

Measuring hate crime in Illinois

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Illinois law defines a hate crime as the commission of an illegal act based on the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, or ethnicity of another individual. In 1994, an amendment was passed to include those crimes motivated by a bias against people with disabilities.

The law also dictates that the motive behind a hate crime may justify a term of imprisonment, or be considered by the court as a reason to impose a more severe sentence for the offense committed. In Illinois, a hate crime is categorized as a Class 4 felony for the first offense, and a Class 2 felony for subsequent offenses.

Hate crimes include criminal acts, such as homicide, assault, or criminal damage to property, in which the offender was motivated by a specified demographic characteristic of a victim, such as race, sexual orientation, or disability.

Legislation

The federal Hate Crime Statistics Act of 1990 required the establishment of a national system for collecting hate crime statistics (Table 1). The FBI's Uniform Crime Reporting program was charged with implementing a voluntary data collection system for law enforcement agencies. With the assistance of several state and local law enforcement agencies experienced in hate crime investigation, compre-

Table 1
State and federal hate crime laws

Effective date	Citation	Summary
State laws		
1991	720 ILCS 5/12-7.1	Defines the offense of hate crime, formerly known as "ethnic intimidation."
1995	730 ILCS 5/5-5-3.2	Makes the motive of an offense a reason for a more severe sentence.
1996	20 ILCS 2605/55a (31)	Mandates the reporting of hate crime statistics to the Illinois State Police by local jurisdictions.
Federal laws		
1990	28 U.S.C. 534	The Hate Crimes Statistics Act — a federal law requiring the establishment of a national system for collecting hate crime statistics.
1994	28 U.S.C. 994	The Hate Crimes Sentencing Enhancement Act — a federal law making the motive of an offense a reason for a more severe sentence.
1996	18 U.S.C. 247	The Church Arsons Prevention Act — extends the Hate Crimes Statistics Act until 2002, and allows federal authorities to prosecute those who damage religious property.
Pending	S. 1529	The Hate Crimes Prevention Act — would increase hate crime incident reporting and data collection.

hensive guidelines were developed to compile hate crime data.

The Church Arsons Prevention Act was passed in 1996 in response to arson fires that destroyed more than 65 churches during an 18-month period. The law extended the Hate Crime Statistics Act until 2002, and allowed federal authorities to prosecute those who damaged religious property.

Congress is examining the Hate Crimes Prevention Act, a bill that would expand hate crime incident reporting and data collection to include jurisdictions that currently are not mandated to report hate crimes.

Although the Illinois State Police (ISP) has collected bias crime data since 1991 using the FBI's Hate Crime Incident Report form, the reporting of hate crime information

to the state police was voluntary until 1996, when it was mandated by law.

Currently, ISP serves as the state’s central repository for hate crime data and for reporting this information to the FBI. This statistical information is the basis for the following report and analysis.

Reporting trends

Hate crime data reported by local law enforcement agencies to ISP from April 1996 through December 1998 were used in this analysis. The practice of determining whether an offense is a hate crime is still in its infancy, and many agencies did not record any hate crimes during the period studied. Reasoning for police nonreporting is unclear. Agencies simply may not have recorded hate crimes that occurred in their jurisdiction, or they may have failed to properly report an offense as a hate crime. As a result, the Illinois population is not completely represented by the data used for this analysis.

Overall, the population represented by agencies in each region that did report hate crimes is large and remained fairly constant from April 1996 through December 1998 (Table 2). Cook County agencies had the most representation each year, ranging from 69 percent of the population in 1996 to 63 percent in 1998. More than 40 percent of Illinois’ population were represented by agencies reporting hate crimes from April 1996 through December 1998.

The number of reported hate crimes statewide declined by 13 percent between 1997 and 1998. This drop was driven largely by a 31 percent decrease in reported hate crimes in Cook County. The numbers in other regions remained about the same over the period analyzed (Figure 1).

The most common offenses reported in Illinois were simple

Table 2
Population served by agencies reporting hate crimes, 1996* - 1998

		Cook	Collar	Urban	Rural	State
1996	Percent of population served	69%	27%	31%	15%	44%
1997	Percent of population served	68%	29%	33%	11%	44%
1998	Percent of population served	63%	29%	27%	13%	41%

Source: Illinois State Police
*1996 data includes only crimes reported from April to December.

assaults and intimidation (Figure 2). Together, these offenses accounted for almost 60 percent of reported hate crimes each year.

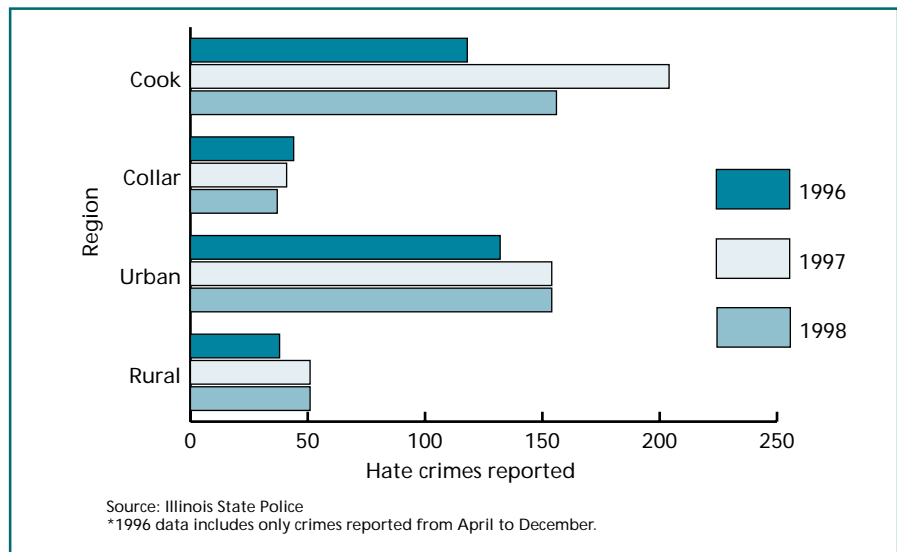
Aggravated assaults, criminal damage and destruction of property, and vandalism accounted for 35 percent of hate crime offenses. Offenses categorized as “other” in the data, including robbery, sexual assault, burglary, theft/larceny, and arson, were reported in less than 5 percent of cases studied.

The data indicated that crimes under aggravated assault, simple assault, intimidation, and “other” categories have increased since 1996 or stayed consistent with numbers reported in 1997.

At least 75 percent of reported hate crimes in Illinois were racially or ethnically motivated (Figure 3). The victim’s sexual orientation was the second most common motivator for hate crimes. However, it should be noted that in part of 1996, anti-religion hate crimes were more common than sexual orientation crimes. Motivations for crimes found in the “other” category included anti-disabled (physical and mental), anti-gender, and anti-elderly biases. Overall, these offenses accounted for about 3 percent of reported hate crimes.

In the period studied, almost 70 percent of the offenders whose race was known were white. However, the race of the offender was unknown in a

Figure 1
Hate crimes reported by region, 1996* - 1998



significant amount of hate crimes reported. This was the case in 26 percent of hate crimes reported from April through December 1996, 20 percent in 1997, and 24 percent in 1998. Overall, black offenders were responsible for 22 percent of hate crimes committed; three percent of offenders were listed as American Indian, Alaskan native, Asian/Pacific Islander, and multiracial.

Research indicates that many hate crimes occur as a result of predatory group mentality (“mob mentality”). This behavior occurs when a group of individuals act upon impulses that a single individual might not experience. In these circumstances, what formerly may have been considered unacceptable behavior by each individual becomes acceptable to them as a group.

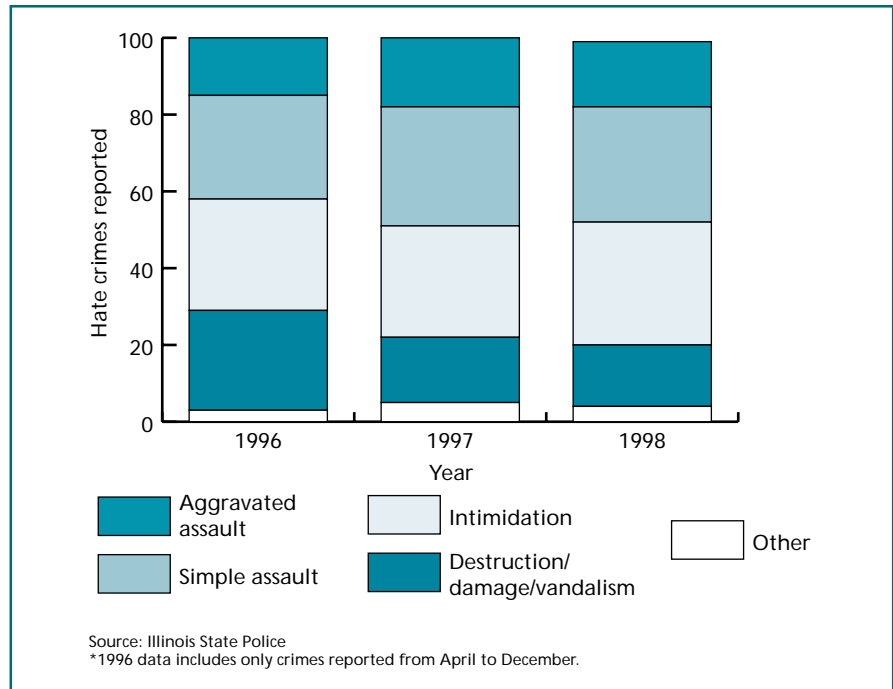
When the number of offenders in a case is known, one offender committed 59 percent of hate crimes, while 32 percent of the crimes were committed by two, three, or four offenders. Almost 9 percent of all hate crimes involved more than five offenders. Nearly 85 percent of hate crimes reported between April 1996 and December 1998 involved a single victim, 11 percent involved two victims, and 5 percent involved two or more victims.

Hate crimes occurred in widely varied locations. From April 1996 to the end of 1998, 32 percent of hate crimes occurred in 21 different locations ranging from bars and nightclubs to parking lots and grocery stores. These offenses were categorized in police reports as “other” (Figure 4). Hate crimes on highways, roads, and alleyways were cited in almost 31 percent of reported offenses. Finally, 26 percent of hate crimes occurred in a place of residence, and 9 percent occurred in or around a school or college.

Data limitations

The following traits of the data set and data collection procedures must be

Figure 2
Hate crime offenses 1996* - 1998



explained to fully understand the information provided in this report:

- The systematic and mandatory collection and submission of monthly hate crime data in Illinois began in

April 1996. Therefore, the process of data collection is still relatively new, and the compliance with this statute among local law enforcement agencies is still growing. Conse-

Figure 3
Hate crime motivation, 1996* - 1998

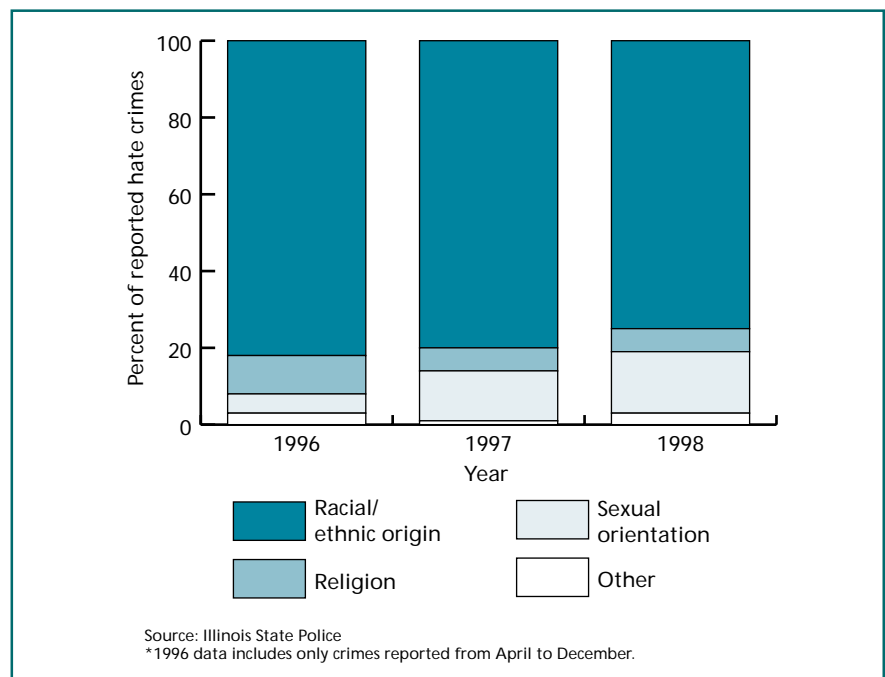
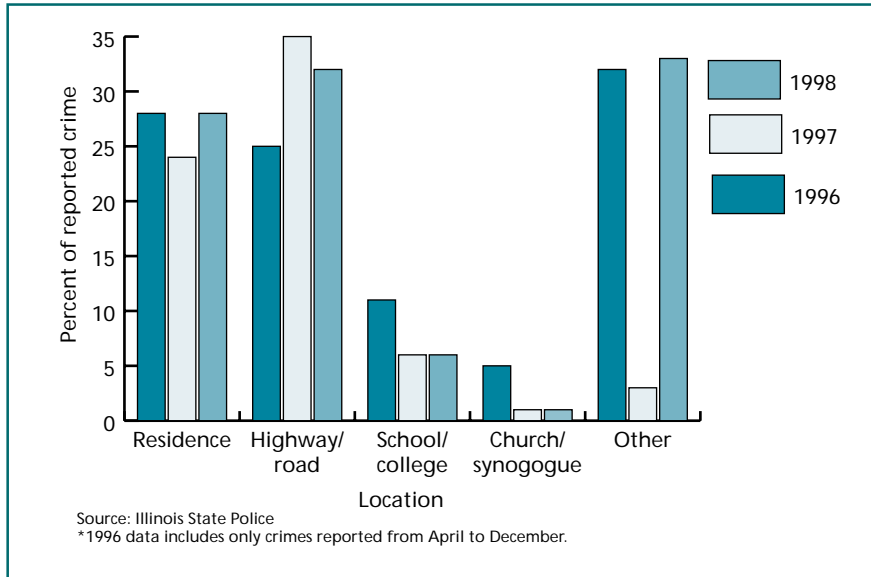


Figure 4
Hate crime locations, 1996* - 1998



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quently, the number of hate crimes reported most likely under-represents the actual occurrence of hate crimes across the state.

- The data maintained by ISP do not represent 100 percent of Illinois'

population. Also, agencies are not required to submit hate crime data if such offenses did not occur in their jurisdiction. Therefore, it is unclear whether agencies did not submit data because there were no hate crimes to

report, or because they were not in compliance with the law.

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