status and share a common goal. The educational environment also provides a setting where (depending on the institution) there is likely to be contact with members of minority groups. Cannon (2005) stated, “it is common to be exposed to gays or lesbians, at least through informal acquaintanceships

if not friendships, during the college experience” (p. 228). The same also could be said about African-Americans and other minority groups.

In addition to contact, Allport (1954) reported that while the causal evidence may not be present, the conclusion could be made that knowledge about and acquaintance with members of minority groups make for tolerant and friendly attitudes. Gentry (1987) noted previous research found associations and friendships with homosexuals to be associated with more tolerance (Anderson, 1981; Millham, San Miguel, & Kellogg, 1976). Again, the school environment is a setting where individuals are able to learn about and form relationships with members of minority groups. This all supports the contact hypothesis, or the belief that contact with minority group members reduces prejudice and thus impact attitudes and perceptions. Herek and Glunt (1993) investigated this possible connection in looking at the impact of interpersonal contact on attitudes of heterosexuals toward homosexuals.

Herek and Glunt (1993) stated that one of the principle correlates of heterosexuals’ attitudes was the extent to which they had interacted personally with lesbians and gay men (p. 239). The authors found that interpersonal contact was more likely to be reported by participants who were highly educated, politically liberal, young, and female. Herek and Glunt also found support for their hypothesis that respondents with contact experiences will express more favorable general attitudes toward gay men than those without such contact. In using the Attitudes Toward Gay Men scale (short form) to measure attitudes, the authors found that these scores were lower (indicating more favorable attitudes) for the participants who reported they had a friend, a relative, or an acquaintance who was homosexual. While this particular study used a national sample

of individuals, a similar connection between attitudes and interpersonal contact has been seen using university students.

In using three separate studies with a sample of college students, Herek (1988) found that heterosexuals were more likely to have tolerant attitudes, in part, if they had positive experiences with lesbians and gay men. In her study of college students, Gentry (1987) found that comfort around homosexuals was positively associated with having a friend they believed to be homosexual. These two studies demonstrate that while interpersonal contact is certainly not the only variable to impact the attitudes and perceptions toward minority group members, it is one that is worthy of further investigation. This is particularly true as this area has not been explored with a professional school population.

Law Student Population

Although there are very practical reasons for choosing to use the general public or a college population for research on perceptions of crime, crime victims, and offenders, there may be some instances when a different population offers researchers an opportunity to uncover a unique perspective. While it would be ideal to examine the perceptions of those currently working in the criminal justice system (e.g., prosecutors, judges, defense attorneys), the time demands and workload of persons in these positions do not offer many opportunities for researchers. This difficulty in gaining access to current criminal justice employees forces the researcher to seek related populations who may be able to provide some insight into the criminal justice system. For example, populations such as law students are able to offer a unique perspective on perceptions of crime and other social issues because of the context of their education. While not every

law student will choose a career in criminal law or the criminal justice system, some of these students will indeed choose such a career path. Unlike undergraduate criminal justice or criminology students who take a variety of university courses (in addition to their major requirements) to complete their degrees, law students are in the unique position of being exposed to different aspects of one topic – law.

Similar to undergraduate students, law students also are in the unique position to offer insight into the criminal justice system. Some of these students will have participated in clinics, externships, or internships that provide them the opportunity to gain practical experience while under the supervision of the law school. These students may begin to acquire some of the attitudes and socialization of that particular professional, legal environment. While there is no clear measure for this possible impact on the students' perceptions, this exposure to the professional environment must still remain a consideration. In addition, the difficulty in gaining access to criminal justice personnel such as district attorneys and judges makes the law student an attractive alternative.

The lack of attitudinal research on hate crime-related issues using this population is interesting considering the future role that some of these students will have in the criminal justice system. The perceptions of future prosecutors, judges, and lawmakers is important because it will be these individuals making policy and case disposition decisions regarding hate crimes, hate crime offenders, and hate crime victims. Considering the possibility of such an influential role in society, not seeking to understand this population's perceptions of important, contemporary social issues is difficult to understand.

Despite the role law students will have in the criminal justice system, politics, and government, recent research of these students has been lacking; much of the research using law students was conducted more than ten years ago. Previous research has examined career orientations and opinions of contemporary issues (for the period under study which was the 1970s) (Becker & Meyers, 1972) and the effects of types of instructions on individuals' evaluations of eyewitness identification evidence (Hoffheimer, 1989). More recent research has focused on how law students defined long-term meaning of life in context of life plans for work, family, leisure, and community (Orrange, 2003) and views and perceptions of community notification laws and other child abuse prevention measures (Redlich, 2001).

Investigating the attitudes and perceptions of law students has covered a variety of topics. These topics have included law student perceptions of person with disabilities (Satcher & Gamble, 2002); rates of cheating (Penzel, 2000); appropriate sentences for convicted felons (Miller, Rossi, & Simpson, 1991); and, effects of gender and year in school on law school stressors (Rubinowitz, 1990). Additionally, researchers have used law students in an effort to uncover their knowledge and attitudes toward mental illness and the mentally ill offender (Morrison, Madrazo-Peterson, Simons, & Gold, 1977; Russell & Bryant, 1987); attitudes toward capital punishment (Davidow & Lowe, 1979); and, the attitudes of law students regarding the rights of gay people to be teachers (Dressler, 1979).

In the study of law student attitudes regarding gay teachers, Dressler (1979) surveyed 12 law schools located across the United States. He found that of the more than 500 students who completed the survey, most did not agree with either general

homosexual stereotypes or stereotypes regarding homosexual teachers. Overall results suggested that law students, especially women, were comparatively tolerant of the right of homosexual persons to serve as teachers. He also noted that if these views did not change, an increase of women in the judiciary could result in more progressive attitudes toward homosexuality.

The law school environment can have very profound effects on law students. These professional schools can mold a student's views, even stifle the interest of those who desire a career of public or social service by strongly encouraging a business-orientation (Erlanger & Klegon, 1978). Granfield (1986) found that the strong socialization at an Ivy-league law school did not include socially meaningful work, but focused on work involving business and large corporations. This "corporatist-ideology" reflects the value of corporation-focused legal work and attacks student attitudes and perceptions, often resulting in altered intentions and goals for the student (Granfield, 1986).

Erlanger and Klegon (1978) noted that legal education was criticized in the past for emphasizing the perspective of business and the interests of the specific client over the broader public. This emphasis caused law students to forego more public-oriented views in favor of those endorsed by the law school during the course of their education. However, these authors also noted that during the socially and politically active 1960s many law schools responded by offering courses and seminars on issues related to minority discrimination, environmental protection, and welfare administration.

Recently, research in the socialization effects of law school and social issues has been neglected. A great deal of the research in this area took place in the mid to late

1970s – a time when social change and social involvement were “hot-button” issues in the United States. Undoubtedly, the impact of the law student socialization process has not waned because of the lack of empirical research on the topic. It appears as though the law school environment can have a positive and negative influence on future law practitioners’ involvement in social issues. Erlanger and Klegon (1978) found that over time, law students moved toward a more conventional direction, though not necessarily a more business-oriented perspective. They also reported a decline in interest in pro bono or social reform work; however, the authors noted that this decline should be viewed cautiously. In addition, the authors stated it was possible these changes in responses could be the result of a changed political climate or information regarding the job market. Similar to what was found by Erlanger and Klegon (1978), the two law schools being used in the present study do offer their students a wide variety of course options; however, many of those courses involving social or political issues (e.g., environmental law, elder law, labor and employment law) are offered only as electives.

The lack of recent empirical research using law student populations may be explained by the difficulty in gaining access to these students as opposed to undergraduate students. Professional schools are structured differently than most undergraduate institutions, perhaps limiting opportunities for researchers to use this population. Law students offer the ability for researchers to expand their knowledge about the perceptions of future legal and criminal justice system actors. It is important that their perceptions regarding significant social issues, such as hate crimes, be uncovered.

The Present Study

The present study is an exploratory study designed to examine factors that influence the perceptions of hate crime and hate crime victims held by law students. With the growing interest in the topic of hate crimes and the lack of recent attitudinal research using law students, this study is extremely timely. In 1996, Craig and Waldo noted that future research in the area of perceptions of hate crimes should be investigated in populations other than college students and “provide recommendations for strategies to attenuate the negative effects of perceptions of hate crimes that may exacerbate victimization experiences. As a result, the legal process may become more sensitive to the needs of hate crime victims” (p. 128). Since then, research has continued to use those individuals who, for whatever reasons, presented a more attractive opportunity for those interested in the perceptions regarding hate crimes, and in particular, hate crime victims.

Marcus-Newhall et al. (2002) described the importance of studying hate crimes when they wrote,

Hate crimes are a persistent social problem for our society. Because hate crime victims are purposefully selected because of their group identity, hate crimes differ from many other crimes. Thus, research cannot rely only on what the literature shows about crime more generally but must continue to examine hate crimes as a unique type of crime...(p. 132).

Understanding these perceptions may generate legal and policy implications for addressing the hate crime victimization process (Craig & Waldo, 1996).

The present study expands empirical research in the area of hate crime perceptions by sampling law students. An additional component of this research involved

the investigation of what law students are taught during their time in law school. While the importance of understanding the perceptions of undergraduate students and undergraduate students as criminal justice/criminology majors and non-majors has been thoroughly noted due to their possible future employment in the criminal justice system, the importance of the perceptions of future attorneys, judges, and lawmakers has been neglected. This study examined the perceptions of law students regarding hate crimes and hate crime victims as influenced or impacted by a set of individual and law school factors. As mentioned previously, the study of hate crime offenses cannot be separated from the study of hate crime victims; hate crime offenses are defined by their victims.

Specifically, this study examined how individual factors (e.g., race, sex, political orientation) and law school factors (e.g., interpersonal contact in the school setting, course information related to hate crimes) influence law student perceptions of two groups of potential hate crime victims – African-Americans and gay men and lesbians. Also, law students were asked open-ended questions regarding their personal knowledge of a hate crime victim and whether they have personally experienced hate crime victimization. Finally, participants were asked to provide their overall views, feelings, and opinions regarding hate crime laws.

CHAPTER III

METHODS

The purpose of this study was to expand the research on perceptions of hate crimes and hate crime victims by examining these perceptions among law school students. Previous studies support the view that the best way to investigate the perceptions and beliefs of individuals is through the use of vignettes, or scenario-based questionnaires (Finch, 1987; Hughes, 1998; Poulou, 2001; Rome, Son, & Davis, 1995). In order to accomplish this, quantitative and qualitative methods were employed. The present study attempts to uncover how individual and school factors impact law students' (i.e., future practitioners) perceptions of hate crime incidents and victims.

Research Design

This study employed a Web-based quantitative survey, with a qualitative component that consisted of open-ended questions (see Appendix C for a copy of the survey). This approach was similar to Craig and Waldo (1996), who used both qualitative and quantitative designs to determine the perceptions of college students about hate crimes, perpetrators, and victims of hate crimes. For the present study, the first part of the questionnaire asked respondents descriptive information regarding their status in law school, desires for future employment, and participation in clinics, externships, or internships. Next, the questionnaire consisted of actual hate crime vignettes, attitudinal measures toward African-Americans and gays and lesbians, and questions regarding school experiences. Finally, questions regarding the demographic characteristics of the participants were presented.

In contrast, the qualitative portion of the questionnaire allowed participants to provide descriptive information regarding their experience, and the experience of people they know, as hate crime victims. Participants were first asked if they personally knew anyone (not including themselves) who had been a victim of a hate crime. After answering that question, participants were then asked to describe that incident. In particular, participants were encouraged to provide as much detail as possible regarding the incident (e.g., location, time of year, time of day, injuries suffered, violent/non-violent), the people involved (e.g., number, age, sex, race), and any involvement of the criminal justice system (e.g., reported to police, courts). Participants were asked the same set of questions about their own hate crime victimization. The final question asked participants to provide their overall views, feelings, and opinions regarding hate crime laws. By using a combination of these two methods, it was believed that the qualitative portion would enhance or extend the scope of the quantitative inquiry (Creswell, 1994).

Research Hypotheses

The perceptions of students currently in law school regarding hate crime and hate crime victims is an area that has been neglected in the increased scholarly attention to this topic. As such, the present study was extremely timely in its focus and goal. For the quantitative portion of the questionnaire, the following hypotheses were developed. The null hypotheses (H_0) represent no significant differences or effects.

Quantitative Hypotheses

Researching the possible influences on perceptions (and perceptions of hate crimes in particular) has shown that one of the factors impacting participants' perceptions may be prejudice (Gerstenfeld, 2003; Rayburn et al., 2003). Rayburn et al. (2003) found

that high levels of prejudice were associated with more blame for all crime victims and less blame for all perpetrators. In particular, Rayburn et al. (2003) found that prejudiced minority participants perceived especially high blame for non-hate crime victims (less likely to blame the hate crime victim). Prejudiced non-minority participants perceived relatively high blame for hate crime victims (may be more likely to blame the victim of a hate crime).

Allport (1958) also noted that people's prejudiced attitudes affect their judgment about members of certain social groups (as cited in Rayburn et al., 2003). Levin (2002) stated that after Allport's (1954) publication of *The Nature of Prejudice*, prejudice was no longer solely associated with people who jumped to conclusions; it was becoming more narrowly connected with bigotry, bias, and racism (p. 2). Furthermore, "behaviors and attitudes become differentially associated with particular categories, leading to the perception and interpretation of the behavior of individual group members on the basis of generalized knowledge and expectations of the group rather than the individual" (Marcus-Newhall et al., 2003, p. 112). This can lead to the formation of stereotypes about the groups to which these individuals are members.

These stereotypes can be activated regarding what type of crimes groups commit, in addition to the types of groups likely to be victims of certain crimes. Because victims of hate crimes are most often members of negatively stereotyped groups (Craig and Waldo, 1996), it is likely that perceptions and attitudes about hate crime victims are impacted by the activation of certain stereotypes about the groups the victims represent. Because the victim groups presented in the scenarios are often those groups impacted by prejudice (or those attitudes related to prejudice), the following hypotheses are suggested:

H_a(1): Law students who report favorable attitudes toward African-Americans will report a greater level of agreement that the scenario is a hate crime.

H_a(2): Law students who report favorable attitudes toward gays and lesbians will report a greater level of agreement that the scenario is a hate crime.

Research conducted on aspects of the role of the victim, victim-blaming, and victim stereotypes found that women blamed the victim less than men (George & Martínez, 2002; Rayburn et al., 2003). Research on the attitudes of men and women regarding homosexuality has demonstrated that men view gay men and lesbians more negatively than women (Herek, 1988; Herek, 1994; Whitley, 1988). In a study of hate crime perception among criminal justice majors and non-majors, Miller (2001) examined the perception of four victim groups – African-Americans, women, sexual minorities, and Jewish victims. She found that criminal justice majors who were male were less likely to perceive sexual minorities and females as victims, while non-criminal justice majors who were male were less likely to perceive any of the victim groups as hate crime victims. Therefore,

H_a(3): Female law students will report a greater level of agreement that the scenario is a hate crime than male law students.

Rayburn, Mendoza, and Davison (2003) noted that an individual's racial or ethnic minority status might influence their perceptions of hate crime victims in part because these members may feel more "empathy for a crime victim who was targeted solely because of his or her membership in a stigmatized group" (p.1058). As a result, the following hypothesis was developed:

H_a(4): Racial and ethnic minority law students will report a greater level of agreement that the scenario is a hate crime.

Marcus-Newhall et al. (2002) noted that previous research has found political orientation affects attitudes and perceptions toward various social issues. These authors also noted Nemeth and Sosis (1973) found that mock jurors differed in their sentencing preferences of mock defendants, in that jurors who were politically conservative sentenced the defendants to more extreme punishment than those who were politically liberal. Similarly, Blake (2002) found that political orientation was one of the factors that impacted mock jurors' decision-making of guilt and punishment in race-based hate crimes.

In using a college sample as part of their study on the perceptions of certainty of guilt and sentence preferences based on victim and perpetrator characteristics, Marcus-Newhall et al. (2002) found that self-identified political orientation had some impact on mock jurors' perceptions. In addition, Pellegrini, Queirolo, Monarrez, & Valensuela (1997) found that Democrats expressed more favorable attitudes toward government-sponsored programs and political orientation differentially affected attitudes toward social issues (as cited in Marcus-Newhall et al, 2002). It is believed that a similar difference in political orientation could be found if applied specifically to attitudes and perceptions of crime victims – particularly hate crime victims. Therefore, the following hypothesis was explored:

H_a(5): Law students who self-identify as liberal will report a greater level of agreement that the scenario is a hate crime.

Some research has indicated that a participant's personal knowledge of a hate crime victim can impact their perceptions of hate crime victims (Craig & Waldo, 1996). It is believed that personal knowledge of a hate crime victim and/or being a victim of hate

crime will positively influence the assessment of the hate crime scenarios. Therefore, the following hypotheses were developed:

H_a(6): Law students who report personally knowing a hate crime victim will report a greater level of agreement that the scenario is a hate crime.

H_a(7): Law students who report being the victim of a hate crime will report a greater level of agreement that the scenario is a hate crime.

Miller's (2001) study focused on the perceptions of criminal justice majors and non-majors regarding hate crime victims. In that study, Miller found her hypothesis that criminal justice majors would categorize the scenarios as hate crimes was not supported. However, it is likely that undergraduate major did impact perceptions – just not in the way believed. For example, it could be that undergraduate criminology/criminal justice majors did not receive the type of multicultural education/course content thought to be a part of such curricula. Miller's hypothesis dealt with the nature of criminology/criminal justice course content and how that course content can involve aspects of law, society, and social issues. This, by definition, differs from other majors and their course content thereby offering the possibility for criminology/criminal justice majors to be better versed in the aspects surrounding such issues as hate crime/hate crime victims.

Choice of undergraduate major can influence the type of information provided to students regarding different aspects of social issues. The information provided would differ in programs directly involving such issues (e.g., criminal justice, criminology, sociology) and those that do not (e.g., math, engineering, business). The type of law or career choice may have a similar impact on perceptions. For the law student, choosing a type of law that deals with social issues may provide those students with the opportunity to be exposed to different information and training by way of their curriculum than those

law students choosing types of law that do not deal with such issues. Therefore, the following hypotheses were explored:

H_a(8): Students' undergraduate major will impact the level of agreement with the hate crime scenarios. Law students who earned degrees in majors that focus/deal with social issues (e.g., sociology, criminal justice, criminology, political science) will report a greater level of agreement that the scenario is a hate crime.

H_a(9): Law students who report they want to be employed in types of law that are associated with social issues (e.g., environmental law, elder law, civil law) will report a greater level of agreement that the scenario is a hate crime.

In addition, the following hypotheses have been developed due to the unique situation that professional schools present. It is possible that some law students have earned additional degrees to their undergraduate degree, therefore:

H_a(10): Law students who have earned additional degrees to their undergraduate degree (i.e., additional undergraduate degrees, graduate degrees) will report greater levels of agreement that the scenario represents a hate crime.

Examining the socialization of lawyers into the criminal justice system, Hubka (1976) used thirty-three senior law students participating in an internship program. The study attempted to document the change in the perception of how law students viewed themselves, their work, and the operation of the criminal justice system as they moved from an idealistic view to a more realistic view of themselves, their work, and their role in the criminal justice system. Law students are offered the opportunity (through electives) to participate in clinics and externships.¹⁰ These clinics and externships allow the students to gain some practical experience while still under the supervision of the law school. Therefore, the following hypothesis was developed:

¹⁰ Clinics, externships, and internships are often referred to in interchangeable terms. However, in some instances each is a separate program with different goals and requirements. For the purposes of this discussion they are considered to be analogous programs.

H_a(11): Law students who have participated in clinics, externships, or internships in types of law related to social issues will report greater levels of agreement that the scenario is a hate crime.

As part of a study on what is covered regarding different aspects of prostitution and criminal law, Balos (2001) reviewed the content of two criminal law textbooks. He investigated books used in these courses to determine whether or not they specifically addressed the connection between how society views the woman who is the prostitute while also the victim. In addition, the author made the argument that these criminal law books (and subsequently criminal law courses) neglect to show how criminal law can recognize and define who is a deserving victim. This viewpoint is similar to certain aspects of the debate surrounding hate crimes. There has been some disagreement among special interest groups, lawmakers, and the general public as to which groups are worthy of the recognition and protection of hate crimes legislation (Jeness & Grattet, 1996). In order to determine what, if any, information is provided to law students regarding hate crimes, the following hypotheses were developed:

H_a(12): Law students who have taken courses that have provided information regarding hate crimes will report greater levels of agreement that the scenario is a hate crime.

H_a(13): Law students who have completed their school's course(s) on criminal law/criminal procedure will report greater levels of agreement that the scenario is a hate crime.

The school environment/experience has been found to impact the attitudes and perceptions of undergraduate students regarding social issues (discussed in Chapter II) due to the nature of interactions with other students in that environment. Similarly, one influence of perceptions and attitudes of those attending professional schools might be the nature of interactions among students. Therefore, in order to explore the school

experience – as it relates to the nature of the relationships or acquaintances – for these law students, the following hypothesis was developed:

H_a(14): Law students who report more interpersonal contact with classmates perceived to be racial or ethnic minorities (or students different from them) will report greater levels of agreement that the scenario is a hate crime.

For students in law school, research has found that there is often an occupational socialization that takes place (Erlanger & Klegon, 1978; Granfield, 1986; Granfield & Koenig, 1992; Kay, 1978; Schwartz, 1985; Stern & Murphy, 1980). Some research into the socialization process of law school students has focused on students' future roles as attorneys (Hubka, 1976; Winfree, Kilech, & Clark, 1984), while other research has focused on how socialization can impact their views about career goals (Granfield, 1986; Granfield & Koenig, 1992). Granfield (1986) found that the law school environment worked to socialize some students toward a career in business and corporate law and away from their original career goal of pursuing a legal career involving social issues. Erlanger and Klegon (1978) found the law school environment could shift the priorities for some students toward a business-oriented approach and away from legal careers or concentrations involving social issues. However, Tewksbury and Pedro (2000) noted that the recent trends in legal education have emphasized the importance of pro bono work.

Although it is difficult to determine whether either school has a purely corporate or business orientation from reviewing their characteristics and curricula, it is believed the two law schools being used in the present study vary in unique ways. For example, one school is a private, Catholic university with a total enrollment in fall 2004 of approximately 614 students. Also, according to information provided on the school's Web site, the percentage of minority students in the fall 2004 class was 5.8%. In contrast,

the second law school is a public university, reporting a total student enrollment as of fall 2004 of approximately 714 students. This school reports the percentage of minorities in their fall 2004 class was 12%.

In addition, a review of the curriculum of the two participating law schools revealed that the public school's elective courses included more of a social issue focus than those offered by the private, Catholic school. For example, under the elective topic of Criminal Justice, the public law school had course selections that included Violence & Law; Race, Racism, and American Law; White Collar Crime; Crimes Against Humanity; and International Human Rights. In contrast, elective courses offered by the private, Catholic law school include a much smaller scope of such socially conscious courses. For example, this school offers Political and Civil Rights; Juvenile Law; and Causes of Wrongful Convictions. Because of the differences in the two schools, the following hypothesis was explored:

H_a(15): Students from the public law school will report greater agreement that the scenarios is a hate crime than students from the private law school.

Qualitative Questions

In order to further explore the opinions of law students regarding hate crime laws, an open-ended question was included. The question simply asked students "what are your overall views, feelings, and opinions regarding hate crime laws?" In addition to this open-ended question, students were asked to elaborate on two questions regarding hate crime victimization. As the second part to yes/no questions (i.e., do you personally know anyone who has been a victim of a hate crime/have you ever been a victim of a hate crime), students were asked to provide a description of the incident. In particular, students were asked to provide descriptive information such as location, time of year, any

injuries suffered, violent/non-violent incident, the people involved, and any involvement of the criminal justice system.

Web-based Surveys

In addition to the World Wide Web (Web) becoming a widely used educational tool on college campuses, the Web is gaining popularity as a method to collect survey information on these campuses and is part of an emerging field of survey research (Carini, Hayek, Kuh, Kennedy, & Ouimet, 2003; Daley, McDermott, McCormack Brown, & Kittleson, 2003). Carini et al. (2003) noted that in 2000, 59% of all college courses were using electronic mail in addition to 43% of college courses relying on Web-based resources (as cited in Green, 2001). Greater success with Web-based surveys (i.e., higher response rates) has been found when the populations targeted for participation use computers and the Internet with some regularity and frequency (Fricker & Schonlau, 2002). University populations are more likely to have greater access to the Internet because universities are one of the well-established domains of electronic communities (Daley et al., 2003; Fricker & Schonlau, 2002).

For special populations (such as university students) who use the Internet in their daily lives or on a regular basis, selecting the Web to collect survey data has been found to be a reasonable and creative means of achieving respectable response rates (Carini et al., 2003; Fricker & Schonlau, 2002; Sills & Song, 2002). Fricker and Schonlau (2002) noted that Internet surveys with high response rates have usually involved university-based populations or small, specialized populations. Response rates in Internet surveys have been reported to be as high as 70%; however, the subject of the study and characteristics of the sample have been found to have significant effects on these

response rates (Brennan & Hoek, 1992 and Pradhan, 1999 as cited in Sills & Song, 2002).

In contrast to most e-mail surveys, Web-based surveys easily direct respondents to the web site where the survey is located, then allowing the respondent to answer the questions without the necessity of printing, completing, and mailing. Also, the web-based survey allows for more creativity making the experience of completing an Internet survey a bit more enjoyable by providing the participant with a more engaging and interactive experience.

Disadvantages and Advantages of Web-based Surveys

Research on the use of Internet surveys has found that one of the causes of low response rates might be participants' fears of the ability for researchers to offer anonymity (Daley et al., 2003; Fricker & Schonlau, 2002; Heerwegh & Loosveldt, 2002; Sills & Song, 2002) or participants being unable to correctly enter the information meant to offer confidentiality (Couper, Traugott, & Lamias, 2001). To account for this particular concern, participants were provided with a password and not required to provide any identifying information such as an e-mail address. Students from the private law school had one password, and students from the public law school another password. An additional concern of Web surveys deals directly with its design. If a Web-based survey is particularly long and technologically complicated, participants may lose interest and leave researchers with only partial data (Fricker & Schonlau, 2002; Sills & Song, 2002). To facilitate the ease of maneuvering within the survey, features such as drop-down buttons and grouping items of a scale together were included to make it more user-friendly.

Finally, Web-based surveys are susceptible to technical failures. When dealing with technology and computer systems, participants may experience some difficulty accessing the site properly. In addition, completed surveys may not be converted properly from an Excel or Access file into SPSS, then causing the need for an alternative method to be employed. To deal with the technical aspects of the survey, the services from an office on campus (Software Development Center) were secured. This office was responsible for converting the survey from its paper form to its electronic form; ensuring the passwords were working appropriately; dealing with the maintenance of the server; and submitting the responses to the survey on a weekly basis. This office also was available to answer any questions that may arise regarding the technical aspects of the survey.

Despite these possible issues, Web-based surveys are a developing and exciting method of delivery. Because of the capabilities and creativity provided through the use of this mode of survey delivery, they have become a practical and valuable resource for social science researchers (Sills & Song, 2002). Hagan (2003) noted that the “potential of Internet surveys will become more common. It is important that we as criminological and criminal justice researchers not be left behind” (p.168).

Sills and Song (2002) noted that the varying advantages of Web-based surveys and using them with specific populations makes them a favorable mode of delivery for survey research. Internet surveys have the potential to serve social scientists and their research purposes in a creative, useful, and innovative way. The widespread acceptance of online communications expands the potential modes of data collections, in addition to allowing participants to complete the surveys at a time of their choosing. Also, Web-

based surveys allow the students not to feel pressured to finish in a certain amount of time. This pressure-free environment may allow participants to provide more thoughtful responses, because they have the ability to take as much time as they need to provide complete answers (Daley et al., 2003).

Using the Web to deliver the survey also is appealing because it does not disrupt class time in order to have it administered and completed by participants. It may be that access to these law schools would have been more difficult with a more traditional mode of delivery (i.e., paper versions delivered to campus mailboxes or administered during course time). The choice of this mode of delivery was strengthened by its lack of direct costs related to copying multiple paper versions of the survey and traveling to the law schools to deliver them and oversee their administration. The likelihood that law students have a familiarity with the Internet is one of the greatest strengths to using the Web-based survey with this population. In conversations with university administrators, they revealed that each law student is provided with a university e-mail account. University administrators acknowledged that the university e-mail account is their primary mode of contact with students, suggesting they believe it to be an effective method to contact their student body. This suggests that the choice of the Internet for initially contacting the students, inviting them to participate, and using the Internet for the actual delivery of the survey did not result in a significant number of eligible students being neglected from the sample.

Couper, Traugott, and Lamias (2001) noted that coverage error (those not likely to have access to the Web/e-mail) is of little concern with university populations. One reason is that they are provided with a free e-mail account through their schools (which is

the case for both of the law schools in the present study), and university students have access to several computer labs located on their campuses (which is also true for the students at both law schools). An additional advantage of Web-based surveys is the speed with which completed questionnaires can be returned. Web-based surveys provide the researcher with the option of designing the survey to instantaneously deliver responses upon the completion of each page, or upon completion of the entire questionnaire. This means that information regarding the number of completed questionnaires can be determined earlier, thereby allowing the researcher to decide if the questionnaire needs to remain available for a longer period of time.

Web-based Surveys, Response Rates, and College Populations

Researchers have noted that the average response rate for academic surveys range from 48.4% to 55.6% (Baruch, 1999 as cited in Hagan, 2003). Babbie (1998) reported that response rates of “50 percent are adequate for analysis and reporting, that 60 percent is good and that 70 percent is very good” (as cited in Dantzker & Hunter, 2000). Although there has been varied success (i.e., different levels of response rate) using the Internet as the mode of delivery, the research on Web-based surveys and university populations has shown that response rates similar to those of traditional mail surveys is possible. To date, no information is available on the rates of success/response rates of Web-based surveys and professional student populations. However, its success with university populations (undergraduates and employees) encourages its use with other populations such as graduate or professional school students.

McCabe et al. (2002) (as cited in Fricker & Schonlau, 2002) conducted an experiment in which 5,000 University of Michigan students were randomized to receive a

survey about drug and alcohol use; half would receive a mail survey, half would be notified about a Web-based survey. Respondents in both groups received a \$10 gift certificate as an incentive. McCabe et al. achieved a 63% Web response rate, compared to 40% by mail. Pealer et al. (2001) also achieved a 58% response rate for a Web-based survey of undergraduates at the University of Florida (as cited in Fricker & Schonlau, 2002). While there is limited evidence to support the conclusion that Web-based surveys produce higher response rates than paper or mail surveys, those Web-based surveys that have achieved higher response rates have tended to be with university populations (or small specialized populations). Watt (1998) recommended incentives or simply making respondents feel their input is worthwhile by posting survey results on a Web page as methods of increasing the response rates of Web-based surveys (as cited in Sills & Song, 2002). Although incentives are not part of the current study, every effort was made to convey to possible participants the importance of their responses on this topic.

Sampling

For this research, a sample of law students was surveyed through the use of a self-administered Web-based questionnaire. The sampling element, or unit of analysis, was the individual law student, and the population being investigated was law students of two western Pennsylvania law schools – one a private, Catholic law school and the other a public law school. As of fall 2004, the two law schools had a combined student enrollment of approximately 1,328 students (personal communication with Assistant Dean for Students, April 13, 2005; personal communication with Associate Dean of Students, April 12, 2005). The target population was those law students from the private law school who were enrolled full-time in the day division program. Using this selection

criterion, the number of possible students eligible to participate from the private law school was 394. Similarly, the number of eligible full-time students from the public law school was 714. Combining the number of eligible students from both law schools gives a total of 1,108 students. Although the private law school does offer an evening and part-time day division, the researcher wanted to include only those participants who attended the day division program because of a lack of a similar program at the public law school.¹¹

Of the 1,108 law students who were eligible to participate in the study, 308 persons logged into the survey using one of the two approved passwords. Upon review, seven of these were discarded because the participant failed to answer any of the survey questions. An additional ten cases had to be removed because participants completed only the first or second page of the 11-page survey. Finally, eight cases were removed because participants skipped several sections of the survey, leaving the survey mostly incomplete. This left a total of 283 cases to be used for analysis. Therefore, the final response rate for this survey was 25.5%. This is a limitation of the study to be discussed in later portions of the dissertation.

Bachman and Paternoster (1997) stated, “some statisticians have recommended as a rule of thumb that there be 30 observations for each one independent variable” (p. 520); however, others have stated that 15 observations per one independent variable would be acceptable for most statistical analyses (Mertler & Vannatta, 2002). For the current study, there were a total of 18 independent variables. Because of the number of independent

¹¹ The Public University School of Law does offer a part time day program (flex-time), but in conversations with the Associate Dean of Students for the law school he revealed the number of students selecting and enrolled in this option is not very high.

variables and because multiple regression was to be used, a sample size of at least 270 was needed (using the 15 cases/IV equation) and achieved.

Although a significant portion of social science research is conducted by using simple random sampling, the design of this survey did not allow for such a technique to be used. While university administrators were willing to assist in the dissemination of information regarding this study to their students, they would not provide a complete list of all those students who meet the criteria for inclusion into the sample to permit simple random sampling. Without these lists and because of the needed sample size, it was impossible to conduct a sampling strategy that allowed every element in the population an equal chance of being selected.

Social science researchers often obtain a convenience sample by selecting whatever sampling units are conveniently available (Frankfort-Nachmias & Nachmias, 1996), and this is the sampling technique that was used in this study. Convenience, or accidental, sampling is a non-probability sampling strategy used where population elements are selected based on their availability (i.e., they volunteered). Convenience sampling is often characterized by a nonsystematic approach to recruiting respondents that often allows for potential respondents to self-select into a sample. This type of sampling technique can be valuable for hard-to-reach populations (such as law students) (Schonlau, Fricker, & Elliott, 2002). Fricker and Schonlau (2002) stated, “if a convenience sample will suffice for the research, then the Web can be an excellent medium to use...” (p. 363). Using such a sampling technique does come with limitations not seen with the use of simple random sampling.

Sampling Limitations

Because convenience sampling is being used, there is no way to guarantee that all elements in the population have an equal chance of being included (Champion, 2000; Hagan, 2003). This sampling technique leads to problems with generalizability and possible selection bias. Web-based surveys often permit only limited generalizability of findings because they often rely on non-probability sampling techniques (Fricker & Schonlau, 2002; Sills & Song, 2002). This type of sampling allows only for limited generalizability in that the results may only be applicable to the sample used in the study, not the entire population (law students in general) it represents. For the present study, students were contacted via e-mail, through the use of paper announcement, and through advertisements in electronic newsletters. Only those who volunteered completed the survey. In addition, there may be some unique differences between those students who completed the survey and those who did not (Hagan, 2003). Perhaps there are students who are particularly supportive about the issues being studied, and this is why they are choosing to complete the questionnaire. Similarly, there could be respondents who chose to complete the questionnaire because of their negative feelings about the subject matter.

Also, university administrators were relied upon to send e-mails contacting and reminding students about the survey. There was an issue with one school, as the administrator misunderstood when to send the initial e-mail inviting students to complete the survey. This miscommunication caused a delay in the delivery of the survey by seven days. Because of the flexibility of a Web-based survey, this miscommunication was easily resolved and believed not to have caused any significant impact to the response

rates from this school. It did, however, make it necessary to extend the time the survey was available for completion.

Survey Instrument

To test the hypotheses, a questionnaire was designed to allow the perceptions of law students regarding hate crime and hate crime victims to be uncovered (see Appendix C for questionnaire). Previous research on the perceptions of hate crimes has used scenarios as a way of determining how individuals view hate crimes, hate crime victims, and hate crime perpetrators (Craig & Waldo, 1996; Marcus-Newhall et al., 2002; Miller, 2001; Rayburn et al., 2003; Steen & Cohen, 2004). The format of the hate crime scenarios in the present study is similar to that in Miller's (2001) study of undergraduate students' perceptions.

The present questionnaire contained versions of the Attitudes Toward Lesbian and Gay Men Scale (ATLG) and the Modern Racism Scale (MRS), which were both used by Rayburn et al. (2003) in their study of blameworthiness and culpability of hate crime victims and perpetrators. Different versions of the ATLG and the MRS have been used in research on issues such as heterosexuals' attitudes toward gays and lesbians (Herek, 1988; Herek, 1994; Herek & Glunt, 1993), the role of extralegal factors in mock jurors' decision making in hate crime cases (Gerstenfeld, 2003), and the effect of racism on victim blaming (George & Martinez, 2002). Each of these scales will be discussed in greater detail in subsequent sections of this chapter.

Construction of Hate Crime Scenarios

The information for the construction of vignettes, or scenarios, can come from several different sources. In some instances, vignettes are formed from a review of

relevant literature, while in other cases they are generated from real-life case histories of the topic being researched (Rahman, 1996). Although several uses of the vignette method have involved hypothetical situations, there have been some instances where the situations presented to respondents were taken from actual events. For example, Miller (2001) conducted a study of undergraduate college students' perceptions of hate crimes using vignettes constructed from actual reported hate crime incidents. It was noted by Hughes (1998) that vignettes are most successful when they appear "both relevant and real" (p. 385). For this research, actual reported hate crime incidents were used as the content for the dependent variables/vignettes presented to respondents. Miller (2001) used a similar approach of creating hate crime scenarios, and through the use of a pilot study using undergraduate students, found an internal consistency level (α) of .94. This reported level of consistency is considered more than acceptable according to DeVellis (1991).

To locate actual hate crime incidents, two sources were consulted – the Human Rights Campaign (HRC) and the Southern Poverty Law Center (SPLC). These organizations have been pivotal in the advancement of hate crimes legislation, support for hate crime victims, and in bettering efforts on the part of law enforcement in collecting and reporting data. Also, these organizations provide Web sites that allow the general public access to information regarding different aspects of hate crimes – including detailed information of hate crime incidents from across the country that have been reported to law enforcement officials for recent years. For the present study, reported hate crime incidents from the years 2001-2004 were accessed and read from both organization

Web sites, in order to determine what types of hate incidents to include as part of the questionnaire.

In reviewing the reported hate crime incidents, it was determined that the incidents could be organized into several different categories. These categories included acts of neighborhood graffiti, personal property damage, physical attacks, verbal assaults or threats, the distribution of hate literature and rhetoric, and homicide. Although the distribution of hate literature and rhetoric made up a significant portion of the reported hate crime incidents for the years reviewed, they were excluded from use in the scenarios for the present study. This was done because it was believed participants might not view these actions as criminal or hate crime offenses because of issues related to free speech. In addition, the most extreme cases of hate crime incidents (i.e., homicide) were not included because of their rare occurrence in relation to the other types of hate offenses.

Having excluded distribution of hate literature and rhetoric and homicide incidents from possible inclusion in the questionnaire, it was then necessary to locate hate crime incidents representing the other categories of offenses. The two Web sites consulted (HRC and SPLC) included several dozen possible incidents. However, for the purposes of the present study, incidents were sought that included African-American and gay or lesbian victims. Once incidents were located with these victims, the next step was locating reported hate crimes that fit the remaining categories of incidents (neighborhood graffiti, personal property damage, physical attacks, and verbal assaults/threats). In selecting the hate crime incidents for inclusion as scenarios, the similarity of the offense involving the two victim groups being used in the present study became an important issue because of concerns related to validity and reliability. For example, when selecting

incidents for personal property damage, it was important that incidents included in the questionnaire be similar in nature (i.e., a black home defaced with racist graffiti/a gay man's garage door is spray-painted with anti-gay graffiti). This was done in an attempt to ensure that participants' focus would be on the victim, not on the details of the circumstances surrounding the hate crime (e.g., location of offense).

Dependent Variables

The dependent variables were the perceptions of hate crime victim categories represented in the scenarios – acts against African-Americans and gay men/lesbians – and were measured using eight vignettes (4 per victim group) presented in a Likert-scale format with a seven-point scale (Strongly Disagree to Strongly Agree). Similar to Miller (2001), each of the questions were categorized by the hate crime victim. Responses to questions were summed to obtain an overall score of agreement/disagreement. Calculated, or combined, scores for each dependent variable (victim group) could range from 4 to 28. Lower scores on the scenarios indicate less agreement (less favorable perceptions) that the scenario represented a hate crime, and higher scores indicate greater agreement (more favorable perceptions) that the scenario represented a hate crime.

When participants agreed with a hate crime scenario, they were stating that in their opinion they believed that scenario represented a hate crime. This approach was similar to that used by Miller (2001). In Miller's study, she used the victim groups (Jewish, women, African-American, and sexual minorities) as dependent variables. By looking at what crimes undergraduate students identified as hate crimes (using a seven point Likert Scale), Miller sought to understand and examine their perceptions of the corresponding victims. Because the present study approached the perceptions of hate

crimes and hate crime victims in a manner that was similar to Miller (2001), it also sought to examine the perceptions of hate crime victims by having participants judge hate crime scenarios.

Independent Variables

The first concept that was considered was that of attitudes toward or about the victim groups represented in the scenarios. It was believed that an individual's prejudice (attitudes) toward minority groups likely to be victimized in a hate crime incident impact perceptions of those victim groups. Therefore, this concept was measured using modified versions of two scales shown to be reliable and valid for such purposes – the Attitudes Toward Lesbian and Gay Men Scale (ATLG) and the Modern Racism Scale (MRS).

Attitudes Toward Lesbian and Gay Men Scale (ATLG)

The Attitudes Toward Lesbians and Gay Men Scale (ATLG) measures the extent to which people object to homosexuality and consider it morally wrong. Herek (1994) noted that in the 1970s, there was not a great deal of research surrounding the issues of homophobia, homosexuality, and attitudes of heterosexuals toward homosexuals. In developing the ATLG, Herek sought to address the shortcomings of previous scales. In particular, he sought to develop a scale “that was short enough to be used easily in a variety of research settings and would assess heterosexuals’ attitudes toward lesbians separately from their attitudes toward gay men” (p. 209). Rayburn et al. (2003) noted, “numerous studies with different populations have demonstrated the validity and reliability of the ATLG scale” (p. 1062).

The ATLG was selected because of its previous use in hate crime research (Rayburn et al., 2003) and because of the involvement of the researcher who developed it

in examining hate crime victimization based on sexual orientation and issues related to attitudes toward homosexuality (Herek, 1990; Herek, 1994; Herek & Berrill, 1992; Herek, Gillis, & Cogan, 1999; Herek, Gillis, Cogan, & Glunt, 1997; Herek & Glunt, 1993). This scale consists of twenty attitude statements concerning lesbians and gay men and participants rate these statements on a Likert scale (e.g., Female homosexuality is a sin) ranging from “strongly disagree” to “strongly agree.” Rayburn et al. (2003) used a 6-point Likert scale when they included the ATLG in their study of perceptions of hate crime victims and perpetrators. For the ATLG scale, lower scores indicate extremely positive attitudes toward lesbians and gay men and higher scores indicate extremely negative attitudes toward lesbians and gay men.

Herek (1994) reported the following levels of internal consistency for the ATLG scale with a college sample: ATLG scale ($\alpha = .90$), Attitudes Toward Gay men (ATG) subscale ($\alpha = .89$), and Attitudes Toward Lesbians (ATL) subscale ($\alpha = .77$). In subsequent reliability and validity measures on multiple college campuses, Herek found alpha levels of .95 for ATLG; .91 for ATG subscale; and, .90 for ATL subscale. He also found that these scores were significantly correlated with such issues as traditional sex role attitudes, having few or no gay or lesbian friend, and negative past experiences with gay men or lesbians (Herek, 1988, as cited in Herek, 1994).

Herek (1994) has suggested that the short form of the ATLG (ATLG-S) be used when time is limited and the population is suitable (e.g., university students). Because Herek found acceptable reliability coefficient levels with the short form (with college and non-college populations), and every attempt was made to make the survey as user-friendly and less cumbersome as possible, a 7-point Likert scale ATLG-S was used in the

present study. The short form of the ATLG scale was created by Herek combining five ATL subscale items and five ATG subscale items that were highly correlated with total ATLG scores. For this study, scores on the 10-item ATLG-S could range from 10 (indicating favorable attitudes toward lesbians and gays) to 70 (indicating unfavorable attitudes toward lesbians and gays).

Modern Racism Scale (MRS)

A version of the seven-item Modern Racism Scale (MRS) was used to measure subtle racism toward Blacks, in part by asking questions about expressed beliefs about equal employment opportunity legislation and whether or not racial discrimination is still a problem in the United States (e.g., Discrimination against Blacks is no longer a problem in the United States). Similar to the ATLG Scale, the Modern Racism Scale was selected because of its previous use in victim studies and research involving hate crimes (George & Martinez, 2002; Gerstenfeld, 2003; Rayburn et al., 2003).

The MRS was developed from an original set of items used in the mid-to-late 1960s. These original items, or Old Fashioned Racism Scale, asked participants about issues that are now regulated by laws or were likely to elicit socially desirable responses. For example, items on the Old Fashioned Racism Scale asked participants to rate their level of agreement with statements regarding full integration, choosing to rent or sell property based on the race of the applicant(s), fair housing laws, the intelligence of blacks compared to whites, and whether or not it was a bad idea for blacks and whites to marry (McConahay, 1986). New items had to be developed due to the changing concerns regarding racial attitudes from the 1960s to the 1970s. Issues involving racial attitudes

after the Civil Rights fight were no longer concerned with discrimination, but now were focused on more modern issues such as equality (McConahay, 1986).

The MRS is a 5-point Likert scale (Strongly Disagree to Strongly Agree) with a higher score indicating higher levels of racism. Rayburn et al. (2003), using a modified 8-item version of the MRS, reported the reliability coefficient for this scale as .84 ($\alpha = .84$), while Chang (2002) reported a coefficient of .81 for a modified 8-item MRS. The 7-item MRS used by Devine (1989) in her study of stereotypes and prejudice yielded an alpha of .83. George and Martinez (2002) reported an alpha of .82 using a 6-item version. Similar to George and Martinez, the present study employed a 6-item modified version of the MRS using a 7-point Likert scale (Strongly Disagree to Strongly Agree). One question (Blacks have more influence upon school desegregation plans than they ought to have) was eliminated because this issue is no longer as relevant as when the MRS was first developed, and because of its lack of relevance for the population being used in the present study.

Other Independent Variables

Previous research demonstrated that characteristics of the individual participant, such as political orientation (Marcus-Newhall et al., 2002), undergraduate major (Miller, 1999), and personal knowledge of a victim (Craig & Waldo, 1996) all can influence or impact an individual's perception of hate crime and the hate crime victim. It also is possible for a person's own hate crime victimization to impact how they perceive these crimes and victims.

Perceptions also can be influenced by a student's participation in graduate education, the career goal of the law student, the nature of interpersonal contact with

members of victim groups represented in scenarios (Herek, 1994), participation in clinics, hate crime information provided in law school courses, and completion of criminal law/procedure course(s). The law school itself may have an impact on the perceptions of its students regarding hate crime and hate crime victims, and the demographic characteristics of the students may influence their perceptions. Survey items were included in this study to measure each of these characteristics.

Political Affiliation

Students were asked to identify their political orientation using a 6-point Likert scale ranging from “Very Conservative” to “Very Liberal.” A neutral response was not included, and the responses were then recoded/re-categorized into the dichotomous categories of conservative and liberal. The recoding was done for purposes of analysis, particularly in the multivariate portion of the study. Marcus-Newhall et al. (2002) noted that researchers have found that political orientation can impact attitudes and perceptions of a variety of social issues.

Undergraduate Major

For this variable, students were asked to provide their undergraduate major. In order to determine the effect of the variable, a method of categorization needed to be employed. It was decided to use the categories of undergraduate programs as used by the Pennsylvania State System of Higher Education (PASSHE) for the majors reported by participating students. The undergraduate degree programs are organized into different disciplines (e.g., Humanities, Social Sciences, Business) and these disciplines are organized into two broad categories – Liberal Arts and Sciences and Professional Studies.

These categories were then dummy coded, with Professional Studies coded as 0 and Liberal Arts and Sciences coded as 1.

Hate Crime Victimization/Knowledge of Victimization

Similar to Craig and Waldo (1996), an item was included in the survey asking students if they had any personal knowledge of a person who had been the victim of a hate crime. For purposes of analysis, the responses of students who did not know a person who had been a victim of a hate crime were coded 1. Those students who had personal knowledge of a hate crime victim had their responses coded as 2. Another question was included in the survey that asked whether or not the participants themselves had ever been a hate crime victim. For students with no prior hate crime victimization, their responses were coded 1 and those with prior experience as a hate crime victim had their responses coded as 2. In addition, participants were asked to provide descriptive information regarding this victimization (e.g., location, number of persons involved, any injuries suffered, involvement of the criminal justice system).

Other Degree

Because these are professional school students, it is possible they participated in some other type of graduate education before entering law school. This graduate education could influence perceptions in a manner similar to that of undergraduate major. Graduate education may have provided the opportunity for students to be exposed to different types of students and information in the classroom, therefore impacting their perceptions of these victims and these crimes. For example, Cannon (2005) noted research has found persons with more education hold more positive attitudes toward gays

and lesbians. Students were asked a yes (coded as 2)/no (coded as 1) question with respect to earning an additional degree apart from their undergraduate degree.

Career Goal

Similar to the idea that the type of undergraduate major can impact perceptions of hate crimes and hate crime victims is the belief that a law student's career goal might predict these perceptions. Just as there are undergraduate majors thought to focus more on social issues, there too may be types of law thought to focus more on social issues. Therefore, students were asked about their career goals upon graduation. Students were provided with a list of possible career goals and asked to select only one. An additional space was provided for students to answer the question if they did not see their chosen field of law in the pre-established categories.

For the career variable, categories (types of law associated with social issues and types of law not associated with social issues) were developed in a similar fashion to those for undergraduate major, with some exception. The career choices of Health Law and Labor and Employment Law were considered among those that would involve social issues. Health Law was considered among those careers likely to involve social issues because it is possible for a person who has selected this type of law to be involved with issues dealing with AIDS patients and any discrimination that may be the result of that diagnosis. In addition, persons specializing in this type of law may be involved with persons/cases involving mental illness, the elderly, and health care law and policy. Labor and Employment Law was considered among those career choices that may involve social issues because students selecting this option may be involved with cases of employment discrimination based on sex, sexual orientation, or race.

The career variable did require some special attention. Some students answered this question by selecting one of the pre-established categories and then also filled in a career goal in the “other” space. It is believed these students interpreted this question as asking them to identify an additional career choice to the one they had previously selected. The “other” option actually was designed for those students who had selected a career goal, but did not see that particular goal/choice represented among the pre-established choices. In the case where two career choices were provided, the decision was made to consider the first answer (one of the pre-established categories) rather than to use the response from the “other” category. This decision was made because it is believed the first answer was the students’ first career choice. It also should be noted that a category for “undecided” was not included as an option for the students by mere oversight on the part of the researcher; however, some students did enter undecided/unknown in the space marked “other” and this was recorded in the data.

Interpersonal Contact

Research on the impact of the school environment, or the school experience, has focused primarily on the undergraduate population. Astin (1993) stated that one limitation of that research has been that “the four-year limit precludes systematic study of other interesting and important phenomena, such as...professional education...” (p. 29). The research on professional schools has focused on socialization, but has neglected the impact these environments can have on an individual’s attitudes and perceptions.

Research using undergraduate populations has shown that interpersonal contact has the ability to change attitudes and opinions on a number of issues – one of those being about minority groups and their members. The impact of this interpersonal contact

has been measured by asking students about their acquaintances and the nature of their interactions with different types of students. The present study used a modified 6-item version of the 10-item Student Acquaintances Scale (part of the larger College Student Experience Questionnaire) to measure student contact. This scale was selected because of its use in previous literature (Chang, 2002; Whitt et al., 2001) and because the nature of the questions directly relate to aspects of student contact. This scale asks how often students have interacted with students different from them on a 4-point scale (never to very often), with higher scores indicating more contact (Indiana University Bloomington, 2003). The internal consistency level of this scale has been reported to be .90 (Whitt et al., 2001).

Clinics

Earlier in this chapter the impact of field experience on the perceptions of law students was discussed (Hubka, 1976). It is possible that such field experience, as part of the law school experience, could impact the student's perceptions on a variety of issues – one of them being hate crimes and hate crime victims. This particular variable was measured by asking students about their past and current participation in any of the clinics, internships, or externships offered by their schools. In addition, students were asked to identify the type of clinic, internship, or externship in which they participated.

In determining which clinics, internships, or externships would be categorized as containing social issues (consistent with the hypothesis), it was necessary to consult the law schools' Web sites for further information. Because this variable was to be treated as a dichotomous variable for the purposes of analysis, it was important that these clinics be categorized into two groups (those involving social issues/those not involving social

issues). Some of the clinics were easily categorized into the social category (e.g., Environmental, Family, Health, and Civil Rights) and non-social category (e.g., Tax, Bankruptcy, and Low-Income Tax). Other clinics needed further investigation and research to determine its content and into which category it would best fit.

In order for a clinic to be considered in the social category, the clinic had to involve an issue of public or social interest. For example, the clinic on Civil and Family Justice involves/represents needy individuals or organizations, with an emphasis on attempts to stabilize the family and assist indigent clients in family court. Because this particular clinic focuses on the family, it was categorized as a social clinic. Additionally, the Health clinic focused, in part, on issues related to the medical needs of people with mental retardation, AIDS, and depression. Because of this focus, Health was categorized as a social clinic.

Clinics, internships, and externships are structured to permit students the opportunity to participate in more than one throughout their law school tenure. Due to this, there were several students who reported participating in more than one clinic, internship, and/or externship. It was then possible for a student to report participating in clinics categorized as social and clinics categorized as non-social. For the students who reported participating in both social and non-social clinics, the variable for that case was coded as a social clinic. The decision to approach the variable this way was made because of the interest in those students who reported participating in a clinic that involved social issues.

Course and Hate Crime Information

The information provided to students regarding hate crimes during their coursework might impact how they perceive hate crimes and hate crime victims. Students may miss out on the important connections between criminal law and victim status, and this could impact how hate crime victims are viewed when such connections are not provided to them in their coursework, similar to what Balos (2001) found with respect to prostitution. This was included in the survey by asking students to report if any hate crime information has been provided to them in their law school courses. In addition, students were asked to provide the name of the specific course or courses in which this information was provided.

Criminal Law/Criminal Procedure Course(s)

Students also were asked if they have completed their school's course on Criminal Law and/or Procedure. In addition, students were asked to provide their opinion regarding whether or not their law school should provide a specific course related to hate crimes, and any relevant legal issues surrounding hate crimes, using a 7-point Likert scale (strongly disagree to strongly agree). Finally, students were asked to respond to an open-ended question regarding their overall views, feelings, and opinions regarding hate crime laws.

Law School

Literature on the law school environment is consistent in its findings that students are impacted by the socialization of that environment. Granfield (1986) and Erlanger and Klegon (1978) found that oftentimes this socialization did not involve the social issues, concerns, and interests the students had first entering law school, but were more toward

the business and corporate dominant concentration of the school and faculty. In addition, the two law schools participating in the present study differ on what is believed to be important characteristics (e.g., public versus private, total enrollment, number of minority students). The school-specific password the student used to gain access to the survey was used to determine the law school.

Demographic Characteristics

The final set of independent variables involves the demographic characteristics of the participants. The literature has shown that men and women view hate crime, and the group members most likely to be impacted differently (Craig & Waldo, 1996; Herek, 1988; Miller, 2001). Craig and Waldo (1996) also found that persons of color and white students perceived aspects of hate crimes differently. Therefore, the present study included questions asking students to identify their sex and race/ethnicity.

Control Variables

These variables are believed to have an impact on the dependent variable, but are not the main focus of the study. Control variables for the present study included two demographic variables as well as the school-related variable, year in school. Age and social class were selected because they were believed to have influence on the relationship between independent variables and the dependent variables, and therefore needed to be held constant. Experiences and growth that occur as an individual matures can influence and shape perceptions. In addition, the social class of individuals may orient and influence/impact their perceptions on certain social issues. Age is also likely to be related to the courses taken at the law school or courses eligible to be taken at law school (upper division courses usually offered to 2nd or 3rd year students); Socio-

Economic Status could be related to choice in law school (private versus public) and therefore related to the types of courses/curricula. Similarly, the school-related variable, year in school, was selected as a control variable because the year in school is likely to be related to the types of courses students are eligible to take, and the focus of the impact of school factors does not include this particular aspect of the environment.

Pre-testing the Questionnaire

Because the current research used a Web-based survey to collect data, it was necessary to pre-test the questionnaire in an attempt to locate and address any technical problems that may prohibit access or negatively impact the experience of completing the questionnaire for members of the target population. In pre-testing the questionnaire, a purposive sample was used. Hagan (2003) advises “prior to using the questionnaire with target respondents, a pretest of the instrument is a must” (p. 151). This pretest permitted an exploratory testing “of the instrument using subjects who are similar to the group to be studied” (Hagan, 2003, p. 151). Because there was limited access to law students, samples of graduate (masters and doctoral) criminology students were used. These graduate students reviewed the instrument and completed the questionnaire in order to ensure it was working properly and to determine if there were any technical, semantic, or cosmetic changes that could be made that would improve the questionnaire overall.

An announcement of the pretest was sent via e-mail to all active Criminology master and doctoral students who were a part of the main campus of Indiana University of Pennsylvania (total of 98 students) and to those criminology master’s students who were part of a satellite campus (total of 22 students). Of those students, 29 accessed and completed the survey. These students suggested some changes to the wording of

questions and some changes to the appearance of the survey, to improve its clarity. Also, students noted an issue with the last page of the survey with respect to its instruction and operation, and they expressed some confusion as to whether or not the survey had been delivered successfully. Each of these issues was corrected prior to the survey being available to eligible law students.

Procedures

Once the changes suggested from the pre-test were made to the survey, the administrators of two law schools located in western Pennsylvania were contacted regarding the use of their student body as part of this research process. During this contact, the administrators agreed to allow their students to participate; however, they were not permitted to provide any personal/contact information for their students.

Administrators did agree to disseminate information about the survey to their students electronically. Once the pretest was completed, the necessary changes were made to the questionnaire, and IRB approval was granted, the Web site was made available to the students at the participating law schools.

Administrators were forwarded a series of e-mails that were to be sent to those students who were eligible to participate. These e-mails were sent to the students' university accounts. The first e-mail included an explanation of the purpose of the Web survey, topic of the research, statement regarding the university's knowledge of the research, what participation would require, Web site address, instructions on how to enter the password, instructions for the consent page, time required for completion, timeline, and contact information for the project director and project advisor (see Appendix D for invitation e-mail).

To access the Web site, students could type the address in the address bar, or they could simply click on the Web address included in the e-mail and be taken directly to the survey. An initial invitation e-mail was sent to both administrators on the same date; however, the administrator from the public law school neglected to forward the e-mail to eligible students due to a miscommunication with the researcher. This information was not known until the first weeks' responses were received, and at that point the misunderstanding was cleared with the administrator and the invitation e-mail sent.

In addition to this initial e-mail invitation, eligible law students also were sent a series of follow-up e-mails designed to increase the response rate. These follow-up e-mails contained the same information as the initial e-mail, however, this information was provided in an abbreviated form (see Appendix E for the follow-up e-mail). One issue with using multiple waves of contact is deciding when it will be viewed by participants as annoying and negatively impact the response rates. While using the administrators to distribute the information on the survey was believed to reduce the likelihood it would be mistaken for spam (unsolicited or irrelevant e-mail), it was discovered that some students deleted the e-mail regarding the survey. The students may have simply recognized the address of the administrator and believed it to be of no importance or significance to them and simply deleted, and/or the subject line of the e-mail was not attractive or catchy enough to garner the e-mail being opened and read.

To address the above issues, additional methods of advertising became necessary to increase the awareness of the survey among the law students and to increase the response rate. These additional methods of advertising included an announcement in an online newsletter for students at the public school, flyers sent to presidents of different

student organizations at both law schools, and flyers sent to instructors at the public law school. The announcement in the newsletter provided students with a description of the survey and the Web site address. This announcement also directed students to check their campus e-mail accounts for the password. Similarly, the flyers contained descriptive information for the survey (purpose, web site address, time needed to complete, and anonymity of responses), but students again were advised to visit their campus e-mail account or contact the researcher for information regarding the password.

Attempts were made to gain the cooperation of instructors at the private law school through contacting the administrator at the school, but these attempts were unsuccessful. The administrator at the private school was asked if it would be possible to gain the assistance of instructors, but a reply to that request was never received. There was some success in gaining the cooperation from student organization leaders. A request was made to the administrator at the private law school and contact information was passed to the students. The students then contacted the researcher and agreed to offer assistance by way of announcing it to members of their organizations.

The public law school was more cooperative and willing to participate in making students aware of the survey. During Week 5 the Web site and survey were active, contact was made with several instructors at this school, and the survey was announced in their classes. Also, one instructor sent an e-mail to students providing information about the survey (this was the same information provided to the students in the e-mail sent from the administrator). This cooperation had a noticeable impact on the response for the survey (see Table 2 for response rates of the survey).

Table 2

Number of Respondents by Week and School

Week	Private Law School	Public Law School
1 (Feb. 9 – 17)	43	0
2 (Feb. 18 – 25)	0	59
3 (Feb. 26 – Mar. 5)	0	6
4 (Mar. 6 – 11)	1	44
5 (Mar. 12 – 18)	28	93
6 (Mar. 19 – 26)	2	7
7 (Mar. 27 – Apr. 4)	0	25
TOTAL	74	234

Once students accessed the Web site and entered the password, they were presented with the Informed Consent page. It was required that students read this page and answer ‘yes’ to two questions (“Do you agree to participate in this study?” and “Are you aware that you can withdraw at any time?”) and click the “I Consent” button before they were permitted to view and complete the survey. This page informed students their participation was voluntary, all information would remain confidential, they were free to withdraw at any time, and their ability to contact the project director if they had any questions.

Completed surveys were housed on an independent server, and only those persons contracted at the Software Development Center (SDC) had access to the responses. At the conclusion of every week the Web site was active, the contact person from the SDC would send all the responses received to the researcher via an e-mail attachment in the form of an Excel or Access spreadsheet. The responses were sent weekly so the researcher was kept informed and could better determine when it would be appropriate to close the Web site and end data collection. At the conclusion of data collection, the contact person at the SDC removed all foreign characters from the data (e.g., those characters that appeared in the open-ended questions but were not part of the participant’s

answer) and sent the final data set to the researcher via e-mail attachment (in an Access spreadsheet). From there, the responses were put into SPSS for analysis.

An additional concern involved the approach to surveys containing missing data. For the present study, there were a number of cases where the participant completed the entire questionnaire, but neglected to answer one question that was part of a scale. In these cases, the mean score of the missing item was used for analysis. In addition, there were cases where the participant neglected to answer significant portions of one scale but answered the remaining portion of the questionnaire. Similar to those cases missing just one item from a scale, the mean score for the individual items of the scale was used for analysis. While the limitations to using the mean score were known, it was decided that since the largest portion of the survey had been answered, using the mean scores of the individual items would be acceptable.

Human Subject Issues

When conducting research using human subjects, it is important these participants be fully aware of the nature of the research and what their role will be in that process (Neuman & Wiegand, 2000). This requirement often involves such issues as informed consent, deception, privacy, anonymity, and confidentiality (Frankfort-Nachmias & Nachmias, 1996). The primary human subject issues of the present study involved informed consent, anonymity, and confidentiality.

When considering informed consent, it is important to provide all relevant information about the study so that participants can make an informed decision regarding participation. To do this, participants must understand their involvement is voluntary and that it is possible to withdraw from participation at any point with no negative

consequences. Although this study posed no threat of physical harm, there was the possibility that a participant may have suffered from some form of hate crime victimization. To account for any negative experiences this research may have raised for the participants, the informed consent form (provided after participants entered an approved password) provided participants with a description of the survey subject matter. In addition, this page informed participants why they were selected, the information gathered in the survey would remain confidential, and required them to answer two questions related to consent before they were permitted access to the survey. The design of the study (the ability to provide students with passwords and the ability for participants to complete the survey from any computer with Internet access) allowed for anonymity and confidentiality to be provided.

The Web-based format of this questionnaire may have caused some participants to question the ability of their responses to remain confidential. In other words, participants may have been concerned about the level of privacy afforded them by using the Internet to complete the questionnaire. To address this, participants were informed in notices regarding the survey that all responses were anonymous. The only information respondents were asked to supply that could be considered identifying was the password provided to them via e-mail contacts. However, only two different passwords were used – one for each law school. Although this could be considered some form of identification, all that was discernable was that it was an acceptable password and a law student from one of the participating law schools supplied that password.

Furthermore, privacy measures were incorporated in the survey to guarantee that a respondent's answers to the questions remain confidential. Any and all information that

was provided cannot be linked to any respondents. While there is some possibility that the computer that was used to answer these questions could be identified through tracing the Internet Protocol addresses (a computer's unique identification), it was beyond the technological capabilities of the researcher to perform such tasks. Also, because this was an Internet survey and not an e-mail survey, responses did not include any identifying information. A Web-based survey, such as the one being used in the present survey, was housed on a unique, separate Internet site. Responses were returned anonymously, unaccompanied by any identifiable participant information.

Because of issues of anonymity and confidentiality (and because the schools did not allow access to any student information), the passwords were constructed to allow the researcher to know where the student attended school. For example, the password for the students at the private school was 'private' and the password for the students at the public law school was 'public.' This ensured that the only identifying information obtained in this research was the name of the institution and this was done strictly for analytical purposes.

Analysis Plan

Phase I

This phase of the analysis involved the discussion of descriptive statistics. This information provided insight into descriptive characteristics of the sample, the dependent variables, and the independent variables. In addition, correlations between independent variables and dependent variables were analyzed. This also allowed for the relationship between independent variables to be analyzed, to determine if multicollinearity was an issue. The absence of multicollinearity is a multivariate regression assumption that must

be met (Lewis-Beck, 1980). While a correlation matrix does allow the researcher to determine if different variables are related to one another, it provides no information regarding a possible causal relationship between the variables.

Phase II

The next phase of the analysis involved the reliability and validity of the scales (ATLG, MRS, SAS, Scenarios) and was accomplished in part by the use of the pre-test. Students participating in the pre-test were asked to review the survey, complete it, and offer comments about its format. Reliability was measured by computing Cronbach's alpha (α), which is a measure of the internal consistency of the items in the scales. Alpha is defined as "the proportion of a scale's total variance that is attributable to a common source, presumably the true score of the latent variable underlying the items" (DeVellis, 2003, p.31). A scale is internally consistent to the extent its items are highly inter-correlated. High inter-item correlations suggest that the items are all measuring the same construct.

Validity refers to the "extent to which an empirical measure adequately reflects the real meaning of the concept being considered" (Babbie, 1990, p. 133). Validity is inferred from the manner in which a scale was constructed, its ability to predict specific events, or its relationship to other measures of other constructs (DeVellis, 1991). Face validity involves whether or not measures appear to be tapping a particular concept. For the present study, face validity is assessed and satisfied by the fact these scales have been used in previous studies to examine similar topics, in addition to using the pre-tests.

Content validity determines if the survey items are representative of the topic being measured (e.g., the domain). It is easiest to evaluate when the domain is well

defined, and is more difficult when measuring beliefs or attitudes. This is due to the difficulty of determining exactly the range of potential items (e.g., all beliefs or attitudes) and the difficulty of determining when a sample of those items is representative (DeVellis, 2003). Content validity can be assessed by using alpha, but is sometimes a judgment made by the researcher (with the assistance of previous literature in the area) and is non-empirical in nature.

Phase III

This phase involved the examination of the relationship between the individual and school variables and perceptions of hate crime victims. In addition, because there is more than one independent variable and the dependent variables were measured as continuous variables, multivariate regression was used. Interaction effects were explored in an effort to determine the combined effects of independent variables on the dependent variables.

Quantitative Analysis

To analyze the quantitative portion of the questionnaire, multivariate analysis was employed. Multivariate regression is used when more than one independent variable is used as part of the linear equation. Including more than one independent variable allows for a fuller explanation of the dependent variable, and it allows for the impact of each of those independent variables to be understood while controlling for the other independent variables (Lewis-Beck, 1980). The general equation for multivariate regression is as follows:

$$Y = a_0 + b_1X_1 + b_2X_2 + b_3X_3 + \dots + b_kX_k + e, \text{ where:}$$

Figure 2: Multiple Regression Model

Y = the dependent variable

a = the intercept or constant (the point where the regression line crosses the y-axis/value of Y when X=0)

b = the slope (the average change in y associated with a unit change in x)

X = independent variables

e = error term

(Lewis-Beck, 1980)

For this study, six regression models were analyzed. The first model estimated the effects of individual and school factors on the perceptions of African-American hate crime scenarios. For this model, using the above multivariate equation:

Y = scores on African-American hate crime scenarios

X₁ = attitudes toward gay men/lesbians

X₂ = attitudes toward blacks

X₃ = political orientation

X₄ = undergraduate major

X₅ = other degrees

X₆ = knowing a hate crime victim

X₇ = being a hate crime victim

X₈ = sex

X₉ = race/ethnicity

X₁₀ = age

X₁₁ = SES

X₁₂ = interpersonal contact

X₁₃ = type/participation in clinics/externships/internships

X₁₄ = career goal

X₁₅ = information provided during their coursework regarding hate crimes

X₁₆ = completing criminal law/criminal procedure course(s)

X₁₇ = year in School

X₁₈ = law school

The next model estimated the effects of the individual and school factors on the perceptions of gay and lesbian hate crime scenarios. To do this using the above multivariate equation:

Y = scores on gay and lesbian hate crime scenarios

X₁ = attitudes toward gay men/lesbians

X₂ = attitudes toward blacks

X₃ = political orientation

X₄ = undergraduate major

X₅ = other degrees

X₆ = knowing a hate crime victim

X₇ = being a hate crime victim

X₈ = sex

X₉ = race/ethnicity

X₁₀ = age

X₁₁ = SES

X₁₂ = contact with members of groups represented in scenarios

X₁₃ = type/participation in clinics/externships/internships

X₁₄ = career goal

X₁₅ = information provided during their coursework regarding hate crimes

X₁₆ = completing criminal law/criminal procedure course(s)

X₁₇ = year in School

X₁₈ = law school

The third model will estimate the effects of individual factors on the perceptions of African-American hate crime scenarios, while using the multivariate regression equation above:

Y = scores on African-American hate crime scenarios

X₁ = attitudes toward gay men/lesbians

X₂ = attitudes toward blacks

X₃ = political orientation

X₄ = undergraduate major

X₅ = other degrees

X₆ = knowing a hate crime victim

X₇ = being a hate crime victim

X₈ = sex

X₉ = race/ethnicity

X₁₀ = age

X₁₁ = SES

The fourth model will estimate the effects of individual factors on the perceptions of gay and lesbian hate crime scenarios, while using the multivariate regression equation above:

Y = scores on gay and lesbian hate crime scenarios

X₁ = attitudes toward gay men/lesbians

X₂ = attitudes toward blacks

X₃ = political orientation

X₄ = undergraduate major

X₅ = other degrees

X₆ = knowing a hate crime victim

X₇ = being a hate crime victim

X₈ = sex

X₉ = race/ethnicity

X₁₀ = age

X₁₁ = SES

The fifth model estimated the effects of school/school experience factors on the perceptions of African-American hate crime scenarios, while using the multivariate regression equation above:

Y = scores on African-American hate crime scenarios

X₁ = interpersonal contact

X₂ = type/participation in clinics/externships/internships

X₃ = career goal

X₄ = information provided during their coursework regarding hate crimes

X₅ = completing criminal law/criminal procedure course(s)

X₆ = year in School

X₇ = law school

The sixth model estimated the effects of school/school experience factors on the perceptions of gay and lesbian hate crime scenarios, while using the multivariate regression equation above:

Y = scores on gay and lesbian hate crime scenarios

X₁ = interpersonal contact

X₂ = participation in clinics/externships/internships

X₃ = career goal

X₄ = information provided during their coursework regarding hate crimes

X₅ = completing criminal law/criminal procedure course(s)

X₆ = year in School

X₇ = law school

Finally, interaction effects of individual and school factors on the perceptions of African-American and gay/lesbian hate crime victims were analyzed. This was done because it was believed that in some instances, the interaction between two variables will lead to a better understanding of the effects of these independent variables on the dependent variables. Previous research on the perceptions of hate crimes and hate crime victims using undergraduates has neglected the consideration of the effect of the school environment; this previous research has neglected to consider these variables for a possible direct effect or in combination with other variables for an interaction effect.

Interaction effects are used to examine the effects of two variables being considered together on the dependent variable(s), rather than only examining their independent/direct effect on the dependent variable(s). This is done when the researcher wants to examine whether the slopes of any of the independent variables are significantly different depending on the category of the variable of interest (e.g., women and men).

For the present study, several variables were split in order to run comparison models to determine any interaction effects. The variable sex was split into separate models (male and female) to consider the interaction effects of sex and other variables on the perceptions of African-American and Gay/Lesbian hate crime scenarios. Also, the variable political affiliation was used in comparison models to determine any interaction effects with other variables. Comparison models also were conducted using the variable course and hate crime information. This variable dealt with whether or not the law student reported participating in a law school course where any information on hate crimes had been provided.

To determine if there was a significant difference in slopes when using these comparison models, the following equation was used:

$$z = \frac{b_1 - b_2}{\sqrt{(se_1)^2 + (se_2)^2}}$$

where b_1 is the slope coefficient of group 1, b_2 is the slope coefficient of group 2, se_1 is the standard error of b_1 , and se_2 is the standard error of b_2 . This process also is beneficial when a variable demonstrates no direct effect; this may be an indication that instead it is interacting with another variable.

Phase IV

Qualitative Analysis

The last phase of analysis involved the analysis of all of the qualitative data that were collected. It should be noted that analysis was impacted by a technical issue that was discovered only after the survey was closed. While formatting the survey for electronic use, the SDC only permitted 255 characters to be accepted for the response to questions on victimization and opinions on hate crime laws. In addition, students were not made aware they had limited space in which to provide their response. In several cases, incomplete answers were received and used for analysis. Although this is a disadvantage for analysis, it does not mean that partially complete answers were of no use for this study. It does mean that some caution should be taken when attempting to draw conclusions about these students' experiences with victimization and overall feelings and opinions about hate crime laws.

Participants were asked about their personal knowledge of a hate crime victim and whether or not they have personally experienced hate crime victimization. In addition, participants were asked to describe different aspects of the incident and the persons involved. The final open-ended question asked the law students about their overall views, feeling, and opinions of hate crime laws.

When analyzing the information gathered from the open-ended questions, it was beneficial to begin the process with a general idea of what type of information to expect from participants. The questions asking for a description of the victimization asked for the following information:

Please provide a description of the incident (e.g., location, time of year, time of day, injuries suffered, violent/non-violent), the people involved (e.g., number, age, sex, race), and any involvement of the criminal justice system (e.g., police, courts).

Because of the structure of the question and the type of information for the response, it was believed that students would include that specific information regarding the incident. Because the structure and design of this question provided students with a guideline of what type of information to include, it was believed that student would provide all information requested. Students were likely to follow the suggestion of the question and provide a description of the incident, the people involved, and any involvement of the criminal justice system. This allowed preliminary lists of categories to be created prior to analysis. Miles and Huberman (1984) stated that such a list comes from “the conceptual framework, list of research questions, hypotheses, problem areas, and key variables that the researcher brings into the study” (p. 57). In addition, based on a review of the literature regarding support and opposition of hate crime laws, a preliminary list of possible categories was developed involving hate crime laws. This

open-ended question regarding overall views, feelings, and opinions of hate crime laws was likely to generate responses that included some mention of the need or lack of need for special protection for potential victims, how the actions addressed in hate crime laws was already covered in existing criminal law, and how these laws may discriminate against those who are not a member of a protected class.

In addition, Maxwell (1996) suggested that when beginning to read what is to be analyzed, the researcher should write notes and memos to develop tentative ideas about categories and relationships. This is important because it allows for similar or related responses to be grouped and analyzed together. In addition, Maxwell stated that analysis of qualitative data may be done in several different ways. One of these includes categorizing strategies such as coding and thematic analysis. Many times these ideas/categories are generated or taken directly from a review of the literature; however, some coding categories “are developed inductively by the researcher during analysis...”(Maxwell, 1996, p. 79). Because of the limited research in the area of hate crime perceptions, it was difficult to develop an exhaustive or extensive list of the possible themes that may emerge from the answers to the qualitative questions. Therefore, coding categories began using previous literature, but as responses were read, these categories/themes had to be modified to include the full range of responses that were provided to the question.

Furthermore, the large number of participants dictated that an additional step be taken in the analysis of these questions. Participant responses to the questions involving victimization and views on hate crime laws were grouped by question and the identification number was kept connected to the response. This identification number was

simply the number automatically generated by the computer when the student accessed the survey. It tells nothing about the person responding, other than the order in which the response was received. For example, all of the responses to the question asking students to describe their own hate crime victimization were grouped together, separated by identification numbers.

An additional open-ended question dealt with the courses students reported as providing any information on hate crimes (e.g., victims, victimization, criminal law, offenders). In order to determine the course and the total number of times students reported it as providing information on hate crimes, each response to the question was read and a note made of the course or courses reported by that student. After this was completed, a list was compiled of all the courses reported. Additionally, the number of times students reported a course was recorded in order to determine which courses were reported most often as providing any information on hate crimes. This process was done separately for each school in order to view any differences between them with respect to the type of courses reported and the number of times that course was reported. Once this process was complete, Web sites for the law school were accessed and their curricula reviewed to determine if the courses reported were required or electives.

CHAPTER IV

ANALYSIS AND FINDINGS

This chapter includes the statistical analysis and results regarding law school students' perceptions of hate crime victims and the impact of individual and law school factors on those perceptions. First, descriptive sample data will be presented and discussed. Because the sampling methodology used involved a convenience sampling, the findings presented may not extend beyond this particular group of law students. Next, the results of the reliability of the scales used in the research (ATL-S, ATG-S, ATLG, MRS, SAS, Scenarios) will be presented. This chapter also will include a presentation of bivariate correlations, the results from multivariate regression, and results of the qualitative portion of this research project.

As previously stated, this research used a convenience sample of two law schools located in western Pennsylvania (one private and Catholic, the other public). For this study, there were approximately 1,108 students eligible to participate. This number was based on those students in both law schools who were enrolled full-time during day classes. Each law school had some form of a part-time or evening program, but these students were excluded because the programs were too dissimilar. Of the 1,108 eligible students, 308 people logged into the survey. From the 308 students, seven were excluded because participants did not complete any portion of the survey and 18 surveys were excluded due to missing data. Therefore, the final sample size of the study was 283.

Frequencies and Descriptive Statistics

The present study included six demographic items asking about the participants' sex, race/ethnicity, sexual identity/orientation, political affiliation, current household income, and age. Table 3 presents a summary of that information.

Table 3

Frequencies and Percentages for Demographic Characteristics (N = 283)

Variable	Valid n	Valid %
Sex		
Male	132	47.8
Female	144	52.2
Race		
Asian	8	2.9
Black, African-American	13	4.7
Hispanic	2	.7
Middle Eastern	1	.4
Other	9	3.2
White	245	88.1
Sexual Orientation		
Other	2	.7
Homosexual	5	1.8
Heterosexual	269	97.5
Political Affiliation		
Very Conservative	9	3.2
Conservative	35	12.7
Somewhat Conservative	57	20.6
Somewhat Liberal	52	18.8
Liberal	86	31.0
Very Liberal	38	13.7
Socioeconomic Status		
\$0 - \$9,999	139	50.2
\$10,000 - \$19,999	22	7.9
\$20,000 - \$29,999	20	7.2
\$30,000 - \$39,999	16	5.8
\$40,000 - \$49,999	15	5.4
\$50,000 - \$59,999	19	6.9
\$60,000 - \$69,999	7	2.5
More than \$70,000	39	14.1

Age		
20-25	151	55.7
26-30	94	34.7
31-35	18	6.6
36-40	5	1.9
> 40	3	1.1

Of those students who completed the survey, 144 (52.2%) were female and 132 (47.8%) were male. The vast majority of the students who participated were White (88.1%) with students who identified as non-White (Asian, African-American, Hispanic, Middle Eastern, or Other) comprising 11.9%. In addition to the sample being overwhelming White, 269 stated they were Heterosexual (97.5%). Seven students (2.5%) answered they were Homosexual or Other. Students were asked to identify their political affiliation on a 6-point Likert scale ranging from Very Conservative to Very Liberal. For this sample, 176 (63.5%) identified as Liberal (including the categories Somewhat Liberal, Liberal, and Very Liberal) and 101 (36.5%) identified as Conservative (including the categories Somewhat Conservative, Conservative, and Very Conservative).

Students also were asked to provide information on their current household income. Over half (50.2%) reported their current household income as less than \$10,000, and this also was the median category. Thirty-nine students (14.1%) reported their current household income as more than \$70,000. The mean age for the sample was 26.1 years old. The youngest age reported by those completing the survey was 22. Over half of the sample was between the ages of 22-25 (55.7%). Ninety-four students (33.2%) were between the ages of 26-30. Twenty-three students (8.2%) reported their age as between 31-40. Just over one percent (1.1%) of the sample reported being older than 40.

Table 4 presents information on those variables related to the student's participation in higher education. The survey asked several questions about school

characteristics including their year in law school, clinic participation, career goal, undergraduate major, and whether they had earned any other degrees in addition to their undergraduate degree. Information on which law school they were currently attending was collected from the password used to access the survey.

Table 4

Frequencies and Percentages for School-Related Variables

Variable	Valid n	Valid %
School		
Private	65	23.0
Public	218	77.0
Year In School		
1 st Year Student	92	32.5
2 nd Year Student	105	37.1
3 rd Year Student	86	30.4
Undergraduate Major		
Professional Studies	47	17.2
Liberal Arts & Sciences	226	82.8
Additional Degree		
Yes	29	10.5
No	247	89.5
Career Goal		
Non-legal/Undecided	7	2.5
Non-Social	104	37.0
Social	170	60.5
Clinics		
Non-Social	11	3.9
Social	104	36.7
No Participation	168	59.4

Sixty-five students who participated in the survey were from the Private Law School. The remaining 77% were students of the Public Law School. In addition, 32.5% of the students were first-year students. Second-year students comprised 37.1% of the sample and 30.4% were students in their third year of law school.

Because these are professional school students, it is possible for them to have earned additional undergraduate and/or graduate degrees prior to entering law school. Only 29 students (10.2%) reported they had earned a degree higher than their undergraduate degree. When asked about their career goal (i.e., what type of law they would like to practice upon graduation), 60.5% reported they would like a career in law that would involve social issues. Thirty-seven percent of the students reported they would like to work in a type of law that would not involve social issues such as Health Law or Family Law. Seven students (2.5%) stated they were undecided on what type of law they would like to practice after graduation, or they were pursuing a non-legal career.

At the point the survey was conducted, 168 students (59.4%) reported they had not participated in any type of clinic. Of the remaining 175 students, 104 (36.7%) reported participating in a clinic that was Social. Only 11 students (3.9%) reported participating in a clinic that did not focus on social issues. See Appendix G for a list of all clinics reported by students.

In addition to asking questions about the students' law school and aspects surrounding their enrollment, students also were asked questions related to their undergraduate major and graduate school participation. Almost 80% of the sample reported their degrees as fitting into the category of Liberal Arts and Science, such as History and English. Forty-seven students (16.6%) reported earning degrees in the Professional Studies category that includes majors such as Accounting and Finance. See Table 5 for a list of all majors reported.

Table 5

Undergraduate Majors Reported by Students (N = 283)

Undergraduate Major	Number of Students Reporting Major
Liberal Arts & Sciences	
<i>Fine/Performing Arts</i>	
Theatre Arts	1
TOTAL: 1	
<i>Humanities</i>	
American Studies	2
East Asian Studies	1
English	23
European History	1
French	1
German	1
Hispanic Language & Literature	1
History	27
International Affairs/Relations	7
Italian	1
Journalism	4
Philosophy	7
Spanish	3
TOTAL: 79	
<i>Mathematics & Sciences</i>	
Animal Science	1
Astrophysics	1
Biochemistry	2
Biology	3
Biomedical Engineering	1
Chemical Engineering	3
Chemistry	3
Civil Engineering	1
Computer Science	5
Developmental Biology	1
Electrical Engineering/Engineering	3
Geology	1
Human Development	1
Industrial Engineering	1
Life Sciences	1
Mathematics	2
Mechanical Engineering	3
Physics	2
Pre-Med	2

Telecommunications	1
TOTAL: 38	

Social Sciences

Anthropology/Cultural Anthropology	6
Communications	5
Corporate Communications	1
Crime Law & Justice	1
Criminal Justice	7
Criminology	3
Economics	9
Economic Crime Investigation	1
Government	5
Liberal Arts/Studies	2
Political Science	32
Psychology	24
Public Policy	1
Sociology	7
Urban Planning & Development	1
TOTAL: 105	

Interdisciplinary Studies

Environmental Science	2
Leadership & Change Management	1
TOTAL: 3	

Professional Studies

Business

Accounting	7
Advertising	1
Business/Business Administration	9
Finance	13
Labor & Industrial Relations	1
Business Management	1
Hotel Management	1
Management	2
Management Information Systems	2
Marketing	2
Public Relations	1
TOTAL: 40	

Education

Secondary Education	2
TOTAL: 2	

Health Sciences/Services

Community Health	1
Social Work	1
Health Information Management	1
Health Policy & Administration	1
TOTAL: 4	

Home Economics

Nutrition Science	1
TOTAL: 1	

The survey also collected information related to the student's experience with hate crime victimization. Students were asked if they had any personal knowledge of hate crime victimization and whether they had ever been victims of a hate crime. This information is presented in Table 6.

When asked about their own hate crime victimization, 92.7% of the students reported not having been victimized. Only 7.3% of the students reported being the victim of a hate crime at the time they completed the survey. More students reported personally knowing a victim of a hate crime than being a victim themselves. For students completing this survey, 15.8% reported personally knowing someone who had been the victim of a hate crime.

Table 6

Frequencies and Percentages for Hate Crime Victimization (N = 283)

Variable	Valid n	Valid %
Victim		
Yes	20	7.3
No	253	92.7
Know Victim		
Yes	43	15.8
No	230	84.2

Table 7 presents the frequencies and percentages for other descriptive information of the sample. This table includes the frequencies and percentages for students' criminal

justice experience, completed law school's course(s) on criminal law, and whether any of their law school courses have provided hate crime information. It should be noted that there were missing cases for these variables.

Table 7

Frequencies and Percentages for Other Variables (N=283)

Variable	Valid n	Valid %
Previous CJS Experience		
Yes	13	4.6
No	269	95.4
Completed Criminal Law Course		
Yes	245	87.8
No	34	12.2
Law School Course & Hate Crime Information		
Yes	151	54.1
No	128	45.9

In an effort to gain insight on how many students currently enrolled in the two participating law schools had any previous criminal justice system (CJS) work experience, a question was included on the survey. Only 4.6% of the students reported working full-time in the CJS prior to starting law school. The majority of students completing this survey (95.4%) reported having no full-time CJS experience before law school.

Of the students completing the survey, 87.8% reported they had completed their law school's course(s) on criminal law. Also, when students were asked if any of their law school courses had provided some information on hate crimes, 151 (54.1%) stated they had taken a course in their law school that had provided some information on hate crimes. They were then asked to list all courses providing this information. Tables 8 and

9 present information on the courses students listed as providing any information on hate crimes. These tables also provide the frequencies of courses for both law schools.

Table 8 illustrates that students from the Private Law School reported information on hate crimes was provided in 13 different courses. Five of these courses are required courses, while the remaining eight courses were electives for this law school. Most of the students from the Private Law School who reported any of their courses providing information on hate crimes listed the course Criminal Law and Procedure.

After this course, the most frequently mentioned course was Constitutional Law. Both Criminal Law and Procedure and Constitutional Law are required courses at the Private Law School.

Table 8

Courses Providing Hate Crime Information as Reported by Students at the Private Law School

Course	Total Number of Times Course Named by Students
Required	
Constitutional Law	11
Criminal Law & Procedure	28
Evidence	1
Property	2
Torts	3
Elective	
Criminology	1
Employment Discrimination	1
Family Law	1
Federal Courts & The Federal Process	1
First Amendment Law	1
Remedies & Damages	1
Sentencing and Sanctions	1
Trial Advocacy	1

Students at the public law school provided a total of 32 different courses that provided some type of information on hate crimes. For students at the public law school,

9 of these courses were required courses and 23 were electives. Similar to what was reported by students at the Private Law School, Criminal Law was most frequently reported as the course that provided any hate crime information. Constitutional Law appeared 53 times, followed by Criminal Procedure, which appeared 13 times. Criminal Law, Constitutional Law, and Criminal Procedure are each required courses at the Public Law School.

Table 9

Courses Discussing Issues Related to Hate Crimes as Reported by Students at the Public Law School

Course	Total Number of Times Course Named by Students
Required	
Civil Procedure	2
Constitutional Law	53
Contracts	1
Criminal Law	65
Criminal Procedure	13
Legal Process	4
Legal (Analysis and) Writing	1
Property	5
Torts	9
Elective	
Children & The Law	1
Civil Rights Litigation	2
Comparative Law of New Democracies	1
Crimes Against Humanity	1
Criminal Prosecution Practicum/Clinic	1
PA Criminal Law	2
Critical Race Theory	1
Elder & The Law	1
Employment Discrimination	5
Employment Law	4
Equal Protection Seminar	1
Family Law	2
Federal Procedure	1
Feminist Legal Theory	1
First Amendment Law	2
International Law	2
Introduction to Legal Reasoning	1

Law of Disability Discrimination	1
Minority Groups Seminar	1
U.S. Race & The Justice System	9
Race, Racism, & American Law	4
Sex Discrimination	3
Trademark Law	1

The issue of hate crime courses and law school was further explored by asking the students their opinion regarding whether their law school should offer a specific course on hate crimes. Table 10 presents the responses to that question.

Table 10

Frequencies and Percentages for Law School and Specific Course on Hate Crimes
(*N* = 283)

Response	Valid n	Valid %
Strongly Disagree	20	7.2
Disagree	17	6.1
Moderately Disagree	21	7.5
Neither Agree/Disagree	51	18.3
Moderately Agree	55	19.7
Agree	72	25.8
Strongly Agree	43	15.4

Most of the students' responses were in the Moderately Agree, Agree, and Strongly Agree categories. Combining these into a general category of "agree", 170 (60.9%) students responding to this question agreed with the statement that their school should offer a specific course related to relevant legal issues surrounding hate crimes. In contrast, combining the three categories Moderately Disagree, Disagree, Strongly Disagree into a broad category of "disagree," 20.8% believed that their law school should not offer a specific course related to hate crimes.

The law students were asked if criminal law should be used to protect groups from hate violence and/or harassment. Similar to the question concerning the students' opinions on whether or not their law school should offer a specific course on hate crimes,

this question used a 7-point Likert scale ranging from Strongly Disagree to Strongly Agree. Table 11 presents the frequencies and percentages for that question.

Using the same categories for “Agree” as the previous question (Moderately Agree, Agree, Strongly Agree), the majority of these students agreed with the statement that criminal law should be used to protect certain groups from hate violence and/or harassment. Specifically, 74% (n = 199) of the sample agreed with the statement regarding criminal law. In contrast, 45 students (16.7%) disagreed with the statement that criminal law should be used to protect certain groups from hate violence and/or harassment.

Table 11

Frequencies and Percentages for Criminal Law and Protection (N=283)

Response	Valid n	Valid %
Strongly Disagree	19	7.1
Disagree	12	4.5
Moderately Disagree	14	5.2
Neither Agree/Disagree	25	9.3
Moderately Agree	45	16.7
Agree	86	32.0
Strongly Agree	68	25.3

Summary

The previous section provided information on the demographic characteristics of law students who participated in the current study. The majority of students who completed the survey were female, White, and heterosexual. In addition, the majority of the students who participated in the survey were liberal, between the ages of 22-25, and reported their current household income as under \$10,000. In addition, most students were from the public law school, were in their second year of law school, and reported wanting a career in law that involved social issues. Almost 60% of students reported no

clinic participation; however, those who had participated greatly did so in social clinics. Most students reported their undergraduate major as fitting into the Liberal Arts and Sciences category.

Very few students reported being the victim of a hate crime; however, slightly more students reported personally knowing a hate crime victim. Fewer than 5% of students stated they had any previous full-time criminal justice system experience. Most students reported completing their school's criminal law course and participating in a course that provided any hate crime information.

The next section presents information on the scales that were used as part of this study. Descriptive statistics of each scale are presented followed by information regarding each scales' reliability. Also, a brief discussion is provided regarding how well each scale measured its intended construct. To assist in this discussion, information is provided on the scale's corrected item-total correlations and Cronbach's alpha.

Scales

The current study consisted of five scales: Attitudes Toward Lesbians and Gay Men – Short Form (ATLG-S), Modern Racism Scale (MRS), Student Acquaintance Scale (SAS), and the African-American and Gay/Lesbian Hate Crime Scenarios. The subscales ATLG-S and ATG-S were combined to form the short version of the ATLG. Three of these scales (ATLG-S, MRS, and SAS) were independent variables, and the Hate Crime Scenarios (African-American and Gay/Lesbian) were the dependent variables. Table 12 presents the mean, standard deviation, low and high score ranges for each of these scales.

Table 12

Descriptive Statistics for Scale Variables (N=283)

Variable	Mean	SD	Low Score	High Score
Student Acquaintance Scale	16.73	3.85	7.00	24.00
Attitudes Toward Lesbians Scale	11.14	5.85	5.00	34.00
Attitudes Toward Gay Men Scale	12.69	8.02	5.00	35.00
Attitudes Toward Lesbians and Gay Men Scale	23.83	13.29	10.00	69.00
Modern Racism Scale	14.69	7.00	6.00	42.00
African-American Hate Crime Scenarios	22.29	5.35	4.00	28.00
Gay/Lesbian Hate Crime Scenarios	22.51	5.62	4.00	28.00

Student Acquaintance Scale

This scale measures the amount of social contact individuals have with persons who are different from them. This study used a modified six-item version of the original 10-item version. Students were able to answer the questions on a 4-point scale (*Never, Occasionally, Often, Very Often*). Higher scores on this scale indicate a student spends more time with students who are different than themselves compared to students who report lower scores. For students in the sample, the low score was 7.00 and the high score 24.00 out of a possible 24. The mean score for this scale in the present study was 16.73. The mean score indicates that students in this sample claim to have more interpersonal contact with students who are different from them in regards to race, ethnicity, philosophy of life, and politics.

Attitudes Toward Lesbians and Gay Men Scale (ATLG)

This scale comprised two subscales – Attitudes Toward Lesbians (ATL-S) and Attitudes Toward Gay Men (ATG-S). These scales use five items to measure an

individual's attitudes toward lesbians and gay men. For the present study, each of these subscales employed a 7-item Likert scale ranging from Strongly Disagree (coded 1) to Strongly Agree (coded 7). The scores ranged from 10.00 to 69.00 out of a possible score of 70. The mean score of the scale for the present study was 23.83 representing that these students reported somewhat favorable attitudes toward gay men and lesbians.

Modern Racism Scale (MRS)

This scale was designed to measure subtle racism against blacks. The scale was a modified version of the seven-item scale using a 7-point Likert scale ranging from Strongly Disagree (coded 1) to Strongly Agree (coded 7) developed by McConahay (1986). One item was removed because it was deemed no longer relevant (i.e., Blacks have more influence upon school desegregation plan than they ought to have). Possible scores on this scale ranged from 6 to 42. Higher scores on the Modern Racism Scale indicate higher levels of subtle racism. The actual range for scores for the present study was 6 to 42. The mean score was 14.69 indicating this sample reported relatively low levels of racism.

African-American Hate Crime Scenarios (AAHCS)

The African-American Hate Crime Scenarios (AAHCS) were one of the dependent variables used in the present study. These scenarios measured the level of agreement demonstrated by the law students that scenarios with African-American victims were hate crimes, using a 7-point Likert scale ranging from Strongly Disagree (1) to Strongly Agree (7). Higher levels of agreement demonstrated the students' belief/judgment that the scenario was a hate crime. The low score on these scenarios was 4.00 and the high score was 28.00 out of a possible score of 28. For the present study, the

mean score on the AAHCS was 22.29. The high mean score showed that students were likely to judge the scenarios having African-American victims as hate crimes.

Gay/Lesbian Hate Crime Scenarios (GLHCS)

These scenarios were used as the second dependent variable for the present study. Similar to the AAHCS, higher levels of agreement with the scenarios with gay/lesbian victims demonstrated the students' belief that it was a hate crime. These scenarios also used a 7-point Likert scale ranging from Strongly Disagree (1) to Strongly Agree (7). For the GLHCS, the low score also was 4 with the high score of 28. As with the AAHCS, the GLHCS had a total possible score of 28. The mean score on these scenarios was 22.51. The high mean score seemed to demonstrate these students believed these scenarios constituted hate crimes.

Summary

This section provided information on each of the scales used in the current study. Table 12 showed that these students reported increased contact with students who differed from them, somewhat favorable attitudes toward gay men and lesbians, and relatively low levels of racism. For the African-American and Gay/Lesbian Hate crime Scenarios, the high mean scores suggest these students perceived both sets of scenarios as hate crimes.

To test the hypotheses from Chapter III, bivariate tests and regression analysis were conducted. In addition, split models were used to determine if there were any interaction effects among specific variables. Before analysis could begin, it was important that the reliability of all the scales used in the study were assessed.

Scale Reliability

Each of the scales used in the current study were selected because they were believed to measure the particular construct that was of interest (e.g., level of racism, attitudes toward gay men and lesbians). For this project, the reliability of the scales was assessed using a measure of internal consistency - the coefficient alpha. In addition, item-total correlations were used to assess how well the scale items were measuring its intended construct. Item-total correlations provide information on the relationship between the individual items of a scale and the underlying construct they are believed to measure. Items of a scale measuring a particular construct can be examined to determine how they are correlated with each other, state the phenomenon of interest is causing the correlations among items, and use that information to infer how highly each scale item is correlated with the latent variable.

DeVellis (2003) stated that, “measurement theory suggests that the relationships among items are logically connected to the relationship of items to the latent variable” (p. 28). Furthermore, if the items of a scale have a strong relationship to their latent variable, which is the actual phenomenon of interest, they should have a strong relationship to each other. Also, DeVellis (2003) suggested using the corrected item-total correlation is preferred because this provides the correlations of items, excluding itself. Finally, an item with a high correlation value is more desirable than an item with a lower value (DeVellis, 2003).

In using coefficient alpha to assess the internal consistency or reliability of a scale, DeVellis (2003) suggested an alpha below .60 is unacceptable in determining the reliability of the scale. If alpha is between .60 and .65 it is undesirable; between .65 and

.70 minimally acceptable; between .70 and .80 respectable; between .80 and .90 very good. Above .90 the researcher should consider shortening the scale (p. 95-6). Reliability analyses were conducted on each of the scales used in the present study (SAS, MRS, ATL-S, ATG-S, ATLG, African-American Hate Crime Scenarios, and Gay/Lesbian Hate Crime Scenarios) in order to determine their internal consistency.

Student Acquaintance Scale

The reliability analysis reveals a Cronbach's alpha of .817. The items, item-total correlations, and Cronbach's alpha are presented in Table 13.

Table 13

Item-Total Correlations for Student Acquaintance Scale and Alpha

Item	Item-Total Correlation
Became acquainted with students whose race or ethnic background was different from yours.	.588
Became acquainted with students from another country.	.644
Had serious discussions with students whose philosophy of life or personal values were very different from yours.	.500
Had serious discussions with students whose political opinions were very different from yours.	.403
Had serious discussions with students whose race or ethnic background was different from yours.	.660
Had serious discussions with students from a country different from yours.	.691

NOTE: Cronbach's alpha = .817

The findings in Table 13 indicate that all of the item-total correlations are above .30, suggesting that each of the items is correlated to and measuring the intended construct of interpersonal contact between students of different races, ethnicities, philosophies of life, and politics. Whitt et al. (2001) found an alpha of .90; however, the alpha of .817 that was found in this study is well within the acceptable range suggested by DeVellis (2003).

Modern Racism Scale

A reliability analysis was computed for the Modern Racism Scale (MRS). Table 14 presents the items, corrected item-total correlations, and Cronbach's alpha for this scale. The table shows that each of the item-total correlations is above .30.

Table 14

Item-Total Correlations for Modern Racism Scale and Alpha

Item	Item-Total Correlation
Over the past few years, the government and news media have shown more respect for Blacks than they deserve.	.673
It is easy to understand the anger of Black people in the United States.*	.679
Discrimination against Blacks is no longer a problem in the United States.	.743
Over the past few years, Blacks have received more economically than they deserve.	.754
Blacks are getting too demanding in their push for equal rights.	.741
Blacks should not push themselves where they are not wanted.	.601

NOTE: Cronbach's Alpha = .883

*Indicates item was reverse scored.

The coefficient alpha score of .883 indicates the scale is measuring its intended construct of subtle racism toward blacks. This alpha is higher than what has been found by other researchers using the MRS. For example, Change (2002) reported an alpha of .81, Devine (1989) found an alpha of .83, and George and Martinez (2002) reported an alpha of .82. Based on the item-total correlations and the alpha score, this scale does appear to measure the subtle racism of participating law students.

Attitudes Toward Lesbians Subscale

The Attitudes Toward Lesbians-S is a 5-item subscale (of the ATLG) measuring attitudes toward lesbians. A reliability analysis was conducted for this scale. The items for this scale, the corrected item-total correlations, and Cronbach's alpha are presented in

Table 15 below. Each of the correlations is above .30 and the coefficient alpha score is .794. This indicates this subscale is measuring its intended construct of attitudes toward lesbians.

Table 15

Item-Total Correlations for Attitudes Toward Lesbians Scale and Alpha

Item	Item-Total Correlation
Lesbians just can't fit into our society.	.558
State laws regulating private, consenting lesbian behavior should be loosened.*	.639
Female homosexuality is a sin.	.740
Females homosexuality in itself is no problem, but what society makes of it can be a problem.*	.452
Lesbians are sick.	.595

NOTE: Cronbach's Alpha = .794

* Indicates item was reverse scored.

Attitudes Towards Gay Men Subscale

Similar to the ATL-S, this scale is a 5-item subscale (of the ATLG) measuring attitudes towards gay men. The reliability analysis reveals a Cronbach's alpha of .922.

Table 16 below presents the information from the reliability analysis. Each of the correlations is above .30 and the alpha score suggest that this subscale on the attitudes toward gay men is being measured. According to DeVellis (2003), this coefficient alpha of .922 is very good.

Table 16

Item-Total Correlations for Attitudes Toward Gay Men Scale and Alpha

Item	Item-Total Correlation
I think male homosexuals are disgusting.	.665
Male homosexuality is a perversion.	.871
Just as in other species, male homosexuality is a natural expression of sexuality in human men.*	.731
Homosexual behavior between two men is just plain wrong.	.885
Male homosexuality is merely a different kind of lifestyle that should <i>not</i> be condemned.*	.846

NOTE: Cronbach's alpha = .922

* Indicates item was reverse scored.

Attitudes Toward Lesbians and Gay Men Scale (ATLG)

The ATLG used in the present study is a short version of the larger 20-item ATLG. Herek (1994) suggested that the short form be used when the population was suitable and time was an issue. The ATLG-S is a combination of the two five-item subscales – ATL and ATG that were included in this study. The items, corrected item-total correlations, and Cronbach's alpha are presented in Table 17.

The table below demonstrates that each item included in the ATLG has a correlation above .30. Additionally, the item with the lowest correlation in the combined scale ("Female homosexuality in itself is no problem, but what society makes of it can be a problem") was also the item with the lowest correlation in the ATL subscale. The Cronbach's alpha of .926 indicates the scale is measuring the construct of attitudes toward lesbians and gay men.

Table 17

Item-Total Correlations for Attitudes Toward Lesbian and Gay Men Scale and Alpha

Item	Item-Total Correlation
Lesbian just can't fit into our society.	.600
State laws regulating private, consenting lesbian behavior should be loosened.*	.662
Female homosexuality is a sin.	.819
Female homosexuality in itself is no problem, but what society makes of it can be a problem.*	.470
Lesbians are sick.	.663
I think male homosexuals are disgusting.	.646
Male homosexuality is a perversion.	.861
Just as in other species, male homosexuality is a natural expression of sexuality in human men.*	.763
Homosexual behavior between two men is just plain wrong.	.892
Male homosexuality is merely a different kind of lifestyle that should <i>not</i> be condemned.*	.862

NOTE: Cronbach's Alpha = .926

* Indicates item was reverse scored.

African-American Hate Crime Scenarios

The African-American hate crime scenarios were one of the dependent variables for the present study. This scale consisted of four items, measured on a 7-point Likert scale (strongly disagree to strongly agree). Each of the items of the scale, the item-total correlations, and Cronbach's alpha are presented below in Table 18.

Table 18

Item-Total Correlations for African-American Hate Crime Scenarios Scale and Alpha

Item	Item-Total Correlation
A black family's home is defaced with racist graffiti.	.757
The letters 'KKK' are carved into the playground equipment of a predominately black neighborhood.	.762
A black couple is beaten while attackers use racial slurs.	.814
Black residents in a neighborhood are verbally harassed.	.640

NOTE: Cronbach's Alpha = .879

Each of the items in this scale had correlations above .60, indicating that each of the items are highly correlated to one another. Also, these four items had a Cronbach's alpha of .879, suggesting the scale is measuring the perceptions of hate crimes involving African-American victims.

Gay/Lesbian Hate Crime Scenarios

These scenarios made up the other dependent variable for the present study.

Similar to the African-American Hate Crime Scenarios, these scenarios made up a four-item scale. Participants were asked to provide their level of agreement that the scenario represented a hate crime using a 7-point Likert scale (strongly disagree to strongly agree).

Table 19 presents the items, item-total correlations, and Cronbach's alpha.

Table 19

Item-Total Correlations for Gay & Lesbian Hate Crime Scenarios Scale and Alpha

Item	Item-Total Correlation
A group is verbally harassed because of their sexual orientation.	.744
Anti-gay graffiti is spray-painted on a gay man's garage door.	.805
A woman is called a 'dyke' as she is punched repeatedly.	.672
Anti-gay slurs are spray-painted on playground equipment in a predominately gay neighborhood.	.823

NOTE: Cronbach's Alpha = .889

Each of the correlations for the items that make up this scale is above .60. Similar to the AAHCS, the scenarios containing gay and lesbian victims had a coefficient alpha score of in the range DeVellis (2003) considered very good ($\alpha = .889$). This alpha score indicates that these scenarios, like the AAHCS, are measuring the students' perceptions of hate crimes involving gays and lesbians.

Summary

The previous section highlighted the assessment of the reliability for each of the scales used for the present study. For each of the seven scales discussed in this section, the coefficient alpha scores, which are a measure of internal consistency, met and exceeded DeVellis' (2003) standard of respectable. The lowest alpha score ($\alpha = .794$) was found for the Attitudes Toward Lesbian-Subscale, and the highest alpha was .926 for the short form Attitudes Toward Lesbian and Gay Men Scale (ATLG). Each of the scales used demonstrated reliability as assessed by internal consistency through Cronbach's alpha.

Bivariate Correlations

Bivariate correlations permit the researcher to examine the relationships between variables. The results of the correlation analysis for the present study are presented in Table 20. In addition to providing information on the strength of the relationship between variables, the correlation matrix assists in determining if any of the variables are too highly correlated. When independent variables are highly correlated (.80 or higher), multicollinearity could be an issue. Multicollinearity is an assumption of multiple regression that must not be violated (Lewis-Beck, 1980).

Table 20

Bivariate Correlations

Variable	1	2	3	4	5	6	7	8	9
School 1	1.00 (283)								
Yr in School 2	.123* (283)	1.00 (283)							
Clinic 3	-.059 (283)	-.549** (283)	1.00 (283)						
Career Goal 4	-.017 (281)	.177** (281)	-.239** (281)	1.00 (281)					
Course and Info 5	.506** (279)	.002 (279)	-.178** (279)	.092 (277)	1.00 (279)				
Crim Law Course 6	.095 (279)	.443** (279)	-.265** (279)	.163 (277)	.119* (279)	1.00 (279)			
Sex 7	.023 (276)	.056 (276)	-.121* (276)	.165** (274)	.165** (274)	.095 (274)	1.00 (276)		
Race 8	.140* (277)	-.086 (277)	.098 (277)	-.076 (275)	.100 (275)	.061 (275)	.111 (276)	1.00 (277)	
Political Affiliation 9	.097 (277)	-.084 (277)	.022 (277)	.123* (275)	.134* (275)	.070 (275)	.161** (276)	.110 (277)	1.00 (277)
Age 10	.105 (271)	.149** (271)	-.131* (271)	.028 (270)	.015 (269)	.086 (269)	-.099 (270)	.037 (271)	.035 (271)
SES 11	.032 (277)	.038 (277)	-.077 (277)	.057 (275)	.041 (275)	-.075 (275)	.029 (276)	.030 (277)	-.007 (277)
Major 12	-.016 (273)	.046 (273)	-.086 (273)	.035 (272)	-.026 (271)	.038 (271)	.111 (272)	.015 (273)	.047 (273)
Other Deg 13	.015 (276)	.011 (276)	.003 (276)	.035 (274)	-.027 (274)	.014 (274)	-.076 (275)	.097 (276)	.037 (276)
Know Vic 14	-.028 (273)	-.059 (273)	-.057 (273)	.020 (271)	.026 (271)	-.087 (271)	-.070 (272)	.057 (273)	.082 (273)
Been Vic 15	.050 (273)	-.043 (273)	-.104 (273)	.010 (271)	.080 (271)	.011 (271)	-.041 (272)	.072 (273)	.095 (273)
SAS 16	.089 (283)	.041 (283)	-.016 (283)	.080 (281)	.146** (279)	.013 (279)	-.025 (276)	.110 (277)	-.045 (277)
MRS 17	-.126* (283)	.059 (293)	-.034 (283)	-.180** (281)	-.198** (279)	-.116 (279)	-.288** (276)	-.006 (277)	-.466** (277)
ATLG 18	-.011 (283)	-.002 (283)	-.012 (283)	-.081 (281)	-.170** (279)	-.040 (279)	-.162** (276)	.100 (277)	-.528** (277)
AAHCS 19	-.087 (283)	-.016 (283)	.054 (283)	.091 (281)	.109 (279)	-.096 (279)	.300** (276)	.013 (277)	.248** (277)
GLHCS 20	-.114 (283)	-.053 (283)	.062 (283)	.088 (281)	.104 (279)	-.095 (279)	.304** (276)	.008 (277)	.296** (277)

NOTE: **Correlation is significant at the .05 level (2-tailed)

*Correlation is significant at the .01 level (2-tailed)

(n) in parentheses

Variable	10	11	12	13	14	15	16	17	18
School 1									
Yr in School 2									
Clinic 3									
Career Goal 4									
Course and Info 5									
Crim Law Course 6									
Sex 7									
Race 8									
Political Affiliation 9									
Age 10	1.00 (271)								
SES 11	.285** (271)	1.00 (277)							
Major 12	-.012 (269)	-.056 (273)	1.00 (273)						
Other Deg 13	.362** (271)	.131* (276)	-.006 (273)	1.00 (276)					
Know Vic 14	.169** (268)	.086 (273)	-.019 (270)	.043 (273)	1.00 (273)				
Been Vic 15	.052 (268)	.054 (273)	.088 (270)	.040 (273)	.183** (273)	1.00 (273)			
SAS 16	.063 (271)	-.019 (277)	-.012 (273)	.035 (276)	.189** (273)	.177** (273)	1.00 (283)		
MRS 17	-.027 (271)	.087 (277)	-.074 (273)	.092 (276)	-.089 (273)	-.039 (273)	-.032 (283)	1.00 (283)	
ATLG 18	.091 (271)	.078 (277)	-.037 (273)	.073 (276)	-.033 (273)	.012 (273)	-.016 (283)	.433** (283)	1.00 (283)
AAHCS 19	-.140* (271)	-.079 (277)	-.043 (273)	-.163** (276)	-.066 (273)	-.188** (273)	-.107 (283)	-.427** (283)	-.333** (283)
GLHCS 20	-.126* (271)	-.039 (277)	-.080 (273)	-.161** (276)	-.092 (273)	-.163** (273)	-.129* (283)	-.436** (283)	-.398** (283)

NOTE: **Correlation is significant at the .05 level (2-tailed)

*Correlation is significant at the .01 level (2-tailed)

(n) in parentheses

Variable	19	20							
AAHCS 19	1.00 (283)								
GLHCS 20	.927** (283)	1.00 (283)							

NOTE: **Correlation is significant at the .05 level (2-tailed)

*Correlation is significant at the .01 level (2-tailed)

(n) in parentheses

Table 20 shows that the highest positive correlation was between the two dependent variables ($r = .927, p < .001$). Both of these scales were designed to measure similar constructs, therefore these two variables should be highly correlated. The highest positive correlation between an independent variable and a dependent variable was sex and the African-American Hate Crime Scenarios ($r = .300, p < .001$) and sex and the Gay/Lesbian Hate Crime Scenarios ($r = .304, p < .001$). This means that being female was associated with higher levels of agreement that both sets of scenarios were hate crimes. The highest negative correlation between an independent variable and the African-American Hate Crime Scenarios was with the Modern Racism Scale ($r = -.427, p < .001$). Similarly, the highest negative correlation for the Gay/Lesbian Hate Crime Scenarios was with the Modern Racism Scale ($r = -.436, p < .001$). Those students reporting high levels of racism also reported less agreement either set of scenarios were hate crimes.

Other variables that demonstrated a significant correlation with the AAHCS were political affiliation ($r = .248, p < .001$), other degree ($r = -.163, p < .01$), been a hate crime victim ($r = -.188, p < .01$), the ATLG Scale ($r = -.333, p < .001$), and age ($r = -.140, p < .05$). Students reporting to be liberal also reported greater levels of agreement with the AAHCS. Older students reported less agreement the scenarios were hate crimes. Those students who reported earning an additional degree and being a hate crime victim

unexpectedly reported lower levels of agreement with the scenarios; however, as expected, students reporting unfavorable attitudes toward lesbians and gays were associated with less agreement the scenarios were hate crimes. Each of the variables demonstrating significant correlations with the AAHCS (sex, political affiliation, been a hate crime victim, other degree, the ATLG Scale, the MRS, and age) are considered individual factors.

In addition to sex and the MRS, political affiliation ($r = .296, p < .001$), other degree ($r = -.161, p < .01$), been a hate crime victim ($r = -.163, p < .01$), the Student Acquaintance Scale ($r = -.129, p < .05$), the ATLG Scale ($r = -.398, p < .001$), and age ($r = -.126, p < .05$) produced significant correlations with the GLHCS. Four of these variables (political affiliation, other degree, been a hate crime victim, and the ATLG Scale) also were significantly correlated with the AAHCS. The only school related variable correlated with the GLHCS was the Student Acquaintance Scale. As students reported more contact with students who were different from them, they also reported less agreement the gay/lesbian scenarios were hate crimes.

In reviewing the correlations among the independent variables, none of them were above .80. Tolerance statistics and variance inflation factors also were used to assess multicollinearity. As was stated previously, one of the assumptions of multiple regression is lack of perfect or severe multicollinearity. For tolerance, values can range from 0 – 1.0, with the recommended value of .40 or higher (the closer to 1.0, the better). For the present study, tolerance scores ranged from .551 - .973. It is suggested that variance inflation factors be less than 4 (closer to 1.0, the better). Variance inflation factors all were below 1.815. Each of these scores supports the conclusion that multicollinearity was

not present. In addition to the assumption of multicollinearity, other assumptions involving the error term also were evaluated and deemed to be met.

Multiple Regression

Multiple regression is employed when more than one independent variable is being used to predict the dependent variable. While correlations are helpful in establishing the relationships between independent and dependent variables, this technique cannot be used for establishing causal influence. For the present study, six regression models were run and analyzed. For each of the dependent variables, regression models were run and analyzed with all variables included in this study, using only those variables that were individual factors, and models were included that used only the school variables. The following tables provide the results of the multiple regression analysis.

Full Regression Models

Table 21 presents the results for the African-American Hate Crime Scenarios with each individual and school variable included in the study. For this full model with the African-American hate crime scenarios, the R^2 coefficient was .342 and indicates this model explains 34.2% of the variance in the scores on the dependent variable. This means the project variables explain 34% of the variation in scores of the scenarios with the African-American victims.

Table 21

Full Model Multiple Regression Results – African-American Hate Crime Scenarios

Independent Variable	Unstandardized Slopes (Std. Error)	Standardized Coefficients	t
Undergraduate Major	-1.148(.742)	-.081	-1.548
Other Degree	-1.368(.978)	-.079	-1.399
School	-.582(.792)	-.046	-.735
Sex	1.716(.604)	.161**	2.840
Been a Hate Crime Victim	-3.119(1.110)	-.152**	-2.811
Personally Know a Hate Crime Victim	-.689(.795)	-.047	-.867
Career Goal	.187(.400)	.026	.467
Course and Hate Crime Information	.303(.598)	.028	.505
Race	1.059(.923)	.063	1.147
Clinics	.040(.088)	.030	.451
Political Affiliation	.241(.738)	.022	.327
Completed Crim Law Course	-2.937(1.130)	-.180*	-2.598
ATLG	-.059(.026)	-.145*	-2.233
SAS	-.115(.076)	-.083	-1.509
MRS	-.260(.049)	-.340**	-5.257
Year In School	.725(.465)	.108	1.559
SES	-.055(.112)	-.027	-.489
Age	-.081(.081)	-.060	-1.002
Constant	36.225(10.667)		

$R^2 = .342$
 $F = 7.198^{**}$
 $S_e = 4.49202$

Note: * Significance at the .05 level

** Significance at the .01 level

Only the variable sex ($B = .161$, $p < .01$) had a positive significant effect on the scores of the AAHCS. This means female students reported higher levels of agreement that the scenarios with African-American victims were hate crimes than male students. Students reporting prior hate crime victimization produced a negative effect ($B = -.152$, $p < .01$), indicating these students reported less agreement the scenarios were hate crimes. In addition, students who reported they had completed their law school's course(s) on

criminal law ($B = -.180, p < .05$) also reported lower levels of agreement on the African-American Hate Crime Scenarios. Two scales used in the study, the ATLG Scale ($B = -.145, p < .05$) and the MRS ($B = -.340, p < .001$), each produced negative effects that were statistically significant. Unfavorable attitudes toward gays and lesbians and higher levels of racism were associated with lower levels of agreement that the set of scenarios with African-American victims were hate crimes.

Table 22 illustrates the results of the regression model with all variables for the Gay/Lesbian Hate Crime Scenarios. The full regression model with Gay/Lesbian hate crime scenarios produced a R^2 coefficient of .380. This means this model explains 38.0% of the variance of scores on the gay/lesbian hate crime scenarios. Including all of the study variables in the model explained 38% of the variation in the level of agreement with the scenarios including gay or lesbian victims.

As with the AAHCS, sex ($B = .162, p < .01$) was the only variable to produce a positive significant effect. Female law students scored higher on the GLHCS than their male counterparts. Also, students who had been hate crime victims ($B = -.118, p < .05$) reported lower levels of agreement with the hate crime scenarios. Undergraduate major ($B = -.124, p < .05$) had a negative significant effect on the perceptions of the gay/lesbians scenarios. Students who reported an undergraduate major in the Liberal Arts and Sciences category reported less agreement these scenarios were hate crimes.

Again, two of the scales used in this research produced significant effects. The ATLG Scale ($B = -.224, p < .001$) and the MRS ($B = -.320, p < .001$) each were statistically significant while controlling for the other variables. Those with unfavorable

attitudes toward gay men and lesbians and those students who were high in racism reported less agreement the Gay/Lesbian scenarios were hate crimes.

Table 22

Full Model Multiple Regression Results – Gay/Lesbian Hate Crime Scenarios

Independent Variable	Unstandardized Slopes (Std. Error)	Standardized Coefficients	t
Undergraduate Major	-1.843(.757)	-.124*	-2.434
Other Degree	-1.606(.998)	-.088	-1.609
School	-1.337(.808)	-.100	-1.655
Sex	1.819(.617)	.162**	2.949
Been a Hate Crime Victim	-2.541(1.133)	-.118*	-2.243
Personally Know a Hate Crime Victim	-1.371(.811)	-.090	-1.690
Career Goal	.126(.408)	.017	.310
Course and Hate Crime Information	-.024(.611)	-.002	-.040
Race	1.180 (.942)	.067	1.253
Clinics	.006(.090)	.005	.072
Political Affiliation	.466(.754)	.040	.618
Completed Crim Law Course	-2.147(1.154)	-.125	-1.861
ATLG	-.095(.027)	-.224**	-3.537
SAS	-.138(.078)	-.095	-1.778
MRS	-.257(.050)	-.320**	-5.092
Year In School	.264(.474)	.037	.556
SES	.039(.115)	.018	.342
Age	-.048(.083)	-.034	-.583
Constant	39.547(10.887)		

$R^2 = .380$

$F = 8.489^{**}$

$S_e = 4.58490$

Note: * Significance at the .05 level

** Significance at the .01 level

Regression Models with Individual Factors

The next two regression models included only the individual factors of the students and the African-American Hate Crime Scenarios and Gay/Lesbian Hate Crime Scenarios. For the multiple regression analysis including the individual factors and the

African-American Hate Crime Scenarios the $R^2 = .303$. This indicates that this model explains 30% of the variance in the scores of the dependent variable African-American Hate Crime Scenarios. The summary of this model is presented below in Table 23.

Table 23

Individual Factors Model – African-American Hate Crime Scenarios

Independent Variable	Unstandardized Slopes (Std. Error)	Standardized Coefficients	t
Undergraduate Major	-1.114(.748)	-.079	-1.488
Other Degree	-1.366(.989)	-.078	-1.382
Sex	1.735(.600)	.162**	2.891
Been a Hate Crime Victim	-3.567(1.102)	-.174**	-3.236
Personally Know a Hate Crime Victim	-.645(.789)	-.044	-.817
Race	.558(.905)	.033	.617
Political Affiliation	.226(.738)	.020	.306
ATLG	-.061(.026)	-.152*	-2.324
MRS	-.242(.049)	-.316**	-4.956
SES	-.009(.112)	-.004	-.081
Age	-.102(.081)	-.075	-1.267
Constant	35.887(2.625)		

$R^2 = .303$
 $F = 10.096^{**}$
 $S_e = 4.56189$

Note:* Significance at the .05 level

** Significance at the .01 level

The Modern Racism Scale (MRS), been a hate crime victim, and sex are significant at the .01 level, while the ATLG Scale was significant at the .05 level. The negative effect for the MRS ($B = -.316, p < .001$) shows that students who were high in racism had lower scores on the African-American hate crime scenarios. Students with prior hate crime victimization ($B = -.174, p < .01$) and those with unfavorable attitudes towards lesbians and gay men ($B = -.152, p < .05$) reported less agreement that the scenarios with African-American victims represented hate crimes. Again, sex had a

positive effect ($B = .162, p < .01$) indicating females reported greater agreement with these hate crime scenarios than men.

The results of the next regression model are presented in Table 24. Again, this model included individual factors; however, this model focused on the Gay/Lesbian Hate Crime Scenarios. Here, the $R^2 = .338$ indicating that 33.8% of the variance in the scores of the gay/lesbian hate crime scenarios was explained by these variables. When considering only the individual factors/variables, 34% of the variation in the level of agreement for these scenarios is explained.

Table 24

Individual Factors Model – Gay/Lesbian Hate Crime Scenarios

Independent Variable	Unstandardized Slopes (Std. Error)	Standardized Coefficients	t
Undergraduate Major	-1.766(.767)	-.119*	-2.304
Other Degree	-1.554(1.013)	-.085	-1.606
Sex	1.817(.615)	.162**	2.956
Been a Hate Crime Victim	-3.037(1.129)	-.141**	-2.689
Personally Know a Hate Crime Victim	-1.297(.808)	-.085	-1.606
Race	.560(.927)	.032	.604
Political Affiliation	.526(.756)	.045	.696
ATLG	-.094(.027)	-.222**	-3.490
MRS	-.234(.050)	-.291**	-4.686
SES	.074(.115)	.035	.643
Age	-.084(.083)	.059	-1.022
Constant	36.761(2.689)		

$R^2 = .338$
 $F = 11.893^{**}$
 $S_e = 4.67277$

Note:* Significance at the .05 level

** Significance at the .01 level

For this model, the MRS, sex, been a hate crime victim, and the ATLG Scale are significant at the .01 level; and, undergraduate major is significant at the .05 level. Sex (B

= .162, $p < .01$) was coded as a dichotomous variable and the positive effect indicates that women demonstrated more agreement that the gay/lesbian scenarios were hate crimes than men. Undergraduate major ($B = -.119, p < .05$) also was coded as a dichotomous variable and the negative effect demonstrates that those students who majored in disciplines categorized under Liberal Arts and Sciences demonstrated less agreement the scenarios were hate crimes. The negative effect for students who reported being a victim of a hate crime ($B = -.141, p < .01$) indicates they were less likely to judge the scenarios as hate crimes.

The two scales that were included in this model, Attitudes Toward Lesbians and Gay Men (ATLG) and the Modern Racism Scale (MRS) were each statistically significant. The effect for the ATLG scale ($B = -.222, p < .01$) indicates that unfavorable attitudes towards gay men and lesbians are associated with less agreement with the gay/lesbian hate crime scenarios. Similarly, those students reporting higher levels of racism ($B = -.291, p < .001$) also reported less agreement these scenarios represented hate crimes.

Regression Models with School Factors

The final two regression models assessed the predictive ability of school factors on the dependent variables. Table 25 presents the model with the African-American Hate Crime Scenarios as the dependent variable and the school factors produced an R^2 coefficient of .060. This means the model only explained 6.0% of the variance in the scores on the African-American Hate Crime Scenarios.

Table 25

School Factors Model – African-American Hate Crime Scenarios

Independent Variable	Unstandardized Slopes (Std. Error)	Standardized Coefficients	t
School	-.109(.891)	-.009	-.122
Clinics	.146(.099)	.109	1.478
Career Goal	.867(.445)	.120	1.946
Completed Crim Law Course	-2.256(1.279)	-.138	-1.764
Course and Hate Crime Information	1.629(.662)	.152*	2.460
SAS	-.170(.084)	-.129*	-2.128
Year in School	.603(.522)	.090	1.154
Constant	2.936(11.424)		

$R^2 = .060$
 $F = 2.441^*$
 $S_e = 5.25365$

Note:* Significance at the .05 level

** Significance at the .01 level

Two variables are significant in this model – course and hate crime information and the Student Acquaintance Scale (SAS). For course and hate crime information, the variable was dummy coded 1 if the student did not report taking part in a course that provided information on hate crimes and 2 if the student did report taking part in a course that provided information on hate crimes. This effect was positive ($B = .152, p < .05$) and indicates that students reporting participation in a course that provided any information on hate crimes were more likely to assess the scenarios as hate crimes. The other significant variable was the Student Acquaintance Scale ($B = -.129, p < .05$). For this scale, higher values indicated the student had more contact with students who were different from them. Because the effect is negative, those who reported more contact with others who differed from them reported less agreement with the African-American scenarios.

Table 26 presents the next regression model that included school factors and their impact on the perceptions of the gay/lesbian hate crime scenarios. For this model, the R^2 coefficient was .062 indicating it explains 6.2% of the variation in scores on the gay/lesbian hate crime scenarios.

Table 26

School Factors Model – Gay/Lesbian Hate Crime Scenarios

Independent Variable	Unstandardized Slopes(Std. Error)	Standardized Coefficients	t
School	-.677(.936)	-.051	-.723
Clinics	.122(.103)	.087	1.180
Career Goal Completed Crim Law Course	.883(.468)	.116	1.888
Course and Hate Crime Information	-1.570(1.343)	-.091	-1.169
SAS	1.586(.695)	.141*	2.282
Year in School	-.213(.088)	-.146*	-2.410
Constant	.186(.548)	.026	.339
	3.479(11.998)		

$R^2 = .062$
 $F = 2.543^*$
 $S_e = 5.51747$

Note:* Significance at the .05 level

** Significance at the .01 level

Two of the variables in this model are significant – course and hate crime information and the Student Acquaintance Scale (SAS). Course and hate crime information had a positive effect ($B = .141, p < .05$) and indicates that those students who reported taking a course that provided any information on hate crimes demonstrated more agreement that the scenarios were hate crimes. The SAS reported a negative effect ($B = -.146, p < .05$). The SAS measures interpersonal contact with higher scores indicating greater contact. In this model, students who reported more interpersonal contact with

students who differed from them with respect to race, ethnicity, philosophy of life, and politics reported less agreement that the scenario was a hate crime.

Comparison Models

Past research has consistently pointed to the differences between men and women regarding various aspects of hate crimes. Miller (2001) reported that females were more likely than males to agree the hate crime scenarios she presented were hate crimes. Additionally, Craig and Waldo (1996), in their hate crime study, discovered sex differences in several different areas. In order to determine if variables influence males and females differently, comparison models were run to assess interaction effects. The equation for split models was presented in the previous chapter.

Sex and Hate Crime Scenarios

This model assesses whether any of the variables had a different effect for the male and female groups for the African-American Hate Crime Scenarios (AAHCS). Table 27 presents information for the split model of sex for the AAHCS. Table 27 shows that both the male and female slopes for the Modern Racism Scale were significant. In addition, both of these slopes were negative, suggesting that unfavorable attitudes toward African-Americans were associated with lower levels of agreement with the African-American Hate Crime Scenarios. Because the z-test did not produce a significant result, the effect of the MRS is similar for male and female students.

The slope for been a hate crime victim was significant, but only for the male subgroup. This is a negative slope meaning that males who reported being the victim of a hate crime also reported less agreement with the African-American Hate Crime Scenarios. In addition, this variable produced the only significant z-test (3.32), indicating

there is an interaction effect. This score means that being a hate crime victim produced a different effect in men than in women.

Table 27

Split Model for Sex and African-American Hate Crime Scenarios

Variable	Male B	(SE)	Sig.	Female B	(SE)	Sig.	Z-test
School	-1.706	(1.532)	.268	-.137	(.805)	.865	.91
Clinics	.045	(.158)	.778	.017	(.096)	.861	.00
Career	-.052	(.654)	.937	.057	(.465)	.902	.14
Course & Hate Crime Information	.314	(1.020)	.759	-.163	(.671)	.808	.39
Completed Crim Law Course	-2.894	(2.020)	.155	-1.671	(1.313)	.206	.51
Race	.940	(2.028)	.644	1.150	(.903)	.205	.09
Political Affiliation	-.330	(1.345)	.806	.769	(.854)	.370	.69
Major	-1.450	(1.184)	.224	-.650	(.915)	.479	.53
Other Deg	-1.223	(1.569)	.438	-.597	(1.163)	.609	.93
Know Victim	-1.329	(1.363)	.332	.219	(.905)	.810	.95
Been Victim	-6.402	(1.974)	.002**	1.171	(1.269)	.358	3.23**
SAS	-.156	(.130)	.232	.028	(.087)	.751	1.17
MRS	-.328	(.097)	.001**	-.204	(.051)	.000**	1.14
ATLG	-.043	(.047)	.359	-.051	(.028)	.077	.15
Yr in School	.631	(.867)	.468	.669	(.499)	.182	.04
Age	-.105	(.126)	.405	-.059	(.105)	.576	.28
SES	-.095	(.201)	.637	.085	(.128)	.511	.76
R ²	.381			.274			

NOTE: * p<.05

** p<.01

For the male subgroup, the variables explained 38.1% of the variation in scores on the African-American Hate Crime Scenarios, compared to the 27.4% of the variation that was explained in the scores by the female subgroup. For this comparison group, the independent variables included in this study explained more of the variation in the scores for males than for females.

Table 28 presents information on the split model using sex and the gay/lesbian hate crime scenarios. For this dependent variable, the slopes for undergraduate major, been a hate crime victim, and the SAS were significant only for the male group. This means these variables impacted the perceptions of men differently than women.

Table 28

Split Model for Sex and Gay/Lesbian Hate Crime Scenarios

Variable	Male B	(SE)	Sig.	Female B	(SE)	Sig.	Z-test
School	-2.684	(1.473)	.071	-.926	(.899)	.305	1.02
Clinic	-.026	(.152)	.864	.001	(.107)	.992	.15
Career	.069	(.629)	.912	-.201	(.519)	.699	.33
Course & Hate Crime Information	-.276	(.980)	.779	-.341	(.749)	.650	.05
Completed Crim Law Course	-1.639	(1.942)	.400	-.851	(1.466)	.563	.32
Race	2.241	(1.950)	.253	.623	(1.008)	.538	.74
Politics	-.795	(1.292)	.522	1.632	(.953)	.089	1.51
Major	-2.668	(1.138)	.021*	-.318	(1.022)	.756	1.54
Other Deg	-1.038	(1.508)	.493	-1.257	(1.298)	.335	.11
Know Victim	-2.050	(1.310)	.121	-.416	(1.011)	.681	.99
Been Victim	-4.732	(1.898)	.014*	.633	(1.417)	.656	2.14*
SAS	-.257	(.125)	.042*	.055	(.097)	.572	1.97*
MRS	-.358	(.093)	.000**	-.176	(.057)	.003**	1.67
ATLG	-.098	(.045)	.031*	-.079	(.032)	.014*	.35
Yr in School	-.122	(.833)	.884	.473	(.557)	.397	.35
Age	-.104	(.121)	.390	-.011	(.117)	.928	.69
SES	-.033	(.193)	.865	.251	(.143)	.083	1.18
R ²	.451			.277			

NOTE: * p<.05

** p<.01

The z-tests for been a hate crime victim (2.33) and the SAS (1.97) were significant, suggesting an interaction effect. Male law students who reported being a hate crime victim and having increased contact with students who differ from them were unexpectedly associated with lower levels of agreement the gay/lesbian scenarios were hate crimes. The slopes for been a hate crime victim were in opposite directions for males

and females. In addition, the SAS was negative and significant for males, but positive and not significant for females. This indicates that women who have been victims and have more interpersonal contact with students who differ from them are associated with higher levels of agreement that the scenarios are hate crimes as compared to their male counterparts.

The slope for major produced a significant effect, but only for the male subgroup. Male students who reported their major in the Liberal Arts and Sciences category were associated with less agreement the gay/lesbian scenarios were hate crimes. However, this variable did not produce a significant z-test (1.54), suggesting that the variable major had a similar negative impact for male and female students.

The slopes for males and females were negative and significant for the Modern Racism Scale (MRS). Males had an insignificantly greater negative slope on the MRS scales than did females. Higher levels of racism for both male and female students were associated with less agreement on the GLHCS. In addition, the slopes for males and females were negative and significant for the Attitudes Toward Lesbians and Gay Men Scale (ATLG). This result suggests that unfavorable attitudes toward lesbians and gay men are associated with lower levels of agreement with the scenarios presenting lesbian and gay victims.

The R^2 coefficient for the male subgroup was .451, meaning that 45.1% of the variance was explained by the individual and school variables for male law students. For female students, the R^2 was .277 indicating that for this group, 27.7% of the variance in the scores for these students was explained using these variables. For the present study,

the variables explain more of the variance in the scores on the GLHCS for the male law students than for the female law students.

Course and Hate Crime Information and Hate Crime Scenarios

In addition to using sex, comparison models were examined based on whether or not the student had participated in a course providing hate crime information. Neither of the schools used in the sample offers a course specifically related to any issues surrounding hate crimes. Because of this, individual instructors have the discretion in deciding whether or not to provide students with any information related to this issue. This also means that students receive this information in a variety of courses, and perhaps in a variety of contexts. Table 29 presents information on the comparison model for course and hate crime information and the AAHCS.

The variables been a hate crime victim and MRS are significant and negative for those students who have participated in a course providing hate crime information and those students who have not participated in such a course. For both groups, students reporting to have been a victim of a hate crime reported less agreement the scenarios with AA victims were hate crimes. In addition, those with unfavorable attitudes toward African-Americans reported less agreement the AAHCS were hate crimes.

The slope for the Student Acquaintance Scale (SAS) is significant only for those who have not taken a course providing hate crime information. For this subgroup, as they reported increased contact with students who are different from them, their scores on the African-American Hate Crime Scenarios decreased. In contrast, the slope for those who have taken a course with hate crime information and SAS is not significant and positive.

Table 29

Split Model for Course and Hate Crime Information and African-American Hate Crime Scenarios

Variable	No B	(SE)	Sig.	Yes B	(SE)	Sig.	Z-test
School	-.927	(1.333)	.488	-.937	(1.008)	.354	.00
Clinics	.137	(.134)	.309	-.068	(.125)	.585	.54
Career	-.301	(.611)	.623	.993	(.563)	.080	1.55
Completed Crim Law							
Course	-3.282	(1.797)	.071	-1.836	(1.593)	.251	.60
Sex	1.828	(.951)	.058	1.172	(.804)	.147	.53
Race	1.696	(1.736)	.331	1.066	(1.097)	.333	.31
Political Affiliation	.271	(1.119)	.809	.065	(1.009)	.949	.14
Major	-1.955	(1.202)	.107	-.795	(.962)	.410	.75
Other Deg	-.096	(1.541)	.951	-1.879	(1.373)	.173	.86
Know Victim	-.681	(1.300)	.602	-.976	(1.034)	.347	.18
Been Victim	-5.559	(2.119)	.010*	-2.797	(1.311)	.035*	1.11
SAS	-.253	(.121)	.038*	.051	(.101)	.618	1.94
MRS	-.226	(.076)	.004**	-.319	(.068)	.000**	.92
ATLG	-.042	(.040)	.292	-.088	(.036)	.016*	.85
Yr in School	1.111	(.748)	.141	.193	(.630)	.759	.94
Age	-.028	(.136)	.836	-.121	(.103)	.245	.55
SES	-.060	(.180)	.736	.016	(.146)	.912	.33
R ²	.335			.428			

NOTE: * p<.05

** p<.01

The ATLG Scale produced a significant slope only for those reporting to have taken a course providing information on hate crimes. As these students reported unfavorable attitudes toward lesbians and gay men, they also reported less agreement the African-American scenarios were hate crimes. However, the z-test was insignificant meaning the negative effect for the ATLG Scale was similar for both groups.

The R² coefficient for those students who reported not taking a course providing hate crime information was .335, indicating that 33.5% of the variance in the scores on the AAHCS for this group was explained. In contrast, the R² coefficient for those students who have taken a course providing hate crime information was .428. This means

that 42.8% of the variance in the scores on the AAHCS was explained for those students who have received hate crime information in their law school courses. For the present study, the variables explained more of the variance for students who have participated in a course providing hate crime information than for those students who have not.

Table 30 presents the information for the comparison model for course and hate crime information and the Gay/Lesbian Hate Crime Scenarios. The MRS and the ATLG Scale yielded negative and significant slopes for both groups. Students with unfavorable attitudes toward African-Americans and gays/lesbians were associated with less agreement with the scenarios including gay or lesbian victims.

The slopes for school and personally knowing a hate crime victim were significant only for those students reporting to have received some information on hate crimes in their courses. The negative slope for school and personally knowing a hate crime victim suggests these students reported less agreement with the scenarios. Neither one of these variables produced a significant z-test, suggesting that the effect for these two variables was similar for those who have received hate crime information in their law school courses and those who have not.

Table 30

Split Model for Course and Hate Crime Information and Gay/Lesbian Hate Crime Scenarios

Variable	No B	(SE)	Sig.	Yes B	(SE)	Sig.	Z-test
School	-.691	(1.365)	.614	-2.203	(1.042)	.037*	.88
Clinics	.054	(.138)	.695	-.074	(.129)	.568	.67
Career	-.272	(.626)	.665	.737	(.582)	.208	1.18
Completed Crim Law							
Course	-2.962	(1.840)	.110	-.974	(1.647)	.555	.81
Sex	1.753	(.974)	.075	1.440	(.832)	.086	.25
Race	1.194	(1.778)	.503	1.285	(1.134)	.259	.04
Political Affiliation	.339	(1.146)	.768	.525	(1.044)	.616	.12
Major	-2.692	(1.231)	.031*	-1.574	(.995)	.116	.71
Other Deg	-.374	(1.578)	.813	-2.138	(1.420)	.135	.83
Know Victim	-.218	(1.332)	.870	-2.530	(1.069)	.019*	1.35
Been Victim	-4.526	(2.170)	.039*	-2.100	(1.356)	.124	.95
SAS	-.293	(.123)	.020*	.019	(.104)	.858	1.94
MRS	-.250	(.078)	.002**	-.294	(.071)	.000**	.42
ATLG	-.082	(.041)	.046*	-.123	(.037)	.001**	.73
Yr in School	.645	(.766)	.402	-.242	(.651)	.711	.88
Age	-.013	(.140)	.925	-.058	(.107)	.586	.25
SES	.097	(.184)	.599	.016	(.152)	.916	.34
R ²	.357			.455			

NOTE: * p<.05

** p<.01

The slopes for undergraduate major, been a hate crime victim, and SAS were negative and significant only for the group reporting to have received no hate crime information in their law school courses. These negative slopes suggested that those with an undergraduate major in the Liberal Arts & Sciences category, those students who have been the victim of hate crime, and those reporting more contact with those different from them also reported lower levels of agreement with the gay/lesbian scenarios. However, none of the z-tests for these variables were significant, indicating the effect of these variables is similar for both groups. The variables explained 35.7% of the variance in the scores for the group not reporting hate crime information in any of their courses, while

the variables explained 45.5% of the variance for those reporting to have received information on hate crimes in their courses.

Political Affiliation and Hate Crime Scenarios

A final set of comparison models were examined for political affiliation. Marcus-Newhall (2002) noted that previous research had found that political affiliation affects “attitudes and perceptions toward various social issues” (p.113). Table 31 illustrates the results for the split model for the African-American Hate Crime Scenarios. The slopes for the MRS were significant and negative for both groups. Conservative and Liberal students reporting higher levels of racism also reported less agreement with the African-American scenarios. The lack of a significant z-test (1.45) indicates the effect of the MRS is similar between the two groups. The slope for sex was significant only for the Liberal subgroup. Women who self-identified as liberal reported higher levels of agreement with the AAHCS than men, but the z-test was insignificant, indicating a similar positive effect for sex.

The slope for school was significant only for the liberal group. Because this is a negative slope, it indicates that students in this group from the public law school reported less agreement with the AAHCS than those from the private law school. The z-test (2.30) was significant indicating an interaction effect. The effect of school is moderated by political affiliation.

Table 31

Split Model for Political Affiliation and African-American Hate Crime Scenarios

Variable	Conservative B	(SE)	Sig.	Liberal B	(SE)	Sig.	Z-test
School	2.097	(1.606)	.196	-2.083	(.848)	.015*	2.30*
Clinics	.103	(.175)	.557	-.110	(.097)	.257	1.07
Career	1.442	(.840)	.090	-.404	(.415)	.331	1.97*
Completed Crim Law Course	-7.832	(2.372)	.001**	.117	(1.218)	.924	2.98**
Sex	1.436	(1.323)	.281	2.069	(.622)	.001**	.43
Race	-2.608	(2.350)	.270	1.056	(.908)	.247	1.45
Course & Hate Crime Information	1.047	(1.225)	.396	-.017	(.625)	.979	.77
Major	-1.895	(1.465)	.200	-1.175	(.809)	.149	.43
Other Deg	-.391	(2.173)	.858	-1.090	(1.006)	.280	.29
Know Victim	.169	(1.808)	.926	-.886	(.788)	.262	.53
Been Victim	-10.818	(3.172)	.001**	-1.907	(1.035)	.067	2.67**
SAS	-.247	(.150)	.105	.020	(.082)	.810	1.56
MRS	-.171	(.086)	.049*	-.318	(.059)	.000**	1.44
ATLG	-.023	(.041)	.584	-.062	(.035)	.076	.72
Yr in School	2.119	(1.001)	.038*	-.282	(.506)	.577	1.64
Age	-.045	(.184)	.803	-.044	(.083)	.601	.00
SES	-.555	(.236)	.021*	.120	(.119)	.316	2.55*
R ²	.466			.338			

NOTE: * p<.05

** p<.01

The slopes for the completed criminal law course(s), been a hate crime victim, and SES are negative and significant only for the conservative group. For these conservative students, those who have completed their school's course(s) on criminal law, who report being the victim of a hate crime, and report higher SES also reported less agreement with the African-American scenarios. The z-test for each of these variables is significant, indicating the presence of interaction effects with political affiliation. The effect of these three variables is different for those students who self-identified as conservative versus liberal.

The variable career also demonstrated a significant z-test (1.97), indicating an interaction effect. This variable was focused on those careers likely to involve social issues (1) and those not likely to involve social issues (0). The slope for the conservative subgroup is positive and therefore is associated with higher scores on the AAHCS. In contrast, the slope for the liberal group is negative and associated with lower scores on the AAHCS. This means that the effect of career goal is moderated by political affiliation.

Overall, the variables for the study explained 46.6% of the variance in the scores on the African-American Hate Crime Scenarios for the conservative group. For those students who self-identified as liberal, these variables explained 33.8% of the variance in the scores. It appears as though these variables are better explaining variation for the self-identified conservatives than liberals.

Table 32 presents the results of the split model comparison for political affiliation with the Gay/Lesbian Hate Crime Scenarios. Four variables (school, career, completed criminal law course(s), been a victim) produced significant z-tests indicating, an interaction between the variable and political affiliation.

For the school and sex variables, the only significant slope was for those students who self-identified as liberal. The negative slope for school with the liberal students indicates that students from the public school had less agreement with the scenarios. The z-test (2.52) was significant demonstrating an interaction effect for school and political affiliation for the GLHCS. This means that the effect of school is moderated by political affiliation.

Table 32

Split Model for Political Affiliation and Gay/Lesbian Hate Crime Scenarios

Variable	Conservative B	(SE)	Sig.	Liberal B	(SE)	Sig.	Z-test
School	1.811	(1.641)	.273	-2.855	(.854)	.001**	2.52*
Clinics	.149	(.179)	.405	-.173	(.098)	.078	1.58
Career	1.853	(.860)	.034*	-.613	(.419)	.146	2.57*
Completed Crim Law Course	-7.370	(2.423)	.003**	1.339	(1.228)	.277	3.21**
Sex	1.557	(1.351)	.252	2.350	(.625)	.000**	.53
Race	-2.260	(2.400)	.349	.830	(.915)	.277	1.20
Course & Hate Crime Information	.847	(1.252)	.501	-.262	(.630)	.677	.79
Major	-3.421	(1.496)	.025*	-1.563	(.815)	.057	1.09
Other Deg	.119	(2.220)	.957	-1.693	(1.014)	.097	.75
Know Victim	-.873	(1.847)	.638	-1.271	(.794)	.111	.00
Been Victim	-9.390	(3.240)	.005**	-1.438	(1.043)	.170	2.33*
SAS	-.295	(.154)	.058	-.002	(.082)	.982	1.68
MRS	-.183	(.088)	.039*	-.302	(.059)	.000**	1.12
ATLG	-.112	(.042)	.010*	-.032	(.035)	.358	1.45
Yr in School	1.234	(1.023)	.231	-.674	(.510)	.188	1.66
Age	.053	(.187)	.778	-.021	(.084)	.805	.36
SES	-.320	(.241)	.188	.182	(.120)	.131	1.86
R ²	.510			.345			

NOTE: * p<.05

** p<.01

The slope for career was positive and significant only for the conservative group.

The positive effect means those students in this group who reported they wanted to work in a type of law associated with social issues also reported more agreement with GL scenarios. The test for differences in slopes was significant ($z = 2.57$), indicating the effect of career is different depending on the student's political affiliation.

The variables completed criminal law course(s), major, been a hate crime victim, and the ATLG Scale produced significant slopes only for the conservative group. Each of these slopes was negative. For the conservative group, those reporting they have taken their school's criminal law course(s), reported their undergraduate major in the Liberal

Arts & Sciences category, have been a hate crime victim, and have unfavorable attitudes toward lesbians/gay men were associated with lower levels of agreement that scenarios with gay/lesbian victims were hate crimes. Only the results for the unfavorable attitudes toward lesbians and gay men were in the expected direction. The z-tests for completed criminal law course(s) (3.21) and been a hate crime victim (2.33) were significant, indicating interaction effects. This means the effect of completing criminal law and prior hate crime victimization differs depending on political affiliation.

The MRS produced significant slopes for both the conservative and liberal groups. In addition, both slopes were negative. This means that for conservative and liberal students, higher scores on the MRS (indicating higher levels of racism) yielded lower scores on the GLHCS. Although the MRS produced a significant slope for both groups, it did not yield a significant z-test. These individual and school variables explained 50.1% of the variance in scores for the GLHCS for the conservative group and 34.5% of the variance for the liberal group.

Summary

This study focused on the perceptions of law students regarding hate crime and hate crime victims as impacted by a set of individual factors (attitudes toward African-Americans, attitudes toward gays lesbians, sex, race, political affiliation, personal knowledge of a hate crime victim, being a hate crime victim, undergraduate major, additional degrees) and (law) school factors (interpersonal contact with different students career goal, clinic participation, completed criminal law course(s), and law school). Six regression models were tested in addition to six comparison models.

Regression Models

Full Model (All Variables) and the Hate Crime Scenarios

Both of the full models shared variables that produced significant effects. In each of the full models, the MRS, sex, the ATLG Scale, and hate crime victimization were each significant predictors. However, completion of the school's criminal law course(s) was a significant predictor only for the full model for the African-American Hate Crime Scenarios, and undergraduate major was a significant predictor only for the Gay/Lesbian Hate Crime Scenarios. The significant effect of sex, the ATLG Scale, and the MRS supported the corresponding hypotheses for the study.

Despite the significant effect of being a hate crime victim in both full models, this effect was in the opposite predicted direction and therefore does not support the hypothesis. In addition, the variables completed criminal law course(s) and undergraduate major were significant only in one of the full models each and in the opposite expected direction; therefore, the hypotheses for these models also were not supported.

Individual Factors Model and the Hate Crimes Scenarios

This model included the 11 individual variables for the study (undergraduate major, other degree, sex, been a hate crime victim, personally know a hate crime victim, race, political affiliation, the ATLG Scale, the MRS, SES, and Age). Interestingly, each of the variables that were significant in these models were the same variables significant in the full models. In the model only including the individual factors, sex, been a hate crime victim, the ATLG Scale, and the MRS were significant for both sets of scenarios. This seems to suggest that much of the variation in the scores of the scenarios can be attributed to these individual factors.

For the scenarios representing the gay and lesbian victims, an additional individual factor proved to be significant. Undergraduate major was an additional variable that was significant in the individual factors model for the gay/lesbian scenarios, just as it was significant only in the full model with the gay/lesbian victims. It appears that for the scenarios with gay and lesbian victims, undergraduate major has a distinct effect.

School Variables and the Hate Crime Scenarios

The variables included in these models were all variables related to the law school/law school experience. Specifically, school, clinics, career goal, completed criminal law course, course and hate crime information, the SAS, and year in school. For both sets of victims, these school models produced the same two significant predictors – course and hate crime information and the SAS. The effect for course and hate crime information was positive, while the effect for the SAS was negative. In these models, those students who reported participating in a course providing hate crime information reported greater levels of agreement with the scenarios. Opposite to what was expected, those reporting increased contact with students who were different from them reported lower levels of agreement. Neither of these variables was significant in the full model while controlling for other variables. This means that when considering all of the variables, these two variables are not significant when attempting to explain the variation in scores on the African-American and Gay/Lesbian Hate Crime Scenarios. Overall, these school variables provided a limited contribution to the explanation of the variance in the hate crime scenarios' scores.

Comparison Models

There were a total of six comparison models analyzed for the current study. The variables were used to determine if the effects of other variables differed depending on the category of the variable of interest. For the current study, comparison models were run using the variables sex, course and hate crime information, and political affiliation.

Sex and the Hate Crime Scenarios

For the variable sex and the African-American hate crime scenarios, the one significant difference in slopes was for the variable been a hate crime victim. For males, being a hate crime victim had a significant and negative effect on the perceptions of the scenarios with African-American victims. It was expected that being a hate crime victim would produce greater agreement with the hate crime scenarios.

For the scenarios with gay or lesbian hate crime victims, there were two variables that produced significant interaction effects. The variables, been a hate crime victim and the SAS, produced significant differences in slopes. Again, being a hate crime victim significantly impacted the scores for males. As with the scenarios with the African-American victims, males with prior victimization resulted in lower levels of agreement the scenarios were hate crimes. In another interesting result, increased contact with students who were different impacted male students differently than female students. For male students, this increased contact did not result in greater levels of agreement as expected, but instead resulted in lower levels of agreement. These results would suggest that males who have experienced hate crime victimization perceive other victims more negatively.

Course and Hate Crime Information and the Hate Crime Scenarios

For the African-American Scenarios, there were no significant interaction effects produced. Because of this lack of any significant differences in slopes, the effects for other variables were similar regardless of whether or not the student reported taking a course that provided hate crime information. Similarly, no significant interaction effects were found in the model with the gay or lesbian victims. Again, this means the effects of the variables were similar whether or not the student took a course providing any hate crime information.

Although the z-test for the SAS did not quite reach statistical significance, it is worth noting. The slope that was significant was for those students who did not report participating in a course that provided any information on hate crimes. What is worth noting is that for these students, increased contact with those who differed from them resulted in lower levels of agreement the scenarios were hate crimes. This runs counter to the hypothesis and literature that increased contact leads to more favorable opinions of minority groups.

Political Affiliation and the Hate Crime Scenarios

There were several significant interaction effects in both sets of the hate crime scenarios. For the scenarios with the African-American victims, school, career goal, completed criminal law course, been a hate crime victim, and SES produced significant interaction effects. The school variable produced a significant slope only for the liberal subgroup and this slope was unexpectedly negative. Being a liberal student was surprisingly associated with less agreement with the scenarios. Completed criminal law course, been a hate crime victim and SES produced significant slopes only for the

conservative subgroup, and these slopes also were negative. For conservative students, completing the criminal law course(s), prior hate crime victimization, and higher SES negatively impacts the perception of African-American hate crime victims.

For the gay and lesbian hate crime scenarios, interaction effects were found for the following variables: school, career goal, completed criminal law course, and been a hate crime victim. Similar to the African-American scenarios, a significant slope was found only for the liberal group for the school variable. Again, liberal students from the reported lower levels of agreement with these scenarios. Significant slopes were found only for the conservative subgroup for the variables career goal, completed criminal law course, and been a hate crime victim. These variables appear to impact the perceptions of gay/lesbian hate crime victims more for the conservative students than the liberal students. The next chapter will offer possible explanations for the results of the multivariate analysis and the comparison models presented in this chapter.

Qualitative Analysis and Findings

The previous section presented the statistical findings from the quantitative portion of the survey. This portion of the chapter presents the findings from the open-ended questions that were included in this study of law student perceptions of hate crimes and hate crime victims. The focus of these qualitative questions involved hate crime victimization and the students' overall views, feelings, and/or opinions regarding hate crime laws. In addition, these questions focused on the descriptions of hate crime victimization experienced by someone the students knew personally or victimization experienced by the students themselves.

Hate Crime Victimization

Two questions asked students about hate crime victimization. One question dealt with their personal knowledge of a hate crime victim and then asked them to provide a description of the incident, the people involved, and any involvement by the criminal justice system. The other question asked the law students if they had been victims of a hate crime, and if so, to provide a description of the incident. Both questions also contained examples of the type of information they could provide (e.g., location, time of year, injuries suffered, violent/non-violent, number of persons, age, sex, race, police involvement, court involvement).

It should be noted a design feature of the survey had an impact on these questions. It previously has been mentioned that when the survey was converted to a Web format, persons in the Software Development Center (SDC) provided only limited space for students to respond. Also, students were not made aware they had only a certain number of spaces in which to provide their answer. As with other questions that suffered from this technical limitation, there were instances in which the description of the incident was incomplete. Again, this does not mean the responses were of no use; however, it does mean that in some cases a complete description was not provided and therefore a thorough examination of the question was not possible. Despite this limitation, valuable information was gathered from what was provided in the responses.

To begin the analysis, responses were read to determine the type of information participants provided. The format of the question provided students with a starting point with regard to what type of information to include in the description. For example, the survey question suggested that students provide information on the incident such as

location, time of year, injuries suffered, if the attack was violent/non-violent, age of persons involved, and any involvement of the criminal justice system. These suggestions were offered in order to provide the students with some structure and to give some uniformity in the content of the responses.

Personally Know a Hate Crime Victim

The question regarding whether the students personally knew a victim of hate crime (not including themselves) garnered a total of 41 responses. Several responses made mention of the group membership of the victim and/or perpetrator. In particular, information was provided on the sex, race/ethnicity, sexual orientation, and age of the victims and/or offenders. Information also was provided on the nature of the offense. Some students offered information on any injuries that were suffered and provided information related to the location of the attack.

There were some descriptions that provided information on the number of perpetrators involved in the attack, if the criminal justice system was involved in any way, and if the attack took place at a significant time. Interestingly, students described events where the police were the perpetrators of an attack. Also, some students described their knowledge of hate crime victims from outside the United States. The following sections provide more detailed information on what students provided in their descriptions of personal knowledge of a hate crime victim.

Group Membership

Thirty-two responses made reference to the group membership of either the victim or offender. These descriptions of personal knowledge of a hate crime incident provided information on the sex of the perpetrator; race/ethnicity of victim and/or

offender; sexual orientation of the victim; and, age of victim and/or offender. In some instances the victimization was the result of a person's perceived group membership, while in other incidents the victimization resulted from the victim's actual membership in a protected class. Thirteen responses mentioned race, another thirteen mentioned sexual orientation, four incidents were based on nation of origin/ethnicity, and four victimizations took place because of an individual's religion.

Sex. Six students provided information on the sex of the perpetrators in their descriptions of the hate crime incidents. Only in one case were females mentioned as perpetrators, and in this case they acted in a group with male perpetrators. The student describing this incident stated, "In 2000, my younger sister was jumped and robbed in her high school by a group of 8-9 African American males and females." The remaining five incidents that reported the sex of the offender, each reported males as the perpetrator in the incident(s). One student stated, "In the fall of 2002, a male friend was 'gay bashed' by two teenage white males..." Another student wrote, "caricature of racial, ethnic characteristics in after dinner 'entertainment' at a conference; perpetrator: white man..."

Race/Ethnicity. Respondents provided information on the race/ethnicity of both offenders and victims in their descriptions of these incidents. The race/ethnicity of the perpetrator(s) was provided in nine descriptions. A student wrote, "Several years ago, a black friend was beaten by a number of white youths in Philadelphia." Another student described an incident where "three or four black male youths attacked a white male." Overall, three incidents involved a black/African-American perpetrator and five students reported the incidents with white offenders. One student reported that the offenders in multiple incidents were both black and white. This student stated, "my wife and myself,

she is black and I am white, we are subjected to slurs and comments often by both racial groups.”

The race/ethnicity of the victim was provided in 17 of the descriptions. A student described how “An Arab friend was beaten and robbed at night...” and another student wrote his friend “who is black had his car window smashed...because he went out with a white woman.” Eleven of the descriptions providing information on the race/ethnicity of the victim involved black/African-American victims. Two descriptions included white victims, and the remaining four were victims based on their ethnicity. For example, one person described a Japanese victim, and another student described a hate crime victim who was Asian Indian.

Sexual orientation. Incidents involving victims who were actual or perceived homosexuals were described by 12 students. One student described how she knew a girl who “got severely beaten up by a group of men who perceived her as a lesbian...” Another student described a friend who “was assaulted in a bar for being homosexual.” Some students described multiple incidents based on a person’s sexual orientation. For example,

It’s not so much one crime, as a pattern of activity. All through high school one of my very good friends was harassed and beaten up and had his car windows smashed and the like because he was openly gay.

Another student wrote that, “A lesbian couple I am friends with has been harassed on many occasions.”

Age. Five descriptions provided a specific age/age range for victims, and two students provided information on the age/age range of offenders. Descriptions of victims

offered information such as “A girl in her 20s...” or “some male friends, in their 20s, ...” Another student stated that “A good friend’s husband (African-American, mid 50s) was accosted...” In describing an incident involving a friend’s car being vandalized, one student wrote that he was “25 at the time.” Some students only provided a general frame of reference with respect to the age of the victims they knew. While not providing specific information, these descriptions permit some conclusions to be made with respect to the age of the victims. For example, a student described a hate crime incident involving “a girl I knew in grad school.” Another student described the victimization of his younger sister when she “was jumped and robbed in her high school.”

In providing information on the age of offenders, two students provided a specific age range. One student described the offenders as “youths all in their mid to late teens...” When describing the offenders who assaulted a gay friend, a student wrote the perpetrators were “two teenage white males.” In other cases, only a general frame of reference was provided with respect to the age of the offenders such as “young white men” or “three or four black youths.”

Type of Hate Crime

Several of the descriptions included information on the type of hate crime incident. Of particular interest was the nature of the incident – violent/non-violent, verbal harassment, property damage, and/or graffiti. Thirty-three responses included some information on the nature of the offense. Eighteen of these incidents involved some type of violence. For example, one participant reported that a girl attending a pool tournament in support of her friend “got severely beaten up by a group of men who perceived her as a

lesbian and did not want her frequenting the pool hall.” Another student reported that, “a friend was assaulted at a bar for being homosexual.”

After violent attacks, the most reported type of incident involved verbal harassment. Nine incidents reported information on the nature of the offense reported that the hate crime involved verbal harassment. From the information provided, it appears that most of the verbal harassment came in the form of derogatory slurs. For example, one student reported that he (who is white) and his wife (who is black) are often the victims of verbal attacks and slurs from both whites and blacks. Another student reported they knew “several blacks and gays who have been verbally harassed with racial/homophobic slurs.”

Four students reported they knew persons who had their personal property damaged because of their membership in a particular group. One student reported that a friend’s car was broken into and vandalized. This friend “is gay and had equality stickers on his car and other gay rights symbols. All of his stickers and symbols were crossed out by a black magic marker.” Two other reports of personal property damage also involved damage done to a motor vehicle. One incident involved an Asian Indian and the other a black man. The final incident involving personal property damage was done to the Jewish neighbor of a student who had a swastika painted on their house.

Three students reported different forms of graffiti. The graffiti was located on public buildings or in public areas, but the students interpreted this as a hate crime. This was considered different than personal property damage. This separate category was created because of the purposeful selection that goes into attacking someone’s personal property as opposed to the arbitrary selection of public property for purposes of graffiti.

Injuries

Four students made some mention of injuries suffered. Two of these reported there were no “serious injuries” or “there were only minor injuries.” The other two descriptions stated that the attacks “resulted in a head injury” and in an incident involving a gay victim, he suffered “a broken nose, two broken ribs, a couple of broken fingers and various bumps and bruises.” Other descriptions did not provide specific details regarding any injuries suffered, however, they made statements such as “a gay individual was spat on and beaten...”; “my younger sister was jumped and robbed...”; or, “...a friend got severely beaten up...” These statements give the impression that indeed some injuries were incurred, but the student either chose not to include any specific information or the answer was incomplete due to the limits in character space.

Location

Twenty responses provided some information on the location of the incident. In some cases it was specific such as “A gay individual was ...beaten outside of a homosexual club.” Another student described how a friend returned to his car after watching a movie at a theatre to find it had been vandalized. Additionally, incidents were described that took place “in Pennsylvania” and “just outside of Fort Bragg.”

Number of Perpetrators

With respect to offering information on the number of persons involved in the incident as offenders, five students provided such information. This information was specific in providing an actual number of perpetrators. For example, “a group of 8-9 African American males and females”; “a male friend was ‘gay bashed’ by two teenage white males...”; and, “three of four black male youths...”

Criminal Justice System Involvement

From the information available, it does not appear that the criminal justice system had much involvement in these incidents. Only nine responses made any reference to involvement by the criminal justice system. Two participants reported contacting law enforcement, but there was no further action taken. A student described how a gay friend reported an attack but “nothing developed.” Four descriptions detailed how the police had not been contacted after the hate incident took place. In one of those four descriptions, a student wrote there were “no serious injuries so there was no police/court involvement.” The remaining three made reference to there being some involvement by law enforcement, but the charges were dropped, the perpetrator(s) were not caught, or the person was acquitted of the charges.

Significant Time or Event Surrounding the Incident

Three responses made specific reference to a time/event the hate crime was connected to. One of the incidents took place during the United States involvement in the Gulf War. This incident involved an Arab who was “beaten and robbed...and called racial slurs during the first gulf war.” The remaining two incidents took place shortly after the terrorist attacks of September 11, 2001. One student reported that a girl they knew “in grad school was harassed for wearing a headscarf after 9/11.” Another student reported “the weekend after 9/11 an Asian Indian friend was attending a movie at a local theatre. A group of young white men observed him going into the theatre. When he (the friend) returned, he found that his new car had been severely dented and had paint thrown all over it...”

Police as Perpetrators

Two incidents that were reported involved police officers as perpetrators. Each of victims in these incidents were African-American. In one incident, the student described a good friend's husband who is African-American being "accosted twice by Johnstown police officers, on the same day." The second student wrote that an "African-American male coworker...pulled over by more than one police car and forced to prostrate himself – no offense other than speeding."

International Hate Crimes

One student reported on hate crimes that took place outside of the United States. While the focus of this research was on those incidents that took place within the borders of the United States, international hate incidents cannot be discounted. For this one international incident, the crimes reported dealt with the war crimes during the time of the ethnic cleansing that took place in Kosovo in the 1990s. The following is the response from the student reporting on these incidents:

If international war crimes count, I have extensive experience with friends and colleagues that have suffered severe ethnic persecution attached to the 1998-9 war in Kosovo. The victims have been of both sexes, all ages and most of their cases have not been...

Unfortunately, this is the extent of the information provided. There is little doubt that more detailed information was provided by this student, but due to the limitations related to amount of space permitted for answers that information was lost.

Knowledge of Several Victims

Two responses made reference to the fact they knew several victims and simply offered the following in response to the question – “too numerous” and “there are just too many to name.” One participant reported the details of a multi-victim hate crime that took place in western Pennsylvania five years ago, but no information was provided that they personally knew any of the victims of that hate crime.

Miscellaneous

An additional two participants provided a response, but the responses were not related to the question being asked. For example, one student wrote “there is no such thing as a hate crime – they are freakin lame and do nothing but crowd courts.” These responses were categorized into a miscellaneous category due to the determination the responses were unrelated to the question asking students about their personal knowledge of a hate crime victim.

Been a Victim of a Hate Crime

After asking about their personal knowledge of a hate crime victim and asking them to describe the incident, students were asked if they had experienced hate crime victimization. The question elicited a response from 20 law students. In addition, the students were asked to provide a description of the incident. Students were again prompted to provide certain information such as the time, location, injuries suffered, characteristics of those involved, and any involvement of the criminal justice system.

Group Membership

Fifteen responses reported the reason for the victimization; that is, these participants reported their particular group membership that resulted in their hate crime

victimization. Eight of these incidents were based on the religious background of the student. Five incidents were based on the race or ethnicity of the student, and the remaining two incidents were based on the students being female. In addition to the students providing information on their own characteristics, they provided information on the characteristics of those who were responsible for their victimization. Students provided descriptions on the sex, race, age, and number of persons involved in the incident.

Sex. Two female students reported they were victimized because of their sex. One of these students wrote of an incident that took place at a fraternity party with her and other women in attendance. According to this student, “they tried to rape us and said other terrible things. We were escorted out safely.” The other female student who reported being the victim of a hate crime described threats of being told “we are going to rape you.”

Descriptions also were provided regarding those who were the perpetrators of the students’ victimization. Five students reported the sex of their offender(s) in their description of the incident. A female student wrote that, “Once, in high school, 2 black boys assaulted me and tried to throw me down a flight of stairs.” Another student wrote how he was “attacked by three black males...” In each of these incidents, the sex of the offender was reported as being male.

Race/Ethnicity. Four students made mention of the offender’s race or ethnicity as they were providing details on their victimization. Two descriptions specifically mentioned black males as perpetrators. One description mentioned Arab youths when detailing an incident where he was “attacked by three Arab youths...” and another student

made mention of being harassed by members of “the Islamic Association.” One student stated they were verbally harassed by “white males.”

Only two of the students reporting being a hate crime victim identified themselves as racial or ethnic minorities. Though the survey did not ask students to report their religious affiliation, many of the incidents provided in response to this question were based on the students’ religion. Eight students reported their victimization was the result of their religion, specifically them being Jewish.

Age. Seven responses provided information related to age. In some instances, the only information provided with respect to age was related to the age of the student at the time they were victimized. When describing her age at the time of victimization, the student wrote, “when I was 11 years old” and another student stated they were victimized when they were “between 8-10 years old.” Although some students provided such specific information regarding age, others described their age at the time they were victims in more general terms such as “I was a junior in college.” One of the most common descriptions involving age was the phrase “while growing up” which could be making reference to a younger point in the student’s childhood or a latter point in the student’s life such as high school.

Six descriptions included information about the age of the offender(s). Some of this information was very specific and other descriptions were general in their details regarding the age of the offenders. In describing an incident where the student was victimized “between the ages of 8-10,” the student described the perpetrator as another child who was “1 or 2 years younger.” Another student described being attacked by persons in their “late teens and early 20s.” Other information regarding the age of

offenders was general such as “I was harassed by the Islamic Association of my university...” or racial epithets used towards this student while they were in grade school.

Student Victims

It was important to note the characteristics of those students reporting to have been the victims of a hate crime because the current project involves the perceptions of hate crime victims. It seemed only appropriate to provide information on those completing the survey that reported to be victims of hate crimes. Of those reporting to have experienced hate crime victimization, nine were women and the remaining six were men. Interestingly, thirteen of those describing their own hate crime victimization were White, with the remaining two reporting to be racial or ethnic minorities. Also, each of the students reporting being a hate crime victim was heterosexual. Finally, these victims ranged in age from 22 – 36.

Type of Hate Crime

Many of these descriptions provided information on the type or nature of the offense. Of those reporting to be victims of hate crime incidents, five students reported being the victim of violent attacks. Another four persons reported the incident as verbal harassment, three reported damage to personal or public property, and three of the incidents were categorized as intimidation.

Five of the incidents were violent, while another four incidents consisted of verbal harassment. One student described, “being attacked by three Arab youths” and two other students stated they were involved in several fights because of their Jewish background. Examples of the verbal harassment described by four students included incidents such as

persons “shouting anti-Semitic remarks at me” and “people yelled at me for being white.” Additionally, a student described how “I was consistently verbally harassed by black students and called racially charged names...”

Hate crimes involving property damage was reported by three students. Two incidents targeted persons of the Jewish religion. One student stated “When I was a child, someone had spray painted our garage door with a swastika – my family is Jewish, and my father was a Holocaust camp survivor.” Another student described the damage done to a synagogue and surrounding property. This student wrote, “The synagogue I attended while growing up was defaced several times with anti-Semitic graffiti, and the playground there was also destroyed several times.” Descriptions also were provided of public property that was used to convey a message of hate. The student wrote “...in my public high school, people frequently tagged the building with KKK...”

Three descriptions were categorized under intimidation. While the incidents did not involve any physical assault, there was a definite threat of such action. One female student described an incident where she was told, “we are going to rape you.” Another incident involved a group of young people who were encouraged by their parents to engage in an act of hate against another group of young people who were Jewish. The student describes “When I was about 11 years old, I played basketball for the Jewish Community Center...At one of the church’s gymnasiums, parents (probably 10-15 of them) gave pennies to their young children...” This information was incomplete due again to the technical limitations built-in to the survey. It is clear, however, that the intent was to make the Jewish children uncomfortable. This did not quite fit in the categories of

violent attack or verbal harassment and seemed to fit more comfortably in the category of intimidation.

Injuries

Of the fifteen responses used for analysis, only one provided any details regarding injuries that resulted from their hate crime victimization. This one response stated the student suffered “only small cuts and bruises” from their attack.

Location

Twelve responses offered information of the location of the hate incident. One incident took place at a Jewish Community Center. Three incidents took place at elementary or grade school. One of the incidents involved damage to private property and one involved damage to public property. One student reported an incident that took place at a high school and two students reported being victimized at high school.

There were three descriptions that provided a general location of where the incident took place. Two students reported experiencing victimization outside of the United States. The final student offering a general description of where their victimization took place stated they were “attacked...in South Carolina.”

Number of Perpetrators

Six of the descriptions included information on the number of perpetrators involved in the incident. In some descriptions there was specific information provided regarding the number of perpetrators involved in the incident. For example, “attacked by three black males” or “racial epithets used toward me by 3 white males.” In other instances, only general information was provided about the number of perpetrators (e.g.,

“...verbally harassed by black students...”). The largest number of hate crime offenders that was reported included a group of 10-15 persons.

Criminal Justice System Involvement

Similar to the question on personal knowledge of a hate crime, some students explicitly stated that the criminal justice system was or was not involved and others implicitly stated any involvement by actors in the system. For this question, five responses made a mention of police or the criminal justice system. Four of the 15 descriptions stated there was no police or criminal justice involvement. However, one description detailed how the “local police station started stationing officers there, and surveillance cameras were installed...” in response to the repeated destruction of the playground located on the grounds of a synagogue.

Signification Time or Event Surrounding the Incident

Only one response referenced any special or significant event that surrounded their hate crime victimization. This student reported that “...in college, around the time of September 11th, I was harassed by the Islamic Association of my university for being Jewish.”

International Hate Crimes

Two students reported being victims of hate crime incidents outside of the United States. One student reported they were frequently the victim of “Anti-Semitic incidents... Usually from classmates, sometimes from strangers in public.” The other student who reported experiencing hate crime victimization outside of the United States wrote, “I was attacked by three Arab youths” and “The attack was violent, consisting of racial slurs...” This particular victim reported his race as White.

Miscellaneous

Five of the responses were included in a miscellaneous category in the analysis because their answers did not fit in any specific category. One response was incomplete as a result of the space limitation and the information provided was not conclusive enough to permit it to be included in a specific category. Other responses included statements such as “he punched me back because he hates me too” and “these guys one time, like, totally messed up my car because they hated me.” Another student made reference to his previous answer with respect to personal knowledge of a hate crime victim by simply stating “see above.” When this previous answer was reviewed, it stated that all “hate crimes do is crowd courts.” This was included in a miscellaneous category due to the fact it did not address whether or not the student had been a victim of a hate crime.

Overall Views, Feelings, or Opinions about Hate Crime Laws

The present study also included an opportunity for participants to use their own words to express their opinion about hate crime laws. While the quantitative portion of the research was designed with pre-established scales and questions believed by the researcher to influence/impact law students’ perceptions of hate crimes and hate crime victims, this qualitative question allowed students the opportunity to freely express their opinions. This question was included because of the lack of information about law students’ perceptions and the desire to get a more complete picture of those attitudes and opinions regarding hate crime laws. An attempt to gain insight to these opinions was made by asking law students the following question – “What are your overall feelings, views, or opinions about hate crime laws?”

Of the 283 surveys included in the study, 200 provided answers to this final survey question. Each of these 200 responses was categorized into only one response category. The previous chapter noted a limitation to this analysis in the form of the technical design. The SDC provided a limited space for the answer and the students were not made aware that their answers were limited to a certain number of characters. Despite this, the information that was received did provide the ability for some insight to be gained regarding these students' views, feelings, and opinions of hate crime laws.

Response Categories

As the responses were being read, notes were taken that developed into thematic categories. Although some possible categories had been developed before analysis began, it became apparent that this was not an exhaustive list and additional categories were necessary to accommodate the variety of responses that were received. Once the categories were identified, the number of responses that fit into each of the groups was counted. Table 33 presents the final list of each identified category of responses according to the overall theme of the answer. This table also presents the frequency of responses for each category. Following the table is information and examples from each identified category of responses.

Table 33

Categories and Frequencies for Overall Views, Feelings, and Opinions of Hate Crime Laws

Categories	Total Number of Responses
Equal Treatment Under the Law	46
First Amendment/Government Involvement	20
No Knowledge/Not Enough Information to Provide an Opinion/No Opinion/ Unsure of Opinion	17
Design/Creation of Hate Crime Laws	14
Society	13
General Support	13
Necessary	12
Not Tough Enough	10
The Criminal Justice System	9
Impact on Victim and Community	9
Answer Unclear/Not on Topic	8
Education/Awareness/Causation	5
Deterrence	5
Backlash	4
Issues Related to Their Use	3
More Needed	3
Purpose of Hate Crime Laws	2
Potential Victims Should Have Legal Protection	2
Not a Significant Problem/Unnecessary	2
Conditional Support	2
Difficult Behavior/Actions to Legislate	1

Equal Treatment Under the Law

This category included a total of 46 responses that specifically included a concern about hate crime laws and these laws possibly creating unequal treatment under the law. The response made specific reference to existing criminal law, how that was adequate, thereby making the creation of hate crime laws unnecessary or redundant. In particular, some students used the phrase “a crime is a crime” and/or made mention of the idea that hate crimes do not deserve any special recognition in criminal law. Also, this group of responses included students who expressed that motive should be irrelevant. Finally, some students expressed an acknowledgement of the existence of hate crimes, but they

maintained reservations about fully supporting laws that recognize or legally acknowledge these crimes.

Examples of responses that were placed in this category include: “No one should be given preferential treatment and no one should be denied equal treatment” and “I believe crime is crime. I am open to the possibility that there may be some very select groups of people who deserve special protection, but I am not entirely convinced of that.” In addition, students wrote “I believe there are sufficient measures currently in the law to deal with violence and harassment without resorting to creating a new category of crimes called hate crimes” and “Violent crime is already illegal under current law.”

First Amendment/Government Involvement

To be placed into this category, responses had to involve some concern or issue with hate crime laws and/or the government’s involvement in the free speech of its citizens. Some of these 20 responses made direct mention of the First Amendment or the violation of the free speech protection. Not all of the included responses that made some mention of the First Amendment or the Constitution were opposed to the implementation of hate crimes laws. There also were some issues related to the Constitution that did not involve the First Amendment. “They are necessary, but it is also necessary to respect First Amendment rights as well” and “From what I’ve learned, freedom of speech seems to be the greatest obstacle to enforcing hate crime laws” are examples of responses placed in this category. One student also stated that, “The government should not legislate against the thoughts people have in their heads. The government should be concerned only with the physical actions of people.”

No Knowledge/Not Enough Information to Provide an Informed Opinion or Answer/Unsure of Opinion

This category included the 17 responses that explicitly indicated that the participant did not have enough information to provide an informed opinion or the student stated that they did not have an opinion of hate crime laws. Also, this category included those students who reported they were unsure of their opinions of hate crime laws. Examples of responses that were included in this category: “At this point, I have yet to form opinions in this area”; “I don’t feel I have enough information to answer this question”; “Can’t say I’m conversant in that area of law”; and, “Not well enough informed to form an opinion. I can’t say if they are too soft or just right.”

Design of Hate Crime Laws

In this category, these 14 responses made reference to the structure or design of hate crime laws and/or the role of lawmakers. In this category, some of the responses expressed concern with the difficulty in designing specific laws that were very detailed so that the appropriate measures were taken and those responsible were punished. The focus of these responses was on being certain the right people were being punished for committing the hate crime. These responses expressed some of the difficulty with defining a hate crime and therefore crafting laws around that definition. Examples for this category included: “Depending on they are written, they could easily move from acceptable to unconstitutional” and “They should be drafted carefully so as not to have certain crimes be misconstrued as hate crimes when they are really just senseless crimes unrelated to ‘hate.’” Students also stated, “Hate crime laws must be carefully constructed...” and “Hate crime laws should only be created for situations where criminal

law does not already protect people.” Additionally, one student wrote “I think it’s sad that hate crime laws exist because they reflect the fact that lawmakers don’t believe that “regular’ criminal punishment for activity is sufficient to deter people from committing hate crimes...”

Society

Thirteen replies addressed the larger society and its role in creating or producing a climate where such crimes take place. Some of the responses alluded to how those groups likely to be included in hate crimes legislation were those that society would otherwise ignore. These responses made direct mention of society and its role in making these crimes possible or their role in not doing enough to see that these crimes do not take place. Examples of responses that fit into this category included: “I think they are an important way to protect people that a large part of society would sooner ignore” and “I think that hate crimes display how much further society has to grow and work to accept all that are in it.” Additionally, students stated “Hate crimes are pervasive in our society and that we do so little to prevent or call attention to it is a shame and a crime in itself” and “I think that hate crimes, as opposed to other crimes, represent a wider societal bias against particular groups.”

General Support

There were 13 responses that conveyed support for hate crime laws, but did not offer any specifics or any other detail that would permit it to fit in any of the previous categories. It was then necessary to create a category for those responses that expressed a general support for hate crime laws/legislation. Some of the responses that were categorized here included: “They seem to be a good thing and I think they should be

more well-known and enforced in society” and “I agree with hate crime laws.”

Additionally, a student wrote that “I believe there should be different degrees of severity for hate crimes and different sentences, as I am not sure if they are adequately covered by standing criminal laws.”

Necessary

There were 12 responses that stated these laws were necessary or that the punishment of these offenses was important. To be included in this category, the answers had to implicitly or explicitly convey a sense that hate crime laws were necessary. For example, students provided comments such as “I think that they are absolutely necessary” or “They are an unfortunate necessity.” Other examples included, “I think that hate crime laws are reactive in that there would not be hate crime laws without the commission of hate crimes” and “Hate crimes must be recognized; attacking others with this sort of motivation is unacceptable.”

Not Tough Enough

In this group of responses, the law student could have been explicit in conveying their belief that hate crime laws were not strong enough or they could have been implicit in referencing that the laws were strong enough. The following are examples of the 10 responses placed into this category: “Not strong enough”; “Not strong enough and certainly not clear enough”; and, “Hate crime laws should be strengthened.” Additionally, students wrote “Hate crimes should be punished more strictly than other crimes” and “We need more of them, and they need to be enforced more strictly.”

The Criminal Justice System

These 9 responses made some mention of the criminal justice system, prosecutors, law enforcement, or the court system as a whole. Some of the responses in this category made specific mention of how prosecutors make decisions, how law enforcement investigates, and how the court system imposes penalties. One example of a response placed into this category included,

I am strongly supportive of hate crime laws that enhance punishment for criminals. But prosecutors should invoke hate crime statutes rarely and only in those instances where the crime has had the effect of terrorizing a whole community.

Another student expressed concern with how negative characteristics of individuals in the criminal justice system could impact the use and application of hate crime laws. This student wrote that when considering “the homophobic and racist government currently in place in the US, the criminal justice system will be subverted by increasingly homophobic, racist, and sexist judges, lawyers...” Additionally, students wrote that these laws “need to be enforced by our courts” and “Federal laws regarding hate crimes are hard to enforce because local police/DA offices have latitude in deciding what crimes to actually prosecute.”

Impact on Victim and Community

Nine responses involved the impact of hate crimes on the victim and community. In addition, these responses viewed hate crimes as a unique set of crimes often causing more harm to the victim and the surrounding community. Some responses also made mention of how this increased/unique harm should be reflected in the criminal code. For

example, “I believe hate crimes are a unique subset of violent crime that deserve special attention and tailored laws.” The following examples further express the unique nature of hate crimes: “Hate crimes are a form of domestic terrorism because it not only victimizes the person directly hurt by the crime, but others that identify with that person’s race, sexual orientation, etc.” and “Hate crimes are inherently more damaging to society than other sorts of crimes, and should be punished more severely than crimes motivated by other factors.” Another student stated,

I believe that hate crimes are more serious than “regular” crimes and the penal code(s) should reflect that. The fact that a crime is motivated by hate makes it that much more devastating to the victim, society, and especially the group to which the victim...

Answer Unclear/Not on Topic

In some cases, the response was related to the topic of the question but it was not possible to discern what the student was attempting to convey. Some of these responses were drastically impacted by the limited number of characters of the design of the survey. Had the complete answer been available, it would have provided the context needed to categorize the response. The following provides an example of the responses placed in this category. One student wrote,

Hate crime legislation should be enacted, if at all, only to create certain presumptions. For example if A beats up B with A screams racial slurs which are derogatory to B’s race, and B dies as a result of the beating, then a “hate crime” law should...”

Other responses were placed in this category due to the response being unrelated to the question being posed. For example, these students stated “you needed a definition of hate crime for your survey” and “I was expecting there to be a definition of ‘hate crimes’ provided at some point, probably at the beginning of this survey.” Other examples of responses placed into this category included “It was well structured and I hope the answers do not go unnoticed” and “Yes, I hate crime law. I like civil law.”

Education/Awareness/Causation

Five responses expressed the need for more education and awareness about hate crime offenses. Some of the responses in this category made specific mention of law school courses, while others made mention of the need of education for those who are young and still in the formal education process. For example, one student stated, “I think we need to become better educated with the problems of hate crimes. During our criminal law classes, it was discussed among some of the students. I was surprised as to how many were unaware of the problem.” Another student wrote,

I think that the origin of most hate crimes is the ignorance and lack of understanding on the part of those committing the crime of those upon whom they commit the crime. I think hate crimes are perpetuated by lack of education at an early educational...

Other students wrote that, “Unfortunately, legislation has not always been an effective tool in changing peoples’ perceptions. Social awareness and education are, in my opinion, the best way to change peoples’ ideas about people who are different from themselves” and “I think hate crimes will be perpetuated because the school system does not do enough to promote equality.”

Deterrence

Another 5 responses included mention of the possible or intended deterrent effect of hate crime laws. These responses also made mention of the way these laws may act as a prevention tool against other such crimes taking place. A student wrote, “I strongly support them, however they do not serve a deterrent purpose like many other punitive laws...” Another student stated, “...in general I think that they should exist and that strong punishments should be attached to them to prevent hate violence and/or harassment.” One student stated this very clearly when they stated that hate crime laws “do not effectively deter people from committing hate crimes.” These comments speak to a possible underlying purpose of hate crime laws that relates to the prevention and/or deterrence of these offenses.

Backlash

Interestingly, four responses addressed the possibility that hate crime laws may cause some sort of backlash against members of the groups the laws are designed to protect. An example of a response placed into this category included “They’re a good idea if well-thought out. Designed incorrectly, they do more harm than good by engendering a backlash amongst other groups that are victims and aren’t protected from the “majority.” Other examples of responses in this category were “I believe that reverse racism is as much a problem these days as racism against blacks is” and “In general I think that hate crimes laws act to isolate a group and inspire hatred from other segments...” One student expressed concern about the use of hate crime laws and cautioned, “...the laws should only exist if they are truly helping minorities. If they are

instead giving the impression of special privileges for minorities, and thereby increasing the hatred of minorities...”

Issues Related to Their Use

Three students expressed a concern hate crime laws would be or could be used inappropriately or incorrectly. For these students there seemed to be a concern hate crime laws would lead law enforcement and the criminal justice system to believe any hate crime claim that was made or to immediately classify any crime between persons who differed in demographic characteristics as a hate crime. In addition, these participants expressed some concern with how the laws would be applied, to whom they would be applied, or how they have been applied to persons they know. For example, one student wrote “I feel that they would be too easily abused by the group to be protected by them through baseless accusations.” Another student stated,

I think that something that needs to be taken into consideration is that hate crimes work both ways, especially in an urban setting where there is a high population of a ‘minority’ group. People of the Caucasian race catch a lot of flack for hate crime...

A third student wrote, “Just because a white person fights a black person, for example, does not equal a hate crime.”

More Needed

Three students replied to the question regarding their overall feelings of hate crime laws by simply conveying the thought that more legislation is needed. These responses included statements such as “I don’t think there are as many as there needs to be” and “More are needed.”

Purpose of Hate Crime Laws

This category included two responses that directly or implicitly discussed the goal and/or purpose of hate crime laws. Although previous responses regarding deterrence and prevention also could be included in this category, they were excluded and put into a smaller, more specific category. This particular category is broad, as the responses did not make specific mention of deterrence or prevention. An example of a response that was selected for this category included: “I feel that laws are more to punish offenders, rather than protect victims. This punishment, I feel, should be based on the intent of the offender.”

Potential Victims Should Have Legal Protection

While there are categories that deal directly with the nature of these crimes and how they are unique and have greater impact on victims and communities, some responses specifically addressed the victim and the legal protection that should be afforded them through hate crime legislation. Two responses were directly related to the legal protection of the potential hate crime victims. These students wrote, “I think that any crime committed because of they way a person looks, acts, religion they practice, or any other hate crimes are awful and people should be legally protected” and “Hate crime laws should be developed to protect those who are traditionally victimized by society.”

Not a Significant Problem/Unnecessary

The two responses in this category expressed the opinion that hate crimes were not a significant problem and/or hate crime laws were unnecessary. “Not as big of a problem as it is made out to be.”

Conditional Support

Two students expressed support for hate crime laws, but only in certain circumstances or conditions. In the cases of the responses put into this category, there was not a great deal of additional information provided. The responses were brief and offered no elaboration on the point(s) the students were attempting to convey. Responses included in this category were “I am very skeptical of them except in the most egregious cases” and “I think to take a crime and simply label it a hate crime is to ignore the total context. There can be many motives behind assaults, including hate crimes.”

Difficult Behavior/Actions to Legislate

One response pointed to the difficulty in legislating behavior that would qualify as a hate crime. “I think that it’s a difficult subject to legislate. It’s difficult to define the line between what is a crime and what is a ‘hate crime.’”

Summary

The questions included in this section asked students about hate crime victimization and their opinions of hate crime laws. For students reporting personal knowledge of a hate crime victim, the students provided information on various demographic characteristics of both the victim and the perpetrators. These students also provided information on the type of hate crime, any injuries suffered, and the location of the offense. In addition, the students provided information on the number of perpetrators involved and any involvement of the criminal justice system (e.g., police, courts). Some students reported that those who had been the victims of a hate crime were victimized by local police officers. Finally, students reported on personally knowing victims of hate crimes that took place outside of the United States. Similar information was provided by

those students who reported to have been hate crime victims; however, no student who reported being a hate crime victim reported being victimized by police officers.

The final question of the survey asked students about their overall views, feelings, or opinions regarding hate crime laws. Some of the 21 response categories did not specifically address any aspect of hate crime laws. For example, some students addressed the role of society in the occurrence of hate crimes while other students addressed the role of education and awareness on decreasing the number of hate crimes that take place. The responses demonstrate the varied concern of hate crimes, not just hate crime laws. By far, most students are concerned that hate crime laws not provide an unequal advantage to those groups likely to be covered under hate crime laws. These students understand hate crime laws to mean extra or special recognition for crimes that currently are covered in criminal law, not as a means to provide protection to those who are targeted for their membership in certain groups. Overall, students reported a variety of views, feelings, and opinions regarding hate crimes, hate crime laws, and the many issues that surround them both.

CHAPTER V

DISCUSSION AND CONCLUSIONS

This study involved the examination of individual and law school factors believed to influence the perceptions of law students of two western Pennsylvania law schools. In order to examine these perceptions, several hypotheses were developed and tested. Some of the hypotheses were created using existing literature on hate crime perceptions; however, it was discovered this research neglected to include a consideration of the possible impact of the school environment. The current chapter will provide possible explanations for the findings presented in Chapter IV.

Particular attention will be paid to the three hypotheses and three predictors that were significant for this study. A discussion will be provided for the variables that were significant in predicting the scores for both sets of scenarios, in addition to presenting possible explanations for those variables significant for the African-American and gay/lesbian scenarios. This chapter also provides information on how the qualitative questions provided further insight into the quantitative questions that were part of this research. Latter portions of this chapter provide information on possible policy implications, limitations and strengths, directions for future research, and conclusions for this study.

Over the past few years, the interest and research in hate crimes and hate crime victims has steadily increased. Although victimization based on individual or personal characteristics have existed for decades, the legal recognition of such crimes is recent. Additionally, the definition of hate crimes also has evolved over the years. Currently, the Federal Bureau of Investigation (FBI) collects data on criminal offenses “motivated in

whole, or in part, by the offender's bias against a race, religion, sexual orientation, ethnicity/national origin, or disability" (p. 3). In 2003, there were a reported 4,604 hate crime victims based on race or sexual orientation bias (USDOJ, 2004). As the definition of hate crime has evolved over the years, the number of states that have passed some form of hate crime legislation has increased. As of 2005, 48 states had established some form of hate crime legislation (ADL, 2003). This number likely will rise and fall in the near future as state legislators and special interest groups opposed to hate crime laws challenge their existence in the court.

Research on hate crime victimization has shown that victims of these crimes suffer more psychologically and emotionally than other crime victims (Barnes & Ephross, 1994; Levin, 1999; Petrosino, 1999). Specifically, victims of hate crimes based on their actual or perceived homosexuality may suffer from secondary victimization that includes possible loss of home, loss of employment, or loss of family relationships (BJA, 1997; Berrill & Herek, 1990). This victimization may continue when these crime victims are confronted with disinterested or unconvinced law enforcement personnel. These personnel may be reluctant to investigate cases involving members of racial, sexual, or religious minority groups due to their own biases or judgments of the seriousness of the offense(s).

While some studies focused on the perceptions of the general public, others have focused solely on the perceptions of undergraduate students. Studies using this population are important when considering the percentage of college-aged individuals who are involved in hate crimes as victims and offenders. Nolan, Mencken, and McDevitt (2004) reported that for the years 1995-2000, 20.6% of victims and 26.0% of offenders of hate

crimes were college-aged persons (between the ages of 18 and 24). Additionally, these students are the future lawmakers, law enforcement officials, victim-assistance employees, prosecutors, and judges. Their perceptions are important because these are the individuals that will be making policy decisions regarding crimes based in bias and hate. These policy decisions are not abstract concepts without real-life consequences attached to them; these decisions involve real people who suffered real victimization.

Using previous studies of perceptions of hate crimes and hate crime victims, predictors of these perceptions were included in the present study in an effort to expand the understanding of hate crimes. Previous research with students has failed to focus on those currently attending graduate school or professional school; in particular, none of these studies focused on the perceptions of those in law school. Because of the important role these students may have in the areas of law and justice, understanding these perceptions is very important. The research questions for this study concentrated on the impact of individual and school factors on two different types of hate crime victims – African-Americans and gays and lesbians.

Hypotheses

The hypotheses/independent variables used in the present study were identified from previous studies on the perceptions of hate crimes. Of the research that has been conducted on the perceptions of hate crimes and hate crime victims using a college sample, none included the examination of the impact of school factors on these perceptions. The present study addresses this limitation by including a set of independent variables specifically associated with the law school environment. Table 34 presents the significant hypotheses/predictors for each dependent variable.

Table 34

Predictors of Perceptions of Hate Crimes – African-American and Gay/Lesbian

AAHCS	GLHCS
Modern Racism Scale	Modern Racism Scale
Completed Criminal Law Course(s)	ATLG Scale
Sex	Sex
Been a Hate Crime Victim	Undergraduate Major
ATLG Scale	Been a Hate Crime Victim

Supported Hypotheses/Significant Predictors

Both dependent variables – the African-American and Gay/Lesbian Hate Crime Scenarios – used individual and law school factors in an attempt to predict the level of agreement the scenarios were hate crimes. Each of these dependent variables had five hypotheses that were supported and/or significant predictors. Four of these were shared by the two sets of scenarios and included the Modern Racism Scale (MRS), sex, been a hate crime victim, and the Attitudes Toward Lesbian and Gay Men Scale (ATLG). The remaining predictor for the African-American Hate Crime Scenarios was completed criminal law course(s), and the fifth significant predictor for the Gay/Lesbian Hate Crime Scenarios was undergraduate major. The following section first discusses the hypotheses and predictors that were shared by both dependent variables. The section then discusses those that were unique to the two sets of scenarios. Finally, those hypotheses that were not supported are discussed.

Hypotheses/Predictors Significant for Both Scenarios

Attitudes toward African-Americans. The results of the present study supported the hypothesis that those students who reported lower scores on the MRS also report higher levels of agreement the scenarios with both sets of hate crime victims. In other words, students with less racism were more likely to agree the scenarios were hate

crimes. Previous studies that used measures of racism toward blacks as a predictor of perceptions of hate crimes and/or victims, such as the Modern Racism Scale, found that high levels of racism toward African-Americans were associated with lower levels of sentencing (Gerstenfeld, 2003) and judgments that hate crime victims were more culpable (Rayburn et al., 2003).

Those students reporting lower levels of racism are more likely to be able to view blacks in a more favorable light and embrace the possibility that victimization based on race can occur. In addition, it may be that these students are able to view blacks outside of their popular role as crime offender. These students remain open to the possibility blacks also could be crime victims – in particular, hate crime victims. For the students who reported low levels of racism, their opinions are not guided by misperceptions and stereotypes of an entire race.

While the results of the present study supported the hypothesis that those with lower levels of racism would report greater agreement, it is interesting to note that students with higher levels of reported racism demonstrated less agreement with the scenarios. Intuitively, it makes sense that persons scoring higher on the MRS would also report lower scores on the scenarios with African-American victims. Persons with unfavorable views toward blacks may be less likely to perceive them as hate crime victims because they may view the recognition of hate crimes as another method of minorities achieving an unfair advantage. Gerstenfeld (2003) noted that blacks were disproportionately represented in the criminal justice system and while there are a number of explanations as to why this is the case, the easiest for persons with high levels of racism may be that blacks are more likely to be the perpetrators of crime – not victims.

For these persons, hate crimes could be viewed as another instance of blacks playing the 'race card' attempting to receive special or additional legal protection they do not deserve.

Interestingly, the MRS was the strongest predictor for the scores on the Gay/Lesbian Hate Crime Scenarios as well. This result does suggest that participants who felt negatively for blacks also may feel negatively about other groups of potential hate crime victims such as gays or lesbians. Students with high levels of racism may feel that blacks and other potential hate crime victims are not legitimate crime victims because their victimization is defined by their minority status. Although blacks and gays and lesbians are separate and unique minority groups, in the minds of these students they may be interchangeable.

Some students stated that hate crime laws provided extra or additional protection for certain members of society, while failing to provide such extra protection to other members of society. These students may view this extra protection as unneeded because the law currently provides for equal protection of its citizens. If students are high in racism, they may view hate crimes as another way that racial and sexual minorities are demanding extra, unneeded protection from the legal system.

Attitudes toward lesbians/gay men. To date, attitudinal measures of gays and/or lesbians have not been widely used in the research on hate crime perceptions or hate crime victims. Previous research that has focused on these attitudes was more interested in heterosexual attitudes towards these groups (Herek, 1988; Herek, 1990; Herek, 1994), not on how these attitudes could impact hate crime perceptions. In an attempt to understand if the attitudes toward gays and lesbians influence how they are perceived as

hate crime victims, an attitudinal measure was included in the present study. It was hypothesized that persons with unfavorable views of gays and lesbians would report less agreement the scenarios were hate crimes. The results of this study support that hypothesis.

Because this scale directly involves participants' attitudes toward this particular victim group, it is not surprising that the Attitudes Towards Lesbians and Gay Men Scale (ATLG) would be the strongest predictor of scores on the gay or lesbian scenarios. Persons with less favorable views of gays or lesbians are not likely to view them as crime victims, particularly hate crime victims. Presenting these persons with a set of scenarios that portray gay and lesbians as hate crime victims is unlikely to have a positive influence on their attitudes toward this potential victim group. As Miller (2001) stated, perceptions students have concerning whether or not an act was a hate crime may reflect their overall attitudes about certain minority groups (e.g., those represented in the scenarios). Additionally, unfavorable attitudes toward a group of individuals may be universal and remain unaffected regardless of the situation or context in which they are presented.

The effect of this measure on the scenarios with the African-American victims may be similar to that demonstrated by the Modern Racism Scale with respect to gay or lesbian victims. For those students who reported unfavorable views toward gays and lesbians, it may be that these opinions transfer to other minority groups. These students may feel these particular minority groups receive preferential treatment by being selected for protection from this type of violence and their scores on the scenarios reflected these beliefs. In addition, these students may believe that crimes against those who are gay are no different than any other crime and should be treated similarly.

Sex. Previous studies on the perceptions of hate crimes found differences between men and women (Craig & Waldo, 1996; Miller, 2001; Rayburn et al., 2003). The results of the present study supported these previous studies with respect to sex differences in perceptions of hate crimes. Sex was a significant predictor for both dependent variables in the full model. Supporting the hypothesis, women in this study demonstrated higher levels of agreement with both sets of hate crime scenarios.

Lottes and Kuriloff (1994) stated that the more negative attitudes towards homosexuals held by males compared to females had not been adequately explained. These differences in attitudes toward homosexuals and in hate crime perceptions between men and women could be explained by less tolerance of violations of male gender roles or to variations in socialization (Lottes & Kuriloff, 1994). Lottes and Kuriloff also noted gender-role socialization may influence women to be more accepting of homosexuals and develop a greater concern for social issues by “encouraging women to be caring, nurturing, and supportive” (p. 35).

Dressler (1979) noted that women were more tolerant of the right of homosexual persons to be teachers. The sex differences also may be connected to women’s knowledge of others who may have suffered hate crime victimization. Also, women may demonstrate greater empathy toward hate crime victims due the nature of how hate crime victims are selected. Women may identify with the idea of being targeted for victimization because of some quality or characteristic beyond their control and underscore their (and hate crime victim’s) sense of vulnerability to this type of crime (Craig & Waldo, 1996; George & Martínez, 2002). For women this characteristic is gender, but for others it may be their race, ethnicity, or sexual orientation. The difference

between women and men is further demonstrated by the results of a comparison model using sex. Female students who reported prior hate crime victimization, also reported greater levels of agreement the scenarios were hate crimes. This victimization may have increased their awareness and sensitivity to hate crimes and hate crime victimization. For male students, their inability to see themselves as vulnerable to this type of attack may have contributed to their lower levels of agreement.

Comparison models also showed that male students who reported increased contact with students differing from them reported less agreement with the gay/lesbian scenarios, while female students reporting more contact demonstrated more agreement. This result is similar to Herek and Glunt (1993) when they found interpersonal contact was more likely to be reported by participants who were female. In addition, Astin (1993) found that student-student interactions had a positive correlation with cultural awareness. Allport (1954) stated that the conclusion could be made that knowledge about and acquaintance with members of minority groups make for tolerate and friendly attitudes. For the students in this study, the exposure and contact for the female students perhaps increases their tolerance and acceptance, while for the male students this increased contact may have reinforced negative images and stereotypes of these potential hate crime victims.

Been a hate crime victim. Following the suggestion of Rayburn, Mendoza, and Davison (2003), this study asked students about their prior hate crime victimization. Although this variable was a significant predictor, it was in the opposite direction as stated in the hypothesis. The hypothesis stated that those who reported being a victim of a hate crime would report greater levels of agreement the scenarios were hate crimes.

Despite only 20 students reporting they had experienced hate crime victimization, this variable consistently produced significant results; however, instead of producing more agreement, this variable produced less agreement with the scenarios. Lower levels of agreement could have been the result of these scenarios failing to match the students' personal experience as a hate crime victim. Instead of victims of any type of a hate crime being sensitized to all hate crimes, these students may only be able to identify with hate crime victimization that is similar to their own. Of those reporting to have been hate crime victims, only 2 were non-white. Also, none of the students who had experienced victimization identified their sexual orientation as homosexual. These students may not have been able to identify with these scenarios because the victims in the scenarios were not like them.

Students who reported being a hate crime victim may not have been able to relate to the scenarios that presented gay men or lesbians as victims. For these students, the only victimization they may characterize as hate crime victimization may be that which they suffered. For example, several students provided descriptions of their victimization and stated it took place because of their religious affiliation. Because none of the scenarios presented religious victims, these students may have failed to acknowledge the victimization that was presented.

Comparison models for political affiliation and been a hate crime victim produced significant interaction effects. For conservative students who reported being a hate crime victim, their scores for both sets of victims were significantly lower than their liberal counterparts. Maybe these conservative students' victimization was not treated as a hate crime because they were not members of a racial, ethnic, or sexual minority group and

this is contributing to their scores on the scenarios. Combining this with the traditional conservative stance regarding hate crimes, a possible explanation for the student responses is provided. While there have been some conservative lawmakers that have supported the implementation of hate crime legislation, these also have been some of the most outspoken opponents. For example, some conservative Utah lawmakers worried that passing hate crimes legislation would promote the teaching of tolerance toward homosexuals, diminish the rights of those not protected by the legislation, and provide prosecutors with the ability to stack charges against suspected offenders (Aaron, 2005).

Predictors Unique to the Scenarios

Completed criminal law/criminal procedure course(s). This variable was significant only for the African-American Hate Crime Scenarios and produced a result opposite to the hypothesis. Students who had completed their school's criminal law course(s) reported lower levels of agreement the scenarios with African-American victims were hate crimes. It may be that in these courses, African-Americans are rarely discussed in the role of victim and more often take the role of offender, perpetrator, defendant, or aggressor. Gerstenfeld (2003) noted the high number of blacks involved in the criminal justice system as offenders, defendants, and inmates and it is likely that similar discussions are involved in the course dealing with criminal law and criminal procedure.

This result also may be related to the individual instructor and whether or not the instructor chooses to address the topic of hate crimes as part of their course. Because the impact of receiving hate crime information is positive in the school model and because the majority of students who reported a course providing hate crime information listed

criminal law, it seems contradictory that this variable produced a negative effect.

Different instructors may have the freedom to cover the material they feel is necessary and warranted. This result seems to warrant further investigation as to why students who reported taking this course or courses reported less agreement the scenarios with African-American victims were hate crimes.

Similarly to what Balos (2001) noted with respect to criminal law having the ability to show the importance of societal views of the prostitute-victim, criminal law has the ability to demonstrate societal views of potential hate crime victims by opting or neglecting to offer legal recognition and protection. It was believed these courses would offer students the opportunity to explore criminal law beyond its statutory definitions and view its role in society in a broader context. If criminal law can be used as way to gauge who society believes is a credible and worthy victim and those with the power to create and enforce hate crime laws refuse to pass legislation, what does that say about how society views these victims?

Completed criminal law course(s) produced a significant interaction effect with political affiliation for both sets of scenarios. Conservative students with a criminal law class reported significantly lower levels of agreement with the scenarios than liberal students who also have taken a criminal law course. For these students, these courses may have provided them with information leading them to believe hate crime laws are merely prohibiting actions that are already criminalized. Additional information may have led conservative students to conclude these laws are created for a set of victims constantly seeking extra assistance from the government. Also, these conservative students may subscribe to the philosophies of the party to which they identify. Marcus-Newhall et al.

(2002) noted previous research that found Democrats expressed more favorable attitudes toward government-sponsored programs and political orientation differentially affected attitudes toward social issues.

Undergraduate major. Undergraduate major proved only to be a significant predictor for those scenarios with gay or lesbian victims. Contrary to the hypothesis that students whose major was categorized as Liberal Arts and Sciences would report greater levels of agreement with the scenarios, these students reported lower levels of agreement with the gay and lesbian scenarios. Miller (2001) stated that a student's undergraduate major would impact their perceptions of hate crimes and hate crime victims because certain majors were likely to include information relevant to hate crimes (e.g., diversity, multiculturalism, law, society). Other majors, she correctly argued, would not because of the nature of their curriculum.

In particular, it was believed that majors in the Liberal Arts and Sciences category would have been somewhat committed to ensuring their students received an education that included issues related to diversity and multiculturalism. Despite the attempts of some colleges and universities in recent years to broaden their curriculum and include more diversity in their programs, it would appear these students did not benefit from such attempts. However, this result also may be explained by the categorization process itself. For this study, a decision was made to use the standards of the PASSHE to categorize the undergraduate majors reported. In doing so, some majors that perhaps would not have been included in the Liberal Arts and Sciences category (e.g., engineering, mathematics, chemistry) were included and may have impacted the results.

The Liberal Arts and Sciences category included undergraduate majors that likely did not include in their curricula discussions of hate crimes, and more specifically gays or lesbians. It is extremely likely that the curricula of some of the majors included in this category (e.g., English, engineering, chemistry, mathematics) included little or no information regarding gays or lesbians or bias that may result from their sexual orientation. This, in turn, would not provide these students the opportunity to consider bias, discrimination, or bias against those who are gay or lesbian. In contrast, these majors may have included some discussions of African-Americans. Some of the majors included in this category may not have been included if a different categorization had been used.

Hypotheses Not Supported

In addition to the six individual and school variables that were significant predictors for the AAHCS and GLHCS, this study included several other independent variables. The remaining individual factors include race, political affiliation, personal knowledge of a hate crime victim, and additional degree. Although undergraduate major was significant for the GLHCS, it was not for the AAHCS and possible explanations for this (and the other individual variables) are presented below. School factors that were included as part of this study were: course and hate crime information, interpersonal contact, career goal, clinics, and school. In addition to discussing possible explanations for the results of the individual variables, the following section will explore explanations for the school variables as well.

Individual Factors

Race. In the present study, race was not a significant predictor of the perceptions of the hate crime scenarios. A similar result was reported by Rayburn et al. (2003) who found no difference in the perception scores between minority and non-minority participants. This result may be linked to the small number of racial or ethnic minorities that participated in the survey. Of the 283 students who completed the survey, only 32 (11.9%) reported being a racial/ethnic minority.

Political affiliation. Contrary to the hypothesis, political affiliation was not a significant predictor. Based on research reported by Marcus-Newhall et al. (2002), self-identified liberal students were expected to report more agreement the scenarios were hate crimes than self-identified conservative students. This variable did, however, yield several significant results when used in comparison models. Some of these variables resulted in self-identified conservative students reporting less agreement with either set of scenarios than liberal students; however, there were instances where conservative students reported greater agreement. These results show that this political affiliation acts as a moderator for several other variables used in this study. Perhaps this means that political affiliation should not be considered merely as a political descriptive, but should be considered in a broader context. This study clearly demonstrated that the impact of political affiliation on the other variables warrants more study on how this variable connects with other variables and how these variables combine to influence hate crime perceptions.

This lack of direct effect of this variable may be related to how students identified their political affiliation. While liberal students did report greater agreement, the fact that

it did not produce a significant effect suggests that how people identify their political affiliation may no longer be “a black and white” decision. Perhaps the ideas or issues that define conservative or liberal are different depending on the student and the issue being considered. While previous research has noted the differences between Democrats and Republicans on social issues (Marcus-Newhall et al., 2002), these lines may not be so clearly defined for this particular social issue. It may no longer be possible or acceptable to group all of those who identify as conservative and liberal as holding a certain viewpoint all social issues.

Personally know a hate crime victim. Craig and Waldo (1996) used this particular aspect to examine how it might impact undergraduate students’ perceptions of hate crimes/victims. In the present study, personal knowledge of a hate crime victim produced no significant effects in the perceptions of the African-American or Gay/Lesbian Hate Crime Scenarios. It was hypothesized that personal knowledge of a hate crime victim would be associated with higher levels of agreement the scenarios were hate crimes. This would be the result of these individuals identifying with the victims in the scenarios because they may have known people who experienced similar victimization. Descriptions of these incidents highlighted some of the differences between their personal knowledge of an incident and what was presented in the scenarios. Although the scenarios presented may have differed from the experiences of those the students knew to have been victims, this knowledge should have sensitized the students to other types of hate crime victimization, but may not have.

Other degrees. Because these are professional students, it was possible for them to have earned additional degrees before enrolling in law school. This additional

education could have provided these students with more of an opportunity to be exposed to information or people that may have influenced their perceptions of hate crimes and victims. This exposed contact could lead to more favorable opinions of those groups (Cannon, 2005). Contrary to the hypothesis, earning an additional degree did not impact or influence the perceptions of either set of victims. Instead of increasing their knowledge or their exposure to a variety of students, earning an additional degree could have simply reinforced existing knowledge. Not only was this variable not a significant predictor of agreement with the scenarios, but the variable produced negative effects indicating those who have earned additional degrees showed less agreement with the scenarios.

School Factors

Previous research on the perceptions of hate crimes and hate crime victims has neglected to include the role of school factors. Although previous research has covered several aspects on the individual level (e.g., sex, race, political affiliation, attitudes toward minority groups), this research neglected to consider how certain aspects of the school environment may influence perceptions. In particular, previous research has neglected to consider professional school students and the role this professional education can have regarding the perceptions of hate crimes and hate crime victims.

This study found school factors contributed less to the overall explanation of the variation in scores than the individual factors that were included as part of the study. Of the school variables included, only one variable (completed criminal law course/s) was a significant predictor and only for the AAHCS. This section discusses the other school factors that were included as part of this research.

Interpersonal contact. The results of this study did not support the hypothesis that increased levels of contact with different students would increase levels of agreement the scenarios were hate crimes. Most previous research on the perceptions of hate crimes or hate crime victims has failed to use a measure regarding the impact of interpersonal contact on these perceptions. Despite this oversight, there has been some research that focused on interpersonal contact and its impact on (attitudes toward) diversity on college campuses (Herek & Glunt, 1993; Whitt et al., 2001). Other research has noted the positive impact of contact on the attitudes of students' toward gays/lesbians (as cited in Cannon, 2005).

These questions focused on contact since the student started law school and may have impacted the results. One issue is that students from both schools who completed the survey were predominately White and heterosexual, and this fact is reflected by demographics of those completing the survey. Additional information from both schools shows that less than 6% of the students enrolled in their schools are racial or ethnic minorities. While no statistics were available with respect to the number or percentage of students who identify as homosexual, if the results of this survey are any indication, these schools are likely to have a small percentage of students who identify as homosexual. If this is indeed the case, it may have impacted how students could respond to questions asking them how much contact they had with these persons since starting their law school.

An additional concern relates to the ability of homosexuality to be concealed. Unlike race, homosexuality is not a characteristic that is apparent to the naked eye. This aspect of sexuality creates the issue of a person actually being aware they are having

contact with someone who identifies as homosexual. It may be some of the students had extensive contact with someone who was homosexual, but were not aware the person was gay. This unique quality may have some impact, as students may have unknowingly had extensive contact with someone who is gay.

Career goal. Similar to Miller's (2001) focus on undergraduate major and how different programs of study are likely to focus on different types of information, this study sought to examine the role of career goal for these law students in their perceptions of hate crimes/victims. Whether or not the student wants a career in a type of law likely to involve social issues did not seem to impact the perceptions of scenarios. Career goal was believed to be connected to the type of courses students would be eligible to complete. While the majority of students did report their career goal, it may be they actually have more than one possible career interest and therefore their courses span a wide variety of topics. In addition, students may have selected a career goal that is non-social but have other interests that may expose them to courses that do involve social issues.

Another issue involves the coding of the career goals and how that may have impacted the results. Categories were developed using the guidelines of undergraduate major regarding types of law associated with social issues and types of law not associated with social issues. Because there is no complete, exhaustive, universal list on law careers that could involve social issues, it is likely that some careers were placed in one category and could have been placed in the alternative category. Using a different category scheme, may have produced different results for this hypothesis.

Finally, a comparison model found the political affiliation of the students had an impact on this variable. Surprisingly, conservative students who want a career involving social issues reported more agreement with the gay/lesbian scenarios. Because these students seek a career involving social issues and because of how conservatives are thought to feel about hate crime laws/victims, these students may have some heightened sensitivity to the issue. For these conservative students, they may recognize the impact hate crimes can have on society due to their selecting a career that may involve social issues.

Clinics. Clinic participation involves students participating in the real-world application of the law. Students are able to participate in a variety and number of these clinics while attending law school. It was hypothesized this experience would have a positive impact on how students perceive members of groups who are potential hate crime victims. Despite this hypothesis, this variable did not produce a significant effect for either set of hate crime scenarios. This result may be due to students' participation in a variety of different clinics, with different focuses. In addition, the experiences in these clinics, internships, or externships may be extremely varied and any possible effect could not be captured the way the present study attempted to do so.

Course and hate crime information. It was hypothesized that law students who had received information on hate crimes would report more agreement with the scenarios; however, this variable failed to produce a significant effect for either set of victims. This particular variable was deemed an important aspect of the school environment because of the potential impact such information could have on students' opinions. This also was a point of interest because previous research on hate crime perceptions using college

students (Craig & Waldo, 1996; Gerstenfeld, 2003; Miller, 2001; Rayburn et al., 2002) neglected to specifically focus on role of course information.

Perhaps information provided in these law school courses shaped these students' views of what constituted a hate crime and the scenarios provided did not meet or match those standards. The majority of students from both schools reported receiving information on hate crimes in their criminal law or criminal procedure courses. This information was likely to involve the legal aspects of defining such offenses. Maybe the information provided regarding the legal issues surrounding these crimes overshadowed their personal knowledge of a hate crime victim and that victimization.

This variable was significant only in the model that included other school variables. This is important because this effect was positive showing that those receiving information on hate crimes in their courses reported more agreement the scenarios were hate crimes. Perhaps the reason this variable failed to be a significant predictor when all independent variables were being considered involves the quantity and/or quality of information being provided. While more than half of the students reported receiving some hate crime information (54.1%), the information was likely limited in scope and detail. It may also depend on what course or courses this information was provided. Despite this, some information on hate crimes is being provided to these law students; however, it is unclear as to the quantity and quality of that information. Providing the opportunity for students to receive and discuss this information permits a dialogue to begin among students and faculty. From the viewpoint of school factors that seem to influence the perceptions of hate crime victims, receiving information about these crimes

in courses appears to influence the students' knowledge regarding hate crimes and hate crime victims.

School. Because two different schools were used in this study, it was believed that these different environments would influence students' perceptions of hate crime victims. For example, the two schools differed on aspects such as private/public, total enrollment, minority enrollment, and curriculum, they would differ on their perceptions of the scenarios and the victims included in those scenarios. Despite these differences, the hypothesis was not supported.

When comparisons were made based on political affiliation, liberal students from the public school unexpectedly reported less agreement with the scenarios than conservative students. This is particularly surprising due to the characteristics of the public law school (e.g., more courses providing hate crime information, greater number of minority students, greater number of women enrolled). The variety of courses in the public law school may have exposed all students to the variety of contexts in which hate crimes (and their victims) could be viewed; however, for the liberal students perhaps they no longer viewed this solely as a social issue but now also viewed it as a legal issue. The variety of courses named by the public law students (e.g., U.S. Race & The Justice System, Employment Discrimination, Employment Law) would support this potential shift in approach. Although students listed which classes provided the information, no detail was provided on the content of that information. Some classes at the public law school may provide a more socio-political approach to the study and discussion of hate crimes, while other courses may focus solely on the legal arguments.

Criminal Law and Hate Crime Protection

When asked if criminal law should be used to protect certain groups from hate violence and/or harassment, 74% of those students responding agreed with using criminal law to offer protection to those groups who could be victimized by hate violence or harassment. This would appear to mirror what was noted by Steen and Cohen (2004). These authors noted other research that seemed to show support from the general public for hate crimes laws when persons simply were asked if they support them. Once persons were provided more information about the laws, support for them was somewhat negatively impacted. At a basic level, the majority of students agreed criminal law should be used to protect certain groups from hate violence and/or harassment; however, when other variables were considered their perceptions of hate crime victims seemed to contradict their support for hate crime laws. When other characteristics (i.e., individual and school) were taken into consideration, hate crimes was no longer a one-dimensional concept.

International Hate Crimes

Another interesting result from the findings involved the inclusion of international hate crimes in the discussion of victimization. Although these crimes were not part of the current study, the fact that students mentioned them demonstrates hate crimes are not unique to the United States. While the United States may have one of the most diverse populations in the world, it is not the only nation that is plagued by crimes based in hatred or bias. These crimes can take place anywhere in the world diversity exists.

The description of hate crimes that took place outside of the United States highlights the necessity for the increased global understanding of crimes based in bias or

hate. While hate crimes may be unique to the United States in terms of definition and legal prohibition, recent examples of hate crimes have occurred in countries across the globe. Students offered examples of hate crimes that occurred in Kosovo in the late 1990s that highlight the global nature of these offenses. In Kosovo and parts of Africa, persons have been executed because of their ethnic identities. Although the discussion and dialogue of hate crimes has increased in the United States, there is a lack of attention to similar crimes that take place outside of this country's borders. Hate crimes in the United States continue to be an important issue that deserves increased attention by academic, legal, and political communities. Similarly, international hate crimes deserve attention by these communities to raise the awareness of their occurrence and their victims.

Criminal Justice System Involvement

Students were asked to provide information on any involvement of the criminal justice system when describing their experiences with hate crime victimization. Very few of the students who reported personally knowing a victim of a hate crime or personal hate crime victimization included information there was any involvement of the criminal justice system. From what information was provided regarding the criminal justice system, law enforcement or the court system, was active in hate crime cases brought to their attention. Students either neglected to report the incident or law enforcement neglected to take any action once the incident was reported. In one instance, a student reported they failed to report a hate crime incident because no severe injuries were suffered.

This reported lack of involvement by the criminal justice system highlights one of the major issues with hate crimes. Failure on the part of hate crime victims to report such

incidents prevents accurate information on the number and nature of crimes from being known. In addition, failure of law enforcement to take action once the incident has been reported supports the belief that crimes based in bias are not significant or important enough for their consideration or involvement.

Overall Opinions of Hate Crime Laws

The final question of the survey asked students to provide their overall opinion of hate crime laws. A number of the responses were impacted by a technical issue, but what was provided gave some insight into how these future attorneys, lawmakers, and criminal justice personnel view hate crime laws. Responses to this question ranged from legal concerns with their creation and enforcement to how they may cause a backlash against members of groups they are meant to protect.

One of the aspects of the responses to this question that was striking was the number of times students stated, implicitly or explicitly, that hate crimes were not deserving of any special recognition in criminal law. The most frequently occurring response included, in some form, the phrase “a crime is a crime.” For these students, criminal law was not the place to address these offenses. In addition, these students believed that motive should be irrelevant when dealing with criminal offenses. According to the students, an offense that is motivated by hate or bias should be treated no different than a similar action lacking that motive. Interestingly, this is one of the more popular arguments used by those in government in opposing the creation of laws to protect persons from such victimization (Cogan, 2002; Hellwege, 2001; Levin, 1999).

Several responses expressed the opinion that hate crime laws provided special treatment for minority groups. However, these students may not acknowledge or

recognize that criminal law provides for motives to be considered at several stages in the process. Part of this may be the result of the law students being at different points in their law school career. Thirty-two percent (92 students) of those completing the survey were first-year students. It is possible that such information regarding the use of criminal law had not been provided to some of these students at the point they took the survey. Few would argue that purposely selecting some members of society because of their membership in that particular group is deserving of special attention. For example, purposely selecting the very young or the very old for victimization is often met with outrage by members of the community. However, selecting a victim because of their financial status is not met with the same ire of these community members. These examples are not offered as a comparison, but as a demonstration that criminal law and those responsible for enforcing it make decisions based on motive and group membership on a regular basis.

Because those completing the survey were law students, it was natural they expressed concerns with hate crime laws that involved some legal aspect. For these students, that legal aspect was the First Amendment. Much of the information these students received regarding hate crimes was provided in their criminal law/criminal procedure courses(s). The primary concern for students concerned with the First Amendment involved free speech and the impact hate crime laws may have on this protection. Students demonstrated they could have legitimate concerns with hate crime laws, yet still be unopposed to their creation and implementation. They were acknowledging a valid issue that has been an obstacle and concern for many states attempting to pass hate crime legislation (Boeckmann & Turpin-Petrosino, 2002). These

responses highlighted the balance that is needed when creating such legislation, and the understanding that is needed as to what actions would be protected and what actions would not. Many of these students captured the need for such a balance and the difficulty many in government may have in achieving it.

In providing their opinions about hate crime laws, some students acknowledged the fundamental role members of the criminal justice system have in ensuring that victims of hate crimes are provided with all the protection the system can offer. These students acknowledged the ability for bias to be exercised by various legal actors in cases involving a potential hate crime. In particular, students noted what researchers have found with respect to the difficulty in successfully prosecuting hate crime cases because of the amount of discretion held by prosecutors (Culotta, 2002; Finn, 1988; Jacobs & Potter, 1998; Levin & McDevitt, 2002; Riedel, 2002). In addition, some students stated that part of the reluctance in prosecuting these cases involved racism and discrimination that was an inherent part of the criminal justice system. This discretion combined with bias on the part of decision-makers in the criminal justice system can have a remarkably negative impact on how hate crime cases are handled.

For some students, the concern involved the role of criminal law in providing protection to potential hate crime victims. These responses specifically mentioned the need for potential hate crime victims to be legally protected *because* of the reasons hate crime victims are selected. It is because of the method of selection, that hate crimes become inherently different than parallel crimes without such a motivation or selection (Barnes & Ephross, 1994; Cogan, 2002; Herek, Gillis, & Cogan, 1999; Ignaski, 2001; Levin, 1999; Petrosino, 1999). Not only are hate crimes different than parallel crimes in

method of selection, but these crimes differ in the effect they have on their victims.

Victims of hate crimes were found to suffer more emotionally and psychologically than victims of crimes without this motivation (Barnes & Ephross, 1994; Berrill & Herek, 1990; Herek, Cogan, & Gillis, 2002; Herek, Gillis, & Cogan, 1999; Herek et al., 1997; Levin, 1999; Petrosino, 1999). Because of the unique selection and the unique response experienced by hate crime victims, why should the response in criminal law not be unique as well?

Some of the statements regarding hate crime laws involved lawmakers' lack of confidence that 'regular' or existing criminal law was sufficient to deter people from committing hate crimes. Students' concerns regarding those responsible for creating such legal protections is interesting because it addresses a concern about the nature and function of hate crime laws. Are these laws meant to protect people from victimization by offering them legal recourse or deter people from victimizing by legally prohibiting victimization based on bias or hate?

While some students expressed opinions related to hate crimes and corresponding legal issues, other students made the connection between the individual hate crime victim and the community. The responses of these students focused on the unique nature of hate crimes and appeared to support the creation and implementation of hate crime specific laws. These students acknowledged that hate crimes not only had the ability to harm the specific target of the crime, but they also had the ability to hurt others who identified with the victim's race, ethnicity, or sexual orientation. Ignaski (2001) described how hate crimes begin with an initial victim and then move outward to impact the initial victim's

group inside and outside the neighborhood, to other communities, and then the larger society.

Overall, the opinions of these students regarding hate crime laws were favorable. Although some students expressed some concern that hate crime laws could lead to negative feelings and a backlash against members of those groups these laws are meant to protect, it did not seem to be a negative opinion of hate crime laws. In fact, very few students expressed an overtly negative view toward these laws. There were some students who did acknowledge that crimes based in bias took place, but these students were reluctant to support the passing of laws specifically designed to offer these victims protection.

The struggle these students demonstrated when expressing their opinions of hate crime laws mirrors the concerns of many in government. Many of these students and members of government want to address hate crime victimization but at the same time ensure the protections of the Constitution are not violated. In addition, many of the law students did not specifically oppose hate crime laws; however, they expressed concern these crimes and these victims were treated no differently under the eyes of the law. The problem is that hate crimes are not like other crimes and their victims are not like other victims. Each aspect of hate crimes is complex and multi-faceted. Why should the creation of laws meant to address these crimes be any different?

Policy Implications

The implications resulting from this research deal with individual perceptions and the role the law school can have in improving those perceptions. In addition, the implications address how the law school and its course offerings and content may be

dramatically improved with respect to hate crimes and hate crime victims. The results of this research provide insight into how future lawyers, lawmakers, and judges possibly view the role of criminal law in protecting certain groups from violence and harassment. The implications in this section involve the curriculum, coursework, and programs to address racism and homophobia. In addition, campus resources could be considered in an effort to deal with any hate crime victimization students may experience.

Curriculum/Coursework

Although receiving hate crime information failed to be a significant predictor for either victim group represented in the scenarios, it does not mean that providing such information is unimportant for law students. Almost 61% of the students completing the survey agreed their law school should provide such a specific course or courses related to hate crimes and/or any relevant legal issues surrounding this topic. Perhaps law school administrators could expand their coursework to include courses involving more contemporary issues – such as hate crimes. Creating a specific course on the issue may provide law students with much-needed information on the topic.

Cannon (2005) noted that research has found coursework incorporating issues related to gays/lesbians is influential in improving students' attitudes toward these groups. Also, allowing students the opportunity to take a course that covers the myriad of issues surrounding the creation of hate crime laws, the legal definition of the crimes, the groups included in its protection, and the role of the criminal justice system in the enforcement and prosecution of the offenses would not only benefit the individual student, but the community they will serve as well. Some colleges and universities across

the country are offering courses solely devoted to the topic of hate crimes; some universities are offering these courses at the graduate level.

The University of Delaware, Central Connecticut State University, the University of California – Irvine, and University of Massachusetts – Lowell offer courses in their undergraduate criminal justice or criminology departments on the topic of hate crimes. Also, Northern Arizona University and the University of Colorado – Denver provide courses in their graduate programs related to hate crimes. One of the more interesting contributors to the dialogue of hate crimes comes from Georgetown University. This school includes the discussion of hate crimes in the Classics Department. At this university, hate crimes are studied by examining the historical roots of hate language. In particular this course deals with how Medieval text may have laid the foundations for our current hate speech. A review of the Law School Admission Council's Web site found that of the 177 member schools (there are a total of 200) who responded to questions regarding Gay, Lesbian, Bisexual, or Transgendered issues, 101 reported offering courses that specifically involved legal issues for members of these communities (this number does not include either one of the schools used for this study).

Programs Addressing Racism, Homophobia, and Hate Crime Victimization

Students who reported higher levels of racism and unfavorable attitudes of gays and lesbians also reported lower levels of agreement the scenarios represented hate crimes. This may demonstrate a need on the part of the law schools to address this issue through specific programs directed at issues related to racism and homophobia. Dealing with racism and homophobia in these future attorneys is important because some of these students will be responsible for handling cases involving victims who are African-

American and/or homosexual. Because law students will be dealing with real people and their decisions have real consequences, it is important that any biases on their part be addressed so as not to negatively influence their decision-making with respect to certain individuals. The design/goal of the criminal justice system is for each person (victim/offender) to be dealt with in a fair/unbiased manner.

Law schools are responsible for providing education to those who will find employment in the criminal justice system. They are therefore responsible for ensuring their students receive a comprehensive education, not just in the technical aspects of the law (i.e., legal definitions, criminal statutes), but in the aspects of the system that deal with fairness, equality, and the absence of bias. Specific programs in racism and homophobia take the necessary step of ensuring law students are at least exposed to these issues and have the opportunity to give them some thought and consideration.

While these students did not demonstrate particularly high levels of racism or homophobia, law schools still may want to offer some type of program that would include issues such as diversity and multiculturalism. Chang (2002) noted the positive influence of a required diversity program on the opinions of undergraduate students. Law schools should take notice of this fact and consider implementing a similar program.

Law schools also may want to consider offering programs that specifically deal with hate crime victimization. These programs could be included with other orientation programs that are provided to first-year students. The content of such programs could include providing students information on how to identify a possible hate crime, persons to contact to report an incident, and who they may contact for support services if they (or someone they know) have been victimized. Making students aware of the wide variety of

incidents that may qualify as hate crimes and providing them with some services to deal with these incidents and victimization not only assists the student but it also provides for the opportunity for greater understanding of these offenses.

Some of the information provided in the open-ended questions suggested that students varied on how they defined a hate crime. There were some students who believed the lack of serious injuries in a particular incident was reason not to report the incident to the authorities. In addition, there were students who reported that because the offenders were unknown to them the incident should not be reported. This information highlights the importance of increasing the understanding of situations that may be defined as hate crimes, why reporting each of these incidents is important, and where to seek support once victimization has taken place.

Recruitment Programs

It is possible for law schools to increase their recruitment of non-white students in addition to making their campuses openly gay-friendly. Law schools could establish programs with campus branches of national and local racial/ethnic and sexual minority organizations (e.g., National Association for the Advancement of Colored People (NAACP) and campus gay alliance organizations) in an effort to increase their number of applicants from these racial, ethnic, and sexual minority groups. Doing this may increase the number of non-white and non-heterosexual applicants, thereby increasing the presence of these students on law school campuses. By increasing the number of racial, ethnic, or sexual minority students in law schools, the chances of other students having contact with these students also increases. Previous research has noted the importance of contact in improving the opinions of minority groups (Allport, 1954; Astin, 1993; Chang,

2002; Gentry, 1987; Herek & Glunt, 1993; Whitt et al., 2001). Part of the reason interpersonal contact was not significant for this study may be that these law schools have such a small percentage of students who are minorities. Increasing the number of racial and sexual minority students enrolled in law school would increase the possibility of contact, both inside and outside the classroom. Providing students with the opportunity to interact with racial or sexual minorities may improve the perceptions of these groups by law students.

Criminal Justice System Programs/Workshops

In some cases, individual offices within the criminal justice system may want to consider some of the results of this study and create and implement programs for attorneys who may not have received any information on hate crimes while attending law school. For those District Attorney's Offices that do not have a specific division or department devoted to the investigation and prosecution of hate crimes, they may want to consider providing their attorneys with programs or workshops that provide information on the prosecution and investigation of hate crime cases. Such programs or workshops also could provide attorneys with information on dealing with the victims of hate crimes and why the prosecution of these cases is so important. In addition, information could be provided on what defenses to expect from those charged with hate crime offenses. Providing this information can better-prepare those responsible for prosecuting hate crimes for what to expect when reaching the trial phase.

Limitations and Strengths

This study provided insight into the perceptions of law students on two potential groups of hate crime victims – African-Americans, gays, and lesbians. In addition to this

information and insight on these perceptions, there were some limitations to this study. Some of the limitations involved the methodology, and other limitations dealt with the responses rate. These and other limitations are discussed in detail in the following section.

One of the limitations involved how interpersonal contact was measured. The literature suggested that increased contact with different students would increase levels of positive attitudes toward these groups. In particular, Herek and Glunt (1993) found that one of the principle correlates of heterosexuals' attitudes was the extent to which they had interacted personally with lesbians and gay men. Perhaps had this contact been measured differently it may have been a significant predictor of perceptions. Including a question or questions asking students if they had met someone or made a friend or acquaintance they knew to be homosexual may have provided better information on the impact of interpersonal contact on the perceptions of hate crimes.

An additional limitation of the current study involved the sampling strategy. This study employed a convenience sample and only achieved a 25.5% response rate. While this response rate is respectable, it is associated with some limitations. This response rate is lower than some other surveys that have used Web-based surveys. One possible explanation involves the level of access granted by the two participating law schools. Web-based surveys that achieved high response rates used college samples had persons employed at that university conduct the research (Fricker & Schonlau, 2002). In addition, being a researcher not affiliated with either school likely impacted the level of access and cooperation on the part of at least one of the school administrators. Part of the success with the number of students from the Public Law School completing the surveys involved

the cooperation of its instructors. Had the same cooperation been gained by the Private Law School it is very likely the number of respondents would have been higher. Also, there was a delay in communication with the students at one of the law schools because of a miscommunication with the administrator and this may have impacted the response rate. Finally, the survey was conducted over the Spring Break period of both law schools and during the mid point of their semesters. This may have impacted the number of students who participated due coursework requirements.

Another limitation involves generalizability. It was previously discussed that this research used a convenience sample. Using this type of sampling technique impacts the ability to make generalizations beyond this particular sample. In order to make generalizations about the population of law students, it would have been better to use a sampling technique such as simple random sampling. The use of this sampling technique was not possible due to access restrictions by the two law schools.

This study did not include all other possible categories of hate crime victims, and a number of those reporting to be hate crime victims described being selected because of their religious affiliation. In addition, none of the scenarios dealt with gender as a victim group and this could have had a similar effect on the scores of the scenarios. Some female students reported being selected for victimization because of their gender. Not including these two victim groups as part of the study may have impacted how these victims perceived the scenarios and victim groups that were used as part of the present study.

As part of this study, students were presented a series of open-ended questions regarding their personal knowledge of hate crime victimization, their own hate crime

victimization, and their overall feelings regarding hate crime laws. In addition to the previously mentioned limitations, these questions presented another limitation to the present research. When designing the survey for the Web, the Software Development Center (SDC) programmed a limited number of characters that would be accepted and available for analysis. Neither the researcher nor the students were aware of this space limitation. Due to this particular design element, several of the responses to these questions were not complete. This forced the researcher to use only that information that was provided for purposes of analysis. In some cases, having the complete answer would have provided for a more complete analysis and conclusions to be drawn.

While acknowledging some of the limitations of the study, it is important to discuss many of its strengths. One of those strengths involved the use of a Web-based survey. An additional strength of the study involved the population being used. These and other strengths for this study are presented and discussed in more detail below.

One of the strengths of this study was the use of a Web-based survey. This particular method permitted access to students that may not have been granted had the study employed more traditional methods. This method eliminated the cost associated with multiple mailings of the survey and the costs of making multiple copies of the survey for mailing. In addition, students were able to access and complete the survey from any computer with Internet access at a convenient time of their choosing. Also, the use of a Web-based survey permitted the responses to be coded as surveys were completed allowing for statistical analyses to be conducted with more ease and potential coding errors to be avoided. This type of survey reduces the likelihood of mistakes in the

coding and subsequent analysis process on the part of the researcher because much of the task can be completed prior to participants submitting responses.

An additional strength of the survey involves the use of school factors in the study of perceptions. Previous research in this area had neglected to include any type of school factors in attempting to predict/understand the perceptions of hate crimes and hate crime victims. By including these variables in the study, options for professional and higher education institutions to implement addressing any overwhelming negative views toward potential hate crime victims could be developed.

Some of the previous research on hate crimes has included more than one potential group of victims (Craig & Waldo, 1996; Miller, 2001; Rayburn et al., 2003; Steen & Cohen, 2004); however, some of this research has focused on one group (Gerstenfeld, 2003; Marcus-Newhall, 2002). One of the strengths of the present study was its use of more than one potential victim group. Including more than one group permits differences in perceptions and those factors influencing those perceptions to be examined. This study demonstrated that while African-Americans and gays and lesbians shared some common predictors, there were also predictors unique to these two victim groups. This difference may indicate that a variety of approaches may be necessary when dealing with these offenses – at the higher education level and the legal level.

This study used the population of law students who previously had been ignored in research. Though every law student may not choose a career in law or the criminal justice system, it is important to understand that many of these students will be involved in areas of law and justice that directly impacts hate crime victims and offenders.

Understanding the important role these students may have in the criminal justice system, makes understanding these perceptions all that more important.

In addition to using this neglected population, two different types of law schools were used. One of the law schools was public and the other private. Although there were no significant differences in the perceptions of hate crimes and hate crime victims between the students at these two schools, some differences were found concerning the type of courses that are providing information on this important social and legal topic. Not only were differences found in the type of courses providing hate crime information, but differences were found in the number of courses providing such information. Students from the public law school reported receiving information on hate crimes in a more diverse number of courses than students from the private law school. While this could be a function of the two schools used for the present study, it does highlight a stark difference in the nature of the curriculum that may represent differences in other areas. This is a difference that would not have been known had two different schools not been used for research.

Directions for Future Research

While several studies on the perceptions of hate crimes and hate crime victims have found sex differences, none of this research has identified reasons for such differences. This study found similar differences among women and men, yet it is unclear why such differences exist. Women in this study consistently reported greater agreement the scenarios presented were hate crimes. Future research should focus on what may be contributing to the differences in the perceptions of hate crime victims between women and men.

Future research in this area may want to focus on using a more diverse, representative sample of law students or other professional students. Using larger law schools, located in different regions of the country, may allow for perceptions of hate crimes to be compared and differences in regions of the country to be uncovered. This is an area of research that has been neglected and is one that should be explored in more detail.

The perceptions of faculty members and instructors should be a focus of future research. It is important for law school students to understand hate crimes and hate crime victims. It also is important for those responsible for disseminating the information to have an understanding of these offenses and their victims. For this study, it appears that faculty of both law schools view the discussion of hate crimes as one worthy of their courses. Students from the private law school reported 13 different courses providing hate crime information, and public law school students named 32 different courses. While this does not seem to be an issue for faculty at these two law schools, one of the reasons students may not be receiving information may be that faculty members do not recognize or acknowledge crimes based in bias or hate. Future research should focus on the perceptions of faculty members and instructors in an effort to understand how they may impact what (if any) information is provided to students regarding these offenses.

Future research also may want to focus on the change in perceptions from law school student to practicing attorney. Researchers may want to conduct a longitudinal study using law school students and examine how (and if) their perceptions regarding hate crime victims evolves over time. Of particular interest would be those students employed in the criminal justice system as prosecutors/prosecuting attorneys. These are

the persons responsible for the filing of charges and deciding which cases are worthy of proceeding to trial.

Research has been limited in investigating the amount of course time devoted to hate crime issues, the courses in which the information was provided, if the information was provided, and what specific areas of the issue were covered. While it does appear that these law students are receiving some information, the consistency and quantity of that information is not known. Further study on the importance of the information provided to all types of students should consider the quantity and quality of that information.

In addition to focusing on the perceptions of hate crime victims, future research should consider how these students view/perceive the hate crime offender. Some research has focused on aspects of the offender and how it impacts mock jury decision-making and aspects related to overall perceptions of hate crime offenders (Gerstendfeld, 2003; Marcus-Newhall et al., 2002); however, law students again have been missing from this research. Though there is little doubt the perceptions of law students and current attorneys, police officers, and judges are extremely important with respect to the hate crime victim, their perceptions of the offender may be equally important. It may be interesting to examine how the characteristics of hate crime offenders influence the decision-making process of current and future police, prosecutors, and judges.

Conclusions

Since 1997 when statistics were first collected regarding hate crimes in the United States, African-Americans, gays, and lesbians have comprised almost half of all victims. While these groups may be the ones most associated with hate crime victimization, there

are several other groups who do not get the same type of recognition. African-Americans, gays, and lesbians are aided by the strong presence and power of special interest groups. Other minority groups who lack the same advantages struggle to gain the attention of lawmakers. The fight for legal recognition of these offenses will continue as more minority groups attempt to gain protection from being purposely selected and victimized.

As scholars and special interest groups continue to focus on hate crimes and hate crime victims, it will be increasingly difficult for policy makers, police, and criminal justice personnel to avoid the serious consideration of laws that could go a long way in protecting their citizens. It is important to recognize the very complex nature of these offenses. Hate crimes are not an easy crime to define, recognize, legislate, prosecute, punish, or study. Despite their complex nature, the academic community's interest is important if there is to be an increased understanding of hate crimes and a possible decrease in their occurrence.

There is some reason to be optimistic about the perceptions of hate crimes and hate crime victims. This study has demonstrated that while there may be some room for improvement, many of these law students hold favorable views of groups whose members may be victims of these crimes and the laws designed to protect these individuals. Many of these law students had the benefit of participating in courses that addressed the issue of hate crimes; this fact alone may provide them with an advantage from those currently involved in the criminal justice system. As society gains a better understanding for the necessity of addressing hate crimes, there is hope those in all levels of higher education do the same. Hopefully, this will have an impact on how these crimes and victims are treated by all branches of the criminal justice system.

While some believe no difference exists in a crime committed without bias and one committed because of bias, there are those who recognize the fundamental difference between the two. In this country, our differences are supposed to be celebrated and valued; this is what makes us unique from other nations. These differences should not be used as a tool for selecting people to victimize. The hope is that institutions responsible for producing future police officers, lawmakers, prosecutors, and judges recognize the need of educating their students on the effects of hate crimes. It is particularly important for these people to recognize the power of hate crimes. They should understand that hate crimes not only victimize the individual, but they have the unique ability to victimize entire communities. Hopefully, an increased understanding of hate crimes and hate crime victims will lead to safer and more compassionate local and global communities.

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ANTI-DEFAMATION LEAGUE STATE HATE CRIME STATUTORY PROVISIONS

	AL	AK	AZ	AR	CA	CO	CT	DC	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
Bias-Motivated Violence and Intimidation -- Criminal Penalty *1	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Civil Action				✓	✓	✓	✓	✓		✓	✓		✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓
Race, Religion, Ethnicity	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sexual Orientation			✓		✓	✓	✓	✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gender		✓	✓		✓		✓	✓			✓	✓		✓	✓	✓			✓	✓		✓	✓	✓	✓	✓
Disability	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓		✓	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓
Other *2					✓	✓	✓	✓		✓		✓				✓	✓		✓	✓			✓	✓	✓	✓
Institutional Vandalism	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Data Collection *3			✓		✓		✓	✓		✓		✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Training for Law Enforcement Personnel *4			✓		✓		✓							✓		✓		✓	✓			✓				✓

* 1. The following states also have statutes criminalizing interference with religious worship: AR, CA, DC, FL, ID, MD, MA, MI, MN, MS, MO, NV, NM, NY, NC, OK, RI, SC, SD, TN, VA, WV.

* 2. "Other" includes political affiliation (CA, DC, IA, LA, WV), age (CA, DC, FL, IA, HI, KS, LA, ME, MN, NE, NM, NY, VT) and transgender/gender identity (CA, CO, CT, DC, HI, MD, MN, MO, NM, PA, VT).

* 3. States with data collection statutes which include sexual orientation are AZ, CA, CT, DC, FL, HI, IL, IA, MD, MI, MN, NV, NM, OR, TX and WA; those which include gender are AZ, DC, HI, IL, IA, MI, MN, TX, WA.

* 4. Some other states have administrative regulations mandating such training.

Compiled by the Anti-Defamation League's Washington Office
 More information about ADL's resources on hate crimes can be found on the League's Web site:

<http://www.adl.org> and <http://www.partnersagainstate.org>

ANTI-DEFAMATION LEAGUE STATE HATE CRIME STATUTORY PROVISIONS

	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
Bias-Motivated Violence and Intimidation -- Criminal Penalty *1	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓ ^{*5}	✓	✓	✓	✓	✓	
Civil Action		✓	✓		✓			✓		✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	
Race, Religion, Ethnicity	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Sexual Orientation		✓	✓	✓	✓	✓	✓					✓	✓	✓			✓	✓	✓	✓		✓		✓	
Gender		✓		✓	✓	✓	✓	✓	✓				✓	✓			✓	✓	✓	✓		✓	✓		
Disability		✓	✓	✓	✓	✓	✓				✓		✓	✓			✓	✓	✓	✓		✓		✓	
Other *2		✓				✓							✓							✓			✓		
Institutional Vandalism	✓	✓	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	
Data Collection *3		✓			✓	✓					✓	✓	✓	✓				✓			✓	✓	✓		
Training for Law Enforcement Personnel *4					✓	✓						✓	✓	✓								✓			

*5 The Utah statute ties penalties for hate crimes to violations of the victim's constitutional or civil rights.

APPENDIX B

The Commonwealth of Pennsylvania's Ethnic Intimidation Statute

§ 2710. Ethnic Intimidation

(a) Offense defined. - A person commits the offense of ethnic intimidation if, with malicious intention toward the actual or perceived race, color, religion, national origin ancestry, mental or physical disability, sexual orientation, gender or gender identity of another individual or group of individuals, he commits an offense under any other provision of this article or under Chapter 33 (relating to arson, criminal mischief and other property destruction) exclusive of section 3307 (relating to institutional vandalism) or under section 3503 (relating to criminal trespass) with respect to such individual or his or her property or with respect to one or more members of such group or to their property.

(b) Grading. - An offense under this section shall be classified as a misdemeanor of the third degree if the other offense is classified as a summary offense. Otherwise, an offense under this section shall be classified one degree higher in the classification specified in section 106 (relating to classes of offenses) than the classification of the other offense.

(c) Definition. - As used in this section "malicious intention" means the intention to commit any act, the commission of which is a necessary element of any offense referred to in subsection (a) motivated by hatred toward the actual or perceived race, color, religion or national origin, ancestry, mental or physical disability, sexual orientation, gender or gender identity of another individual or group of individuals.

1982, June 18, P.L. 537, No. 154, § 1, imd. effective; 2002, Dec. 3, P.L. 1176, No. 143, § 1, imd. effective; 2002, Dec. 9, P.L. 1759, No. 218, § 3, effective in 60 days.

APPENDIX C

Please indicate your answers to the questions below in the space provided.

1. What is your current status in law school?
 1st year student
 2nd year student
 3rd year student

2. What clinics/externships/internships have you participated in (or are you currently participating in) that have been offered through your law school? (check all that apply)

None <input type="checkbox"/>	Environmental Law <input type="checkbox"/>	Family Law <input type="checkbox"/>	Civil Practice <input type="checkbox"/>	Health Law <input type="checkbox"/>
Economic and Community Development <input type="checkbox"/>	Civil and Family Justice <input type="checkbox"/>	Securities Law <input type="checkbox"/>	Criminal Law <input type="checkbox"/>	Elder Law <input type="checkbox"/>

Other(s): _____

3. Prior to entering law school, did you have any full-time Criminal Justice System work experience?
 Y or N

If yes:

Please list employment places and years employed.

4. Upon graduation, in what type of law do you want to be employed?
 (please select only one)

Criminal Law – Prosecutor <input type="checkbox"/>	Corporate Law <input type="checkbox"/>	Health Law <input type="checkbox"/>	Labor & Employment Law <input type="checkbox"/>
Criminal Law – Defense Attorney <input type="checkbox"/>	Civil Law <input type="checkbox"/>	International Law <input type="checkbox"/>	Tax Law <input type="checkbox"/>
Family Law <input type="checkbox"/>	Environmental Law <input type="checkbox"/>	Real Estate Law <input type="checkbox"/>	Patent & Trade Law <input type="checkbox"/>

Please read each of the following scenarios carefully. Using only the information provided, please indicate the level to which you agree/disagree it is a hate crime by clicking the number that represents the most accurate reflection of your opinion.

5. A black family's home is defaced with racist graffiti.

1	2	3	4	5	6	7
Strongly Disagree it is a hate crime	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree it is a hate crime

6. A group is verbally harassed because of their sexual orientation.

1	2	3	4	5	6	7
Strongly Disagree it is a hate crime	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree it is a hate crime

7. Anti-gay graffiti is spray-painted on a gay man's garage door.

1	2	3	4	5	6	7
Strongly Disagree it is a hate crime	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree it is a hate crime

8. The letters 'KKK' are carved into the playground equipment of a predominantly black neighborhood.

1	2	3	4	5	6	7
Strongly Disagree it is a hate crime	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree it is a hate crime

9. A woman is called a 'dyke' as she is punched repeatedly.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree
it is a hate crime						it is a hate crime

10. Anti-gay slurs are spray-painted on playground equipment in a predominately gay neighborhood.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree
it is a hate crime						it is a hate crime

11. A black couple is beaten while attackers use racial slurs.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree
it is a hate crime						it is a hate crime

12. Black residents in a neighborhood are verbally harassed.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree
it is a hate crime						it is a hate crime

Questions 13 – 18.

Please check the box that indicates how often you engaged in these actions since starting this law school.

	Never	Occasionally	Often	Very Often
Became acquainted with students whose race or ethnic background was different from yours.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Became acquainted with students from another country.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had serious discussions with students whose philosophy of life or personal values were very different from yours.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had serious discussions with students whose race or ethnic background was different from yours.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had serious discussions with students from a country different from yours.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please indicate your level of agreement with the following statements by clicking the number that best reflects your opinion.

19. Lesbians just can't fit into our society.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

20. State laws regulating private, consenting lesbian behavior should be loosened

(reverse scored).

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

21. Female homosexuality is a sin.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

22. Female homosexuality in itself is no problem, but what society makes of it can be a problem (reverse scored).

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

23. Lesbians are sick.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

24. I think male homosexuals are disgusting.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

25. Male homosexuality is a perversion.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

26. Just as in other species, male homosexuality is a natural expression of sexuality in human men (reverse scored).

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

27. Homosexual behavior between two men is just plain wrong.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

28. Male homosexuality is merely a different kind of lifestyle that should *not* be condemned (reverse scored).

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

Have any of your law school courses provided information regarding hate crimes (e.g., victims, victimization, criminal law, offenders)? Y or N

If no, skip to Question 37.

- 36.** In what course(s) was this information provided?
- 37.** Have you completed your law school's course on criminal law and/or criminal procedure? Y or N

Please indicate your level of agreement with the following statement.

- 38.** Your law school should provide a specific course or courses related to hate crimes and relevant legal issues surrounding hate crimes?

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

Please indicate your answers to the questions below in the space provided.

- 39.** Sex:
 M F
- 40.** Race/Ethnicity:
 Black, African-American
 White
 Hispanic
 Asian
 Middle Eastern
 Other
- 41.** Sexual Identity/Orientation:
 Heterosexual
 Homosexual
 Other
 No Answer
- 42.** Please identify your political orientation:
 Very conservative
 Conservative
 Somewhat conservative
 Somewhat liberal
 Liberal
 Very Liberal
- 43.** Age:

- 44.** Current Household Income:
\$0 – \$9,999
\$10,000 – \$19,999
\$20,000 – \$29,999
\$30,000 – \$39,999
\$40,000 – \$49,999
\$50,000 – \$59,999
\$60,000 – \$69,999
More than \$70,000
- 45.** Undergraduate Major(s):

- 46.** Have you earned any other degrees in addition to your undergraduate degree?
Y or N
If yes, please list below:

47. Do you personally know anyone (**NOT** including yourself) who has been a victim of a hate crime? Y or N

In NO, skip to Question 47.

47(a) Please provide a description of the incident (e.g., location, time of year, time of day, injuries suffered, violent/non-violent), the people involved (e.g., number, age, sex, race), and any involvement of the criminal justice system (e.g., police, courts).

48. Have you ever been a victim of a hate crime? Y or N

In NO, skip to Question 48.

48(a) Please provide a description of the incident (e.g., location, time of year, time of day, injuries suffered, violent, non-violent), the people involved (e.g., number, age, sex, race), and any involvement of the criminal justice system (e.g., police, courts).

Please indicate your level of agreement with the following statement.

49. Criminal law should be used to protect certain groups from hate violence and/or harassment.

1	2	3	4	5	6	7
Strongly Disagree	Disagree	Moderately Disagree	Neither Agree or Disagree	Moderately Agree	Agree	Strongly Agree

50. What are your overall views, feelings, and opinions regarding hate crime laws?

Thank you for taking the time to complete this survey.

APPENDIX D

Dear Private/Public Law School Student:

As a full-time law student at this university, you are invited to participate in a web-based survey on hate crimes and hate crime victims. This research is being conducted to assist in the completion of my doctoral dissertation for the Criminology program at Indiana University of Pennsylvania. Also, this research is being conducted with the knowledge and consent of your law school.

PURPOSE OF THE WEB SURVEY

In social science research in the area of hate crimes and hate crime victims, researchers have neglected an important population – law students. Your unique position and qualities make you an interesting group of persons to investigate with respect to this social issue. As a law student, you have several career options many of which directly (or indirectly) involve the criminal justice system. Although some of you may not choose to practice criminal law, your views and perceptions on this issue are important and much needed.

WHAT WOULD PARTICIPATION ENTAIL?

If you are willing to participate in this study, please visit the following web site: <http://hammer.sdc.iup.edu/law/index.asp> and complete the following steps.

Step 1:

Once at the site, type the password as it appears below in the appropriate space and click 'Login.'

Password: private/public

Be aware that this is **NOT** a unique password. Each eligible law student from this university will be receiving the same password. This by no means compromises the anonymity and confidentiality of your answers.

Step 2:

Please read and complete questions for the online consent form. After you answer 'yes' to the questions, click "I consent."

Step 3:

Please read and answer the questions on the pages that follow. Completing this survey should take approximately 10-15 minutes of your time. During the course of the survey you will be able to click the 'Back' button to review your answers.

TIMELINE

Please visit the web site and submit your answers to this survey by -----.

If you have any questions regarding this survey, please contact Jenifer Lee by email at jlee@iup.edu or by phone at 724-357-2720.

TITLE OF PROJECT:

Judging the Hate Crime Victim: Law School Student Perceptions and the Effects of Individual and Law School Factors.

PROJECT DIRECTOR:

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APPENDIX E

Dear Private/Public Law Student:

Approximately four weeks ago, you were notified of your selection to participate in an anonymous web survey about law students and their perceptions of hate crimes and hate crime victims. If you have not completed this survey, it is not too late!

If you would like to participate in this research, simply click on the link below and enter the provided password as it appears:

Web site: <http://hammer.sdc.iup.edu/law/index.asp>

Password: private/public

This survey takes approximately 10 minutes to complete and will assist in research for my dissertation. Your opinions on this issue are very important and will go a long way in gaining very valuable information for social science, criminology, and criminal justice.

**PLEASE VISIT THE WEB SITE AND SUBMIT YOUR RESPONSES BY
MARCH 25, 2005.**

If you have completed the survey, I want to thank you for your participation.

Should you have any questions about the survey or the web site, please feel free to contact me.

Thank you for your time and assistance!

Jenifer Lee
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G-1 McElhaney Hall
Indiana, PA 15705
(724) 357-2720
jlee@iup.edu

APPENDIX F

Title of Project: Judging the Hate Crime Victim: Law School Student Perceptions and the Effects of Individual and Law School Factors

Dear Private/Public School Law Student:

Thank you for responding to the invitation regarding the study about your perceptions of hate crimes and hate crime victims. The following information is provided to help you make an informed decision regarding your participation. As mentioned in the e-mail invitation, you have been selected to participate because you are enrolled full-time in your law school's Day Division Program

I am a doctoral candidate at Indiana University of Pennsylvania conducting this research to gain insight into the perceptions of law students in the area of hate crimes. All data that are collected will remain confidential. This research will assist in the completion of my dissertation.

Your participation is completely voluntary. This means you are free to decide not to participate in this study by choosing not to complete the survey. Also, if during your participation you decide you no longer wish to complete the survey, you will be able to exit the survey. The information obtained in the study may be published in scholarly journals or presented at scientific conferences. Should you choose to participate in this study and have questions, you may contact the Project Director or Faculty Sponsor at any time. In addition, if you have questions at the conclusion of your participation in the survey, you may contact the Project Director.

If you agree to participate in this study, please answer 'yes' to the questions below and click on 'I Consent.'

Thank you for your assistance!

Do you agree to participate in this study?
Are you aware that you may withdraw at any time?

Yes No

I CONSENT

Project Director: *Ms. Jenifer Lee, Doctoral Candidate*
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Faculty Sponsor: *Dr. Jennifer Gossett*
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Indiana, PA 15705
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This project has been approved by the Indiana University of Pennsylvania Institutional Review Board for the Protection of Human Subjects (724-357-7730).

APPENDIX G

Environmental Law
Family Law
Civil Practice
Economic/Community Development
Securities Law
Criminal Law
Elder Law
ACLU
Bankruptcy
Christian Legal Aid
City Councilman's Office
Civil Rights/Civil Liberties
Common Pleas
Commonwealth Court
Co. Public Defenders
Court Appointed Special Advocate
District Attorney's Office
Education Law Center
Employment Law
Federal District Judge
General Practice
Human Rights
Immigration Law
Intellectual Property
International Law
Judicial Externship/Internship
Lawyering Process
Legal Aid
Legal Services for Low Income
Low Income Tax
Mediation/Arbitration
Political
Social/Economic Justice
Attorney General
State Supreme Court
Superior Court
Tax
Women's Rights/Law