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LAMBDA Services Anti-Violence Project

National data and analysis in collaboration with:

Anti-Violence Empowerment Committee (Ventura, CA)
Arizona Human Rights Fund Anti-Violence Project (Phoenix)
Community United Against Violence (San Francisco)
Community Coalition to End Hate-Motivated Violence (Reno)
Fenway Community Health Center / Victim Recovery Program (Boston)
Gay & Lesbian Community Action Council (Minneapolis)
Gay and Lesbian Community Services Center of Los Angeles/Anti-Violence Project
Gay, Lesbian and Bisexual Community Services Center of Colorado/Anti-Violence Project (Denver)
Gay Men and Lesbians Opposing Violence (Washington DC)
Horizons Anti-Violence Project (Chicago)
Idaho Anti-Violence Project (Boise)
Lesbian and Gay Community Association of Jacksonville
Lesbian Community Project (Portland, OR)
Maryann Finegan Project of the Lesbian/Gay Community Center (Cleveland)
National Gay and Lesbian Task Force Policy Institute (Washington DC)
New York City Gay and Lesbian Anti-Violence Project
North Carolina Coalition for Gay and Lesbian Equality
St. Louis Anti-Violence Project
Stonewall Union Anti-Violence Project (Columbus)
Triangle Foundation (Detroit)
The Women's Project (Little Rock)
Virginians for Justice (Richmond)

Data collection and processing:

New York City Gay and Lesbian Anti-Violence Project

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Introduction

Anti-lesbian and anti-gay violence is a pervasive problem in El Paso and throughout the United States. Over the last 15 years, dozens of prevalence surveys, academic studies, government-funded reports, and community-based analyses of gay and lesbian victim information have been conducted. Without exception, each has found that gay men and lesbians are disproportionately the victims of violence.

This report analyzes incidents of anti-gay/lesbian violence in the El Paso area documented by the LAMBDA Services Anti-Violence Project in 1994. In addition, it compares our local data to nationally-generated information.

History of National Reporting of Anti-Lesbian/Gay Violence

This report is somewhat different than similar reports issued in the past. From 1984 to 1994, the National Gay and Lesbian Task Force Policy Institute (NGLTF) produced -- and released from Washington -- an annual national report on anti-lesbian/gay violence. The annual reports for 1984 through 1989 reflected all data submitted by local victim assistance, advocacy, and documentation organizations. In 1990, the format of the NGLTF report was changed to focus on data from programs in six cities -- Boston, Chicago, Minneapolis/St. Paul, New York City, Los Angeles, and San Francisco.¹ The cities were selected because they were the sites of professionally staffed victim service agencies that monitored anti-lesbian/gay violence. NGLTF concluded that the consistent and ongoing nature of these agencies' monitoring efforts made it possible to examine annual trends in reporting, and that such trends provided an important indication of whether anti-lesbian/gay violence was increasing or decreasing in those cities and elsewhere in the nation.²

In recent years, with NGLTF's assistance, local anti-violence organizations have established a strong working relationship with one another. At the same time, local organizations have matured and grown. In late 1993, the Anti-Violence Project received funding and began providing direct victim services. In 1994, a decision was made to produce the annual national report as a collaborative effort among the local organizations and NGLTF, and to increase the focus on local issues. This report is the result of that decision.

Los Angeles was not included in the NGLTF report after 1991; Denver was included in the 1993 report. Unlike the NGLTF report which reflected data submitted by the Minneapolis/St. Paul program from 1988, this report reflects Minneapolis/St. Paul data only from 1993. This reflects a determination that the program's data components were not wholly consistent with those of the other programs until 1993.

National Gay & Lesbian Task Force. (1991). *Anti-gay violence, victimization and defamation in 1990*, pp. 4-5. Washington, DC.

What's New in this Report

This report retains the basic premise of NGLTF's recent reports -- the importance of consistent and ongoing data collection -- but adds three new dimensions. First, the number of programs being used to establish a national profile has been expanded from six to nine. Three additional programs -- located in Columbus, Detroit and Portland -- were added because they have been documenting incidents and consistently maintaining data for at least three years. The number of programs that contribute toward the national profile, the "national tracking programs," will continue to expand in future years.

Second, this report compares data from El Paso to the national profile.

Finally, this report reflects an analysis of information that was not reported in the past. New data, including victim age and injury information, number of offenders involved in incidents, and offender demographics, substantiate what victim service agencies have observed anecdotally for many years. Wherever possible, this report uses national data produced by the Federal Bureau of Investigation to make comparisons.³

This report does not purport to document the actual number of lesbian/gay incidents that occurred in any part of the country, including El Paso. Extensive empirical evidence shows that, for a number of reasons, anti-lesbian/gay violence is vastly under-reported and largely undocumented. Most areas of the country do not have a local victim assistance or documentation program. This problem is particularly acute in rural areas. On the other hand, the many years of consistent, uniform and continuous collection of data which contribute to the national profile does provide an accurate reflection of the characteristics of anti-lesbian/gay-violence and trends over time.

Although this report focuses on statistics of anti-gay/lesbian violence, statistics alone cannot convey the terrible impact this violence has on both individuals and the community. To more vividly portray the violence faced by lesbians and gay men in our society, attached as Appendix "A" are descriptions of a number of incidents that are reflected in the statistics set forth in this report. Also attached as Appendix "B" are descriptions of anti-gay and lesbian murders committed in 1994. Finally, Appendix B-1 reflects the results of an annual survey of lesbians and gay men conducted by the Lesbian and Gay Community Association of Jacksonville, Florida. These brutal and disturbing incidents better reflect the true nature of the crises of violence facing lesbian and gay Americans.

These data are produced by the F.B.I. as part of its Uniform Crime Reporting (UCR) Program and pursuant to the Hate Crimes Statistics Act of 1990.

Methodology

A number of criteria were used to determine if an incident was motivated by anti-lesbian/gay hate. These criteria, which largely follow those established by the Federal Bureau of Investigation pursuant to the Hate Crimes Statistics Act,⁴ included:

- 1) the offenders used anti-gay or AIDS-related language;
- 2) there was a history of anti-lesbian/gay/bisexual/transgender incidents in the same area;
- 3) the crime showed evidence of intense rage (e.g., severe beating or mutilation);
- 4) a substantial portion of the lesbian/gay community where the crime occurred perceived that the incident was motivated by bias;
- 5) the incident coincided with a lesbian/gay event, such as Lesbian/Gay Pride Day or National Coming Out Day; or
- 6) the victim was engaged in activities promoting lesbian/gay rights, or activities in response to AIDS.

All participating organizations were advised not to include in their data incidents where the anti-lesbian/gay motivation was in doubt. The LAMBDA Services Anti-Violence Project strictly adhered to this standard. Additional criteria were used to determine if homicides were or appeared to be motivated by anti-lesbian/gay hate. These additional criteria are discussed in the "Homicides" section.

Terminology

Like FBI reports, the data reflect offenses, incidents, and victims.

An **offense** is a specific type of victimization, such as harassment, vandalism, or assault. The definitions used to categorize offenses appear as Appendix "C."

An **incident** is made up of one or more offenses that occur as a single unit of experience. A single incident can involve more than one offense. For example, in a single incident a victim could be verbally harassed, menaced with a knife, and struck with a bottle. This incident would involve three offenses -- harassment, menacing, and assault.

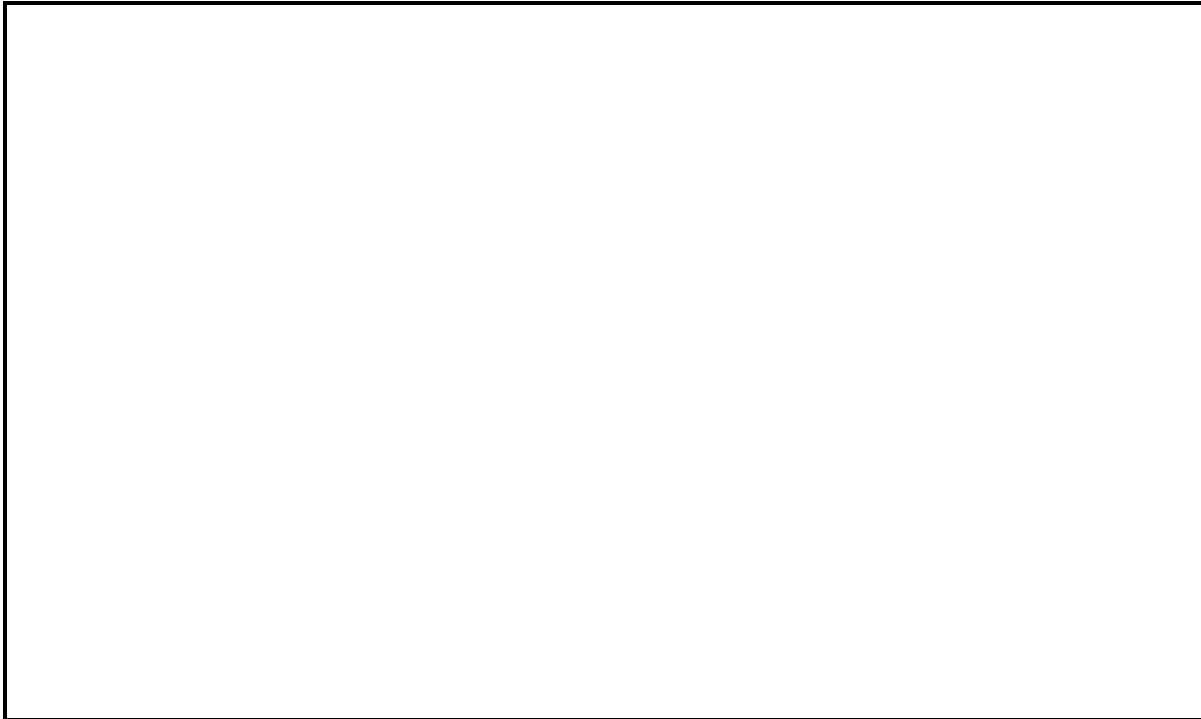
U.S. Department of Justice, Federal Bureau of Investigation. (1992). *Training Guide for Hate Crime Data Collection*, p. 17-20. Washington, DC: Government Printing Office.

A **victim** is the person or institution that is the target of the attack. There can be more than one victim in a single incident.

El Paso & National Trends

During 1994, the LAMBDA Services Anti-Violence Project documented 92 incidents of anti-lesbian/gay violence, a 206% increase from the 30 incidents in 1993. This was by far the largest increase in any of the cities participating in this national survey. In addition, El Paso reported an extremely high percentage of Latino and Latina victims. Latinas/os accounted for 89 (74%) of the 120 victims involved in reported anti-lesbian/gay bias incidents.

Anti-Lesbian/Gay Incidents - 1994 Selected U.S. Cities



National Trends and Data

Anti-lesbian/gay incidents documented by the national tracking programs, which did not include El Paso, increased 1.6%, from 2,031 incidents in 1993 to 2,064 in 1994. These tracking programs are located in Boston, Chicago, Columbus, Denver, Detroit, Minneapolis/St. Paul, New

York City, Portland, and San Francisco.⁵ Under current criteria, the Los Angeles program will become part of the tracking program next year.

**Anti-Gay/Lesbian Incidents Reported to
National Tracking Programs - 1993 - 1994**

Tracking Program Location	1993	1994	% Change
Boston	187	234	+ 25.1
Chicago	204	177	-13.2
Columbus	140	149	+ 6.4
Denver	211	156	-26.1
Detroit	84	96	+ 14.3
Los Angeles	NA	332	
Minneapolis/St. Paul	153	190	+ 24.2
New York City	587	632	+ 7.7
Portland	99	106	+ 7.1
San Francisco	366	324	-11.5
Totals	2,031	2,064	+ 1.6

Programs in six of the nine cities showed increases in reported incidents: Boston (+ 25.1%), Columbus (+ 6.4%), Detroit (+ 14.3%), Minneapolis/St. Paul (+ 24.2%), New York City (+ 7.7%), and Portland (+ 7.1%). The Fenway Community Health Center/Victim Recovery Program in Boston had the largest proportional increase, with documented incidents up 25.1%, from 187 in 1993 to 234 in 1994.

Documented incidents fell for programs located in three areas: Chicago (-13.2%), Denver (-26.1%), and San Francisco (-11.5%). The Anti-Violence Program of the Gay, Lesbian and Bisexual Community Service Center of Colorado experienced the largest proportional decrease, with documented incidents falling 26.1%, from 211 in 1993 to 156 in 1994.⁶ In 1992 and through much of 1993, incidents of anti-lesbian/gay violence in Colorado rose dramatically during the campaign over and for several months after a statewide anti-gay ballot initiative passed. After the measure was enjoined in court and then ruled unconstitutional, hate-motivated incidents declined. Local gay/lesbian leaders also describe a growing backlash to the hate-mongering fueled by the ballot initiative, with a growing number of church and civic leaders speaking out against anti-lesbian/gay hate. While this leveling off of violence in Colorado continued through 1994, reported

These programs are: Fenway Community Health Center/Victim Recovery Program (Boston); Horizons Community Center Anti-Violence Project (Chicago), Stonewall Union Anti-Violence Project (Columbus); Gay, Lesbian and Bisexual Community Service Center of Colorado/Anti-Violence Project (Denver); Triangle Foundation (Detroit); Gay & Lesbian Community Action Council (Minneapolis/St. Paul); New York City Gay and Lesbian Anti-Violence Project; Lesbian Community Project (Portland), and Community United Against Violence (San Francisco).

The Colorado program reported 229 anti-lesbian/gay incidents in the 1993 NGLTF report. During 1994, all 1993 incidents were reviewed and 18 were re-classified as non-bias.

incidents were still nearly double those reported in 1991. The United States Supreme Court recently decided to hear the State of Colorado's appeal in this case.

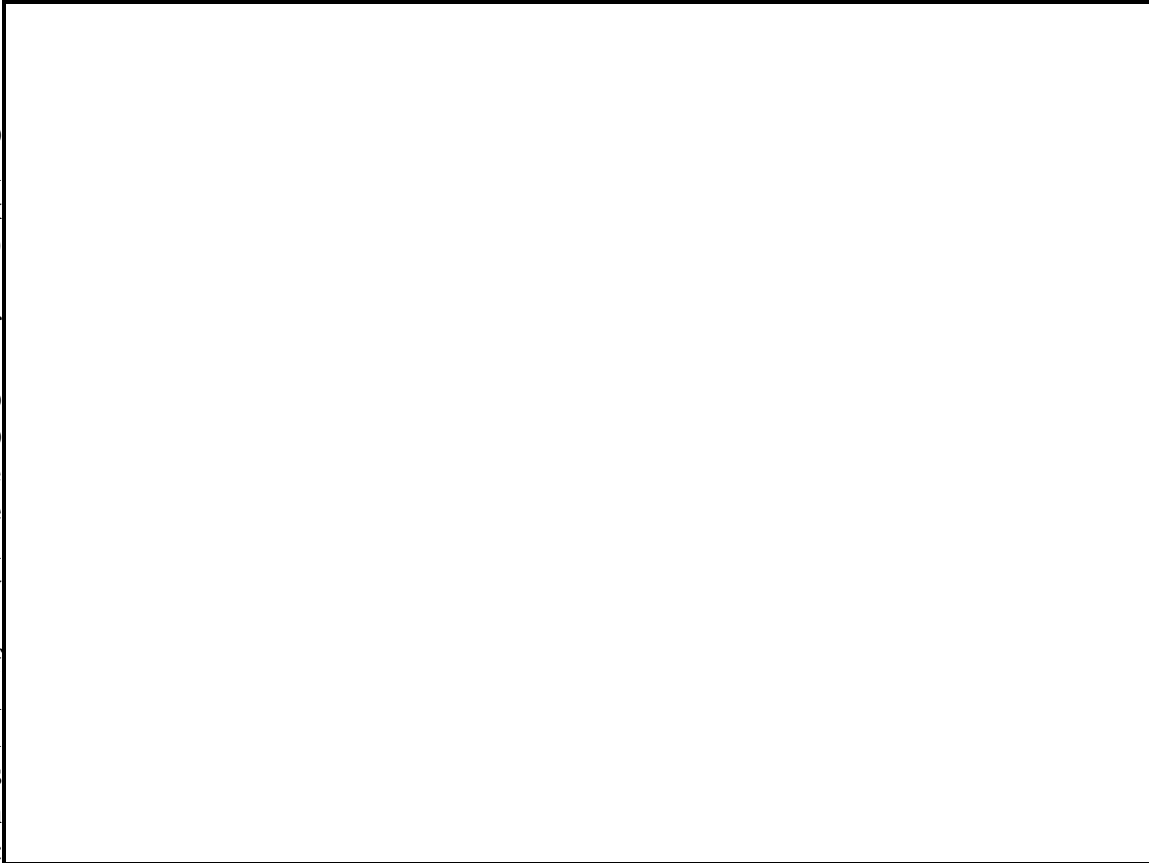
The New York City metro area reported the highest number of documented incidents (632), followed by Los Angeles (332)⁷, San Francisco (324), and Boston (234).

The Anti-Violence Project of the Gay and Lesbian Community Services Center of Los Angeles will become a national tracking program for the 1995 report.

The 1994 national data indicate that 1993's first-time-ever drop in reported incidents did not foretell a continuing decline in hate violence. Following years of steady increases, incidents documented by the national tracking programs fell 10.8% from 1992 to 1993.⁸ The 1993 dip was viewed as a welcome and positive development. It is too early to tell if 1994 marks a continuing plateau in documented incidents, or presages a resumption of increases in violence.

National Trends in Anti-Lesbian Gay Violence

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h of the nine national tracking programs. See Appendix "E" for a summary of data from the other reporting programs.

Based on 1992 data from seven of the nine national tracking programs (all but Minneapolis/St. Paul and Portland). These seven programs documented 1,994 incidents in 1992 and 1,779 in 1993, a 10.8% decrease. The 1992 data from Minneapolis/St. Paul and Portland did not become wholly consistent with the other programs until 1993.

Multiple Assailants

For the first time, data were reported on the number of perpetrators involved in anti-lesbian/gay incidents.⁹ The results demonstrate that anti-lesbian/gay crime -- in comparison to most other forms of criminal behavior -- is not largely the province of perpetrators acting on their own. These data also help to explain the high rate of injury in anti-lesbian/gay incidents (see "Physical Assaults and Seriousness of Injuries").

Nationally, 38% of the incidents involved two or more perpetrators. One-quarter involved between two and three offenders, and 12% involved four or more offenders. (See chart.)

Nationally, there were at least 1.47 offenders for each victim.¹⁰

Other data suggest that anti-lesbian/gay offenses involve a higher number of offenders per incident than other forms of hate crime. The offender-to-victim ratio for all forms of hate crime, as reported to the FBI, is 1 to 1.19.¹¹

The high national number of incidents involving multiple attackers speaks to the terror and trauma experienced by victims. Outnumbered and often

caught by surprise, fighting back -- either with words or physical action -- is often not a practical option. Crude, anti-gay or anti-lesbian and/or sexist epithets were a factor in 90% of the reported incidents.¹² These factors all contribute to the fact that victims of bias crime are more likely to suffer greater psychological trauma than victims of non-bias crime.¹³

Number of Offenders Per Incident		
Offenders Involved in Incident	Number of Incidents	% of Total Incidents
1	850	58%
2-3	381	26%
4-9	154	11%
10+	21	1%
Unknown	57	4%

Six of the nine national tracking programs (Boston, Chicago, Detroit, Minneapolis/St. Paul, New York City, and San Francisco) provided perpetrator-per-incident information. These six programs reported the number of perpetrators involved in 1,653 incidents, reflecting 80% all incidents reported by the nine national tracking programs.

Five national tracking programs (Boston, Chicago, Detroit, New York City, and San Francisco) provided individual perpetrator and victim information. The programs reported 2,883 offenders and 1,985 victims. The number of offenders-per-victims is likely higher than the figure reflected here because programs record only 1 offender in many incidents where the number of offenders is unknown, e.g., vandalism, graffiti, mail threats, etc.

U.S. Department of Justice, Federal Bureau of Investigation. (1993). *Characteristics of hate crimes in 1992 / Summary of hate crime data collection*, p. 9. Washington, DC: General Printing Office.

The nine national tracking programs reported 1,863 harassment offenses in 2,064 incidents.

Young, Marlene A. (1993). *Victim Assistance: Frontiers and Fundamentals*, pp. 126-127. Kendall/Hunt Publishing Company.

Offenses Per Incident

Continuing a four-year trend, the number of offenses committed during each anti-lesbian/gay incident continued to rise. The number of separate offenses occurring within a single incident is an important measure of the overall severity of the incident and the trauma experienced by the victim.

Nationally, during 1994 there were 2.03 offenses per incident, compared to 1.96 offenses per incident in 1993, 1.60 offenses per incident in 1992, and 1.50 offenses per incident in 1991.¹⁴ Six of the nine national tracking programs (Boston, Chicago, Columbus, Denver, New York City, and San Francisco) showed increases in the number of offenses per incident. Three programs reported decreases: Detroit, Minneapolis/St. Paul, and Portland. The apparently significant drop in Minneapolis/St. Paul was due to a very high offense-per-incident ratio in 1993, due almost solely to one anti-gay/lesbian institution incident involving more than 200 separate offenses of harassment.

The New York City Gay and Lesbian Anti-Violence Project reported the highest number of offenses per incident -- 2.53 -- followed by Denver with 2.38 and San Francisco with 2.18.

For the national tracking programs, the offense categories showing the greatest increases were Physical Assaults/Objects Thrown (up 92 offenses or 12%), Police Verbal/Physical Abuse (up 48 offenses or 25%), and Sexual Assault (up 26 offenses or 47%).¹⁵ The increase in physical assaults indicates that after a brief decline in 1992-1993, the likelihood of victims being injured is again increasing. Bias-motivated sexual assaults against gay men and lesbians are particularly vicious and hateful, and this increase is especially troubling.

LAMBDA Services Anti-Violence Project Offense Data

In 1994, three offense categories constituted the vast majority of documented incidents in El Paso. Harassment accounted for 50% of reported offenses, Threats or Menacing accounted for 19% and Physical Assaults for 15%.

These ratios were calculated as follows: 1994: the nine national tracking programs reported 4,195 offenses and 2,064 incidents (see Appendix D); 1993: the nine national tracking programs reported 3,971 offenses and 2,031 incidents (see Appendix D); 1992: six national tracking programs (Boston, Chicago, Denver, Detroit, New York City, and San Francisco) reported 2,983 offenses and 1,866 incidents; 1991: five national tracking programs (Boston, Chicago, Denver, New York City, and San Francisco) reported 1,761 offenses and 1,175 incidents. (1991 and 1992 offense/incident data taken from annual NGLTF reports.)

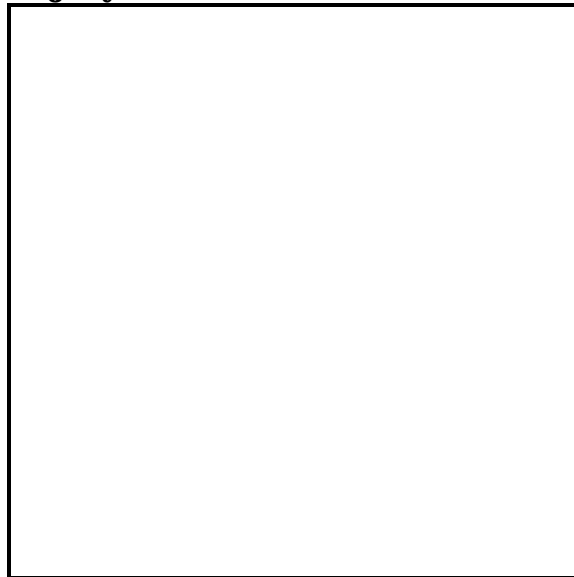
The "Kidnapping, Extortion, Other" category also increased significantly. This was due to a number of reasons, including the fact that some programs did not separately report on robbery, but included that offense in the "other" category.

Physical Assaults and Seriousness of Injuries

Also for the first time, information was reported on both the number of anti-lesbian/gay incidents involving physical assault and on the injuries suffered by victims.¹⁶ These data directly contradict the frequently-expressed opinion that most acts of anti-lesbian/gay violence involve only verbal harassment.

Nationally, 43% of the incidents involved Physical Assaults or Objects Thrown, Murder, and/or Sexual Assault and were classified as "assaultive incidents." Some of the assaultive incidents involved multiple assaultive offenses. The level of injury to victims in the assaultive incidents was extremely high: at least 62% of the victims were injured; at least 35% required outpatient medical treatment or hospitalization; 3% resulted in death.¹⁷

Injury Level - Assaultive Incidents



Five of the nine national tracking programs (Boston, Chicago, Detroit, New York City, and San Francisco) provided victim injury information. These five programs documented a total of 1,463 anti-gay/lesbian incidents in 1994, of which 632 were classified as assaultive. A complete breakdown of victim injury data by program appears in Appendix D.

Community United Against Violence in San Francisco does not differentiate between incidents in which there was no injury and those in which the victim may have been injured, but did not seek medical attention. Consequently, the proportion of incidents involving injury is actually somewhat higher than the figures reflected here.

San Francisco reported the highest proportion of incidents involving physical assault (52%), followed by New York (47%), and Chicago (46%).

The extraordinary level of violence in the anti-lesbian/gay offenses documented in 1994 is consistent with national data submitted by law enforcement agencies under the Hate Crimes Statistics Act (HCSA). The FBI's most recent HCSA report,¹⁸ for example, shows:

- ▼ 81% of all anti-lesbian/gay crime involved crimes against persons (rather than against property), as opposed to 73% for all hate crimes.
- ▼ 46% of all anti-lesbian/gay crimes likely involved injury to the victim(s), as compared to 36% for all hate crimes.

See Appendix "F" for a breakdown of offenses by bias type, likely injury, and motivation, as reported to the FBI.

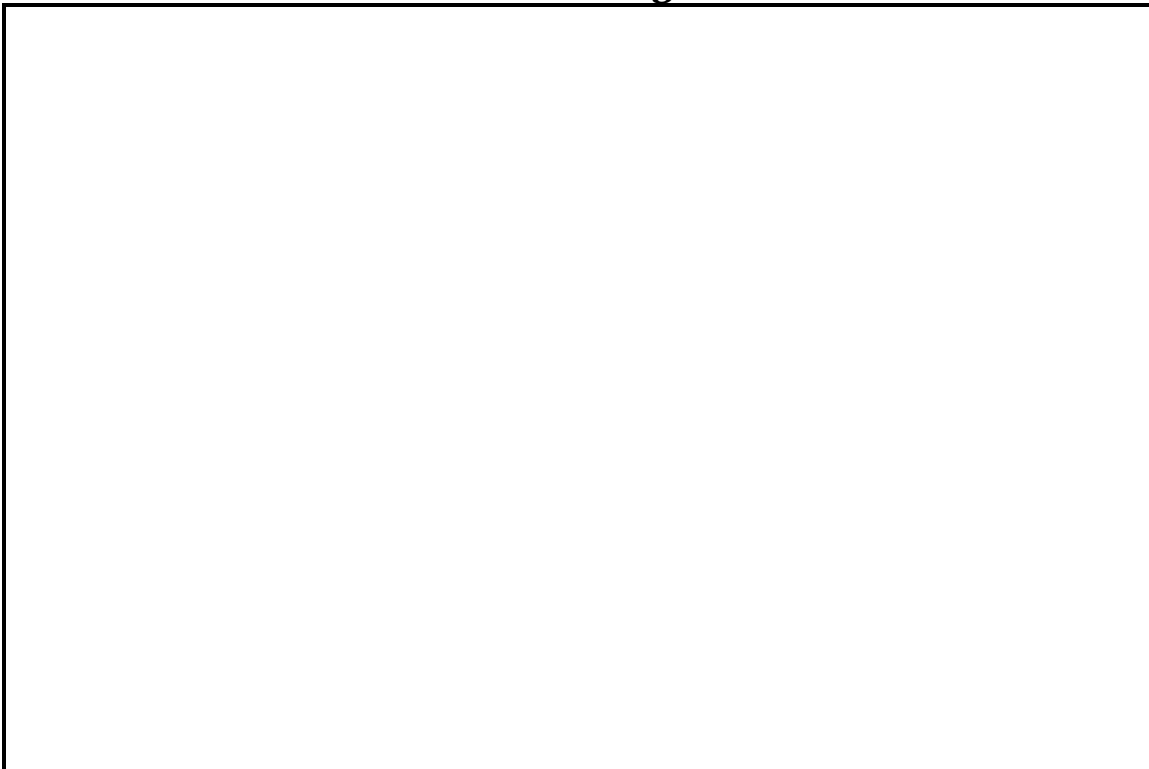
U.S. Department of Justice, Federal Bureau of Investigation. (1993). *Characteristics of hate crimes in 1992, Summary of hate crime data collection*. Washington, DC: General Printing Office. The report for 1993 is expected to be released in April, 1995.

Offender Age

Participating programs, not including El Paso, provided information on the age of anti-lesbian/gay offenders, information not captured in previous reports. That information documented an extraordinarily high number of adolescent perpetrators.

Nationally, 29% of the known anti-lesbian/gay offenders were under the age of 18 and nearly three-quarters (72%) were under 30.

Offender Age



The perpetrators of anti-lesbian/gay violence are remarkably younger than most known offenders. For example, 17% of all persons arrested in the U.S. in 1993 were under 18 (as compared to 29%

of the known anti-lesbian/gay offenders).¹⁹ Similarly, 60.5% of all persons arrested were under 30, as compared to 72% of the known anti-lesbian/gay offenders.²⁰

Relation Between Youth of Offenders and Offenders per Incident

Analysts believe there is a link between the young age of most anti-gay/lesbian perpetrators elsewhere and the high number of offenders in anti-lesbian/gay incidents. Some believe that high levels of both internal conflict over sexual orientation and sexual behavior (including homosexual acts) among male adolescents explains the high levels of anti-lesbian/gay violence perpetrated by this group.²¹ In other words, young perpetrators attempt to prove to themselves and others that they support society's rigid prohibitions against homosexuality by attacking gay and lesbian people and culture. They may also wish, through their attacks, to demonstrate that they are not gay. These things are most effectively communicated in the presence of others.

In addition, peer pressure and the need to establish one's membership in a social group are particularly strong factors in adolescence. That is, when perpetrators acting in a group attacking gay men and/or lesbians -- the "other" -- the offenders feel more positive about themselves and their group.²²

Victims Are Older than Offenders

The victims of anti-lesbian/gay crimes, in general, were older than the offender. Nationally, 48% of the victims whose ages were known or disclosed were between 30 and 44 (as compared to 21% of the offenders); 38% of the victims were between 18 and 29 (as compared to 43% of the offenders); and 9% of the victims were 45 or over (as compared to 7% of the offenders).²³

These data should not suggest that young gay men and lesbians are not victims of bias violence, but rather that the tracking programs are largely programs for adult crime victims, and that many

U.S. Department of Justice, Federal Bureau of Investigation. (1994). *Crime in the United States 1993*, pp. 227-228. Washington, DC: Government Printing Office.

Id.

"Given the prevalence of homosexual contact (among adolescents), the pervasiveness and rigidity of prohibitions against it, and the tendency for teenagers to want to conform to social norms, compensation for one's own socially unacceptable behavior by physically attacking others who engage in it cannot be viewed as either unusual, anti-social, or the result of being psychologically disturbed."

Comstock, supra at 116 and 255-256. See also Herek, G. M. and Berrill, K. T. (Eds.). (1992). *Hate Crimes: Confronting Violence Against Lesbians and Gay Men*, p. 161-162. Newbury Park, CA: Sage.

Herek & Berrill, supra, at 160.

Five of the national tracking programs (Boston, Chicago, Detroit, New York City, and San Francisco) provided offender age information. See Appendix D.

gay/lesbian youth are not in touch with community based services or able or willing to seek services from them.

In fact, all available data suggest that gay/lesbian youth are at extreme risk for bias-motivated violence. A survey of 2,823 high school students in New York State, for example, found that 3% had witnessed acts of harassment or violence against students or teachers perceived to be lesbian or gay.²⁴ This pervasive violence appears to be directly attributable to widespread animosity against gays and lesbians by young people -- hatred which appears to be far more virulent than hate based on race or religion. While an average of 94% of young people in the New York survey said it would be "o.k.," "good," or "very good" to have members of other races or Jews as neighbors, only 44% felt the same way about gays and lesbians.²⁵ Data from the records of the first 500 young people seeking services from a gay/lesbian social services agency revealed that nearly 20% had experienced physical violence because of their sexual orientation.²⁶

State of New York, Governor's Task Force on Bias Related Violence. (1988). *Final Report*, p. 77. New York City: Division of Human Rights, 55 West 125th Street, New York, NY 10027.

Id. at 83-84.

Hunter, J. (1992). Violence against lesbian and gay male youth. In, Herek, G.M. and Berrill, K.T. (Eds.), *Hate Crimes: Confronting Violence Against Lesbians and Gay Men*, pp. 76-79.

Law Enforcement Data / Hate Crimes Statistics Act

Several State and local law enforcement agencies collect data on crimes they believe to be motivated by bias, including anti-lesbian/gay bias crime. Several cities collected this information prior to the enactment of the Hate Crimes Statistics Act of 1990 (HCSA), while others have only recently begun this work.²⁷

The hate crime data collection system -- like all law enforcement reporting to the FBI -- is voluntary, and local law enforcement agencies are under no obligation to classify or report on hate crimes. Texas has never fully participated in the Uniform Crime Reporting program, let alone in the HCSA effort. While reporting under the HCSA has been increasing, approximately 6,800 of the 16,000 agencies that voluntarily submit data each year to the FBI are currently providing data on hate crimes. The agencies that do report on hate crimes cover approximately 58% of the U.S. population.²⁸ A summary of the status of hate crimes laws in the country appears as Appendix "G".

For 1994, law enforcement agencies in five of the nine national tracking programs -- Boston, Chicago, New York City, Portland, and San Francisco -- provided hate crime data. Law enforcement agencies in Denver, and Minneapolis/St. Paul do collect hate crime statistics, but have not yet made 1994 data available. Law enforcement agencies in Detroit and Columbus do not provide data under the HCSA.

Sexual Orientation Bias Crimes Reported to FBI by Local Police						
Five Cities - 1990-1994						
City	1990	1991	1992	1993	1994	'93-'94 % +/-
Boston	39	31	32	29	29	0
Chicago	10	28	52	37	31	-16%
New York City	102	88	86	79	68	-14%
Portland			56	58	66	+ 14%
San Francisco	97	193	164	134	95	-29%
Total	248	340	390	337	289	-14%

The HCSA directed the Attorney General to acquire data on crimes that "manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity." (The HCSA does not apply to crimes motivated by bias based on age, gender, or disability.) Federal Hate Crimes Statistics Act, Pub.L. No. 101-275, 104 Stat. 140 (1990). The Attorney General designated the FBI's Uniform Crime Reporting (UCR) Program to develop the data collection system.

Preliminary 1993 information provided by the Federal Bureau of Investigation. During 1992, 6,000 agencies submitted bias crime data, covering roughly half the U.S. population. U.S. Department of Justice, Federal Bureau of Investigation, *Characteristics of hate crimes in 1992*, p. 24.

Three of the five cities with available law enforcement data showed decreases in anti-gay incidents, one showed an increase, and one reported the same number of incidents. Together, the five law enforcement agencies reported a 14% decrease, from 337 incidents in 1993 to 289 incidents in 1994.

Clearly, the failure of police departments to address bias crime is propounding disturbing. The local law enforcement data from other jurisdictions, while welcome and evidencing a willingness to confront hate-motivated crime, does raise two concerns. First, the number of anti-lesbian/gay crimes classified and reported to the FBI by the agencies is significantly lower than the number documented by the community agencies. Second, the disparity between the two figures is growing, and became significantly more pronounced in 1994.

Wide Disparity Between Local Organization & Law Enforcement Figures

During 1994, for every incident classified as anti-lesbian/gay by local law enforcement, community agencies classified 4.67 incidents as such. Of the five cities with available data, Portland had the best ratio: one Portland Police Department anti-lesbian/gay incident to every 1.61 incidents documented by the Lesbian Community Project. The next best was the San Francisco Police Department with one anti-lesbian/gay offense to every 3.43 documented by Community United Against Violence. The New York City Police Department had the worst ratio: 1 NYPD anti-lesbian/gay incident to every 9.29 incidents documented by the New York City Gay and Lesbian Anti-Violence Project.

There are several issues contributing to the discrepancy between community organization figures and local law enforcement. Some of the variance may be attributed to the reality that many crimes in this nation are not reported to police. Federal statistics indicate that only 48% of crimes of violence (rape, robbery, aggravated assault, and simple assault) are reported to police.²⁹ Also, some incidents reported to local organizations do not fit the technical definition of a "crime." For example, depending on the jurisdiction involved, certain kinds of threats, menacing and harassment are not considered criminal activity. Even after applying these considerations, a large gap remains.

A number of additional factors are believed to have contributed to the discrepancy. The most common reason cited by victims for not reporting an anti-lesbian/gay incident to the police is fear of secondary victimization. Victims fear an insensitive or hostile response by police, physical abuse by police, and public disclosure of their sexual orientation. One recent study found that of gay men and lesbians who declined to file a police report about their victimization, 67% perceived or had experienced the police to be anti-lesbian/gay, 14% feared police abuse, and 40% feared public disclosure of their sexual orientation.³⁰

U.S. Department of Justice, Bureau of Justice Statistics. (1985). *Reporting Crimes to the Police*. (Ref. No. NCJ-99432). Washington, DC: U.S. Department of Justice.

Herek, G. M. and Berrill, K. T. (Eds.). (1992). *Hate Crimes: Confronting Violence Against Lesbians and Gay Men*, p. 294. Newbury Park, CA: Sage. Citing: Comstock, G.D. (1989). *Victims of anti-gay/lesbian violence*. *Journal of Interpersonal Violence*, 4, 101-106.

Victims have solid reasons for their fears. In New York City, for example, 55% of the gay men and lesbians who sought police assistance following an anti-lesbian/gay incident said the police attitude was either "indifferent" or "hostile." Repeated surveys have also shown that nearly one in five gay men and lesbians have experienced either verbal or physical abuse by police.³¹

When victims do report their victimization to the police, other impediments enter the process. First, most local police officers have never received specific training on identifying bias crimes, let alone the additional skills and knowledge required to respond appropriately to anti-lesbian/gay crime.³² Some local personnel are reluctant to classify crimes as bias because they wish to avoid the additional work, negative community sentiment, and poor public relations that often accompany bias crime. Finally, several local law enforcement agencies apply unrealistic and excessively rigid criteria to the classification of anti-lesbian/gay crimes. While the FBI's definition of a bias crime, for example, includes all offenses which are motivated "in whole *or in part*, by the offender's bias,"³³ in practice, incidents which are not solely motivated by bias (e.g., victims who are targeted for robbery and excessive violence because they are gay) are almost never classified as bias-motivated.

Variance Between Community & Law Enforcement Figures Widening

The discrepancy between the statistics of community organizations and local law enforcement widened significantly during 1994, from an average of 1 to 4.04 in 1993 to 1 to 4.67 in 1994, a 16% increase. If Portland is removed from the figures, the gap widened even more: from 1:4.53 in 1993 to 1:5.65 in 1994, an increase of 25%. Again, with the exception of Portland, the trend has been toward greater disparity since 1991. This trend runs counter to the logic that as law enforcement agencies become more experienced in identifying bias crime and local groups increase their cooperation with law enforcement, the two sets of figures would move closer together. Two explanations for this phenomenon have been offered. First, the heightened attention and focus on bias crime by law enforcement came in 1991, with the passage of the HCSA. This initial focus has now subsided, and less attention is being paid to the subject. Second, some local organizations report that they are no longer spending the time and energy required to get local police to classify incidents as anti-lesbian/gay, but rather directing their limited resources to victim assistance and counseling.

The median proportion of respondents (N= 5,639) in eight anti-gay/lesbian violence and victimization surveys conducted 1984-1991 who were the victims of police verbal or physical abuse was 17%. Herek, G. M. and Berrill, K. T. (Eds.), *Hate Crimes: Confronting Violence Against Lesbians and Gay Men*, p. 21-22.

When Congress enacted the Hate Crimes Statistics Act, it did not appropriate any additional funds to train local law enforcement agencies to implement the act. As a result, the FBI was unable to conduct training programs for local patrol and line-of-duty law enforcement officers. Showing significant leadership and dedication to the HCSA, the FBI did conduct 46 training conferences for representatives of local law enforcement agencies (using personnel from the FBI's Uniform Crime Reporting Program). In turn, these representatives were expected to conduct training for their own agencies. U.S. Department of Justice, Federal Bureau of Investigation, *Characteristics of hate crimes in 1992*, p. 2.

U.S. Department of Justice, Federal Bureau of Investigation, *Training Guide for Hate Crime Data Collection*, p. 14 (Emphasis supplied).

As of January 1, 1995, the Attorney General is no longer obligated to collect hate crime data. (The authority for the HCSA was limited to a five year period, 1990-1994.) During 1995, Congress will decide whether or not to renew the law. We are strongly in favor of renewing the law, and are hopeful that funds will be appropriated to enable the FBI to conduct training for local law enforcement to better carry out the intent of the statute.

Comparison of Law Enforcement and Community Organization Data 1990-1994															
	1990			1991			1992			1993			1994		
City	Cmty Org.	Local Police	Ratio 1:	Cmty Org.	Local Police	Ratio 1:	Cmty Org.	Local Police	Ratio 1:	Cmty Org.	Local Police	Ratio 1:	Cmty Org.	Local Police	Ratio 1:
Boston ³⁴	80	39	2.05	112	31	3.61	128	32	4.00	107	29	3.69	113	29	3.90
Chicago	198	10	19.8	210	28	7.50	252	52	4.84	204	37	5.51	177	31	5.70
NYC	507	102	4.97	592	88	6.72	662	86	7.69	587	79	7.43	632	68	9.29
San Fran.	425	97	4.38	473	193	2.45	435	164	2.65	366	134	2.73	324	95	3.41
Portland										99	58	1.71	106	66	1.61
Total/Avg.	1210	248	4.87	1387	340	4.08	1477	334	4.42	1363	337	4.04	1367	289	4.67

The Fenway Community Health Center in Boston documents anti-lesbian/gay crime in the City of Boston as well as other parts of Massachusetts. The data here compare anti-lesbian/gay incidents documented by Fenway in the City of Boston to Boston Police Department data.

Gender and Anti-Lesbian Violence

Nationally, 62% of all victims in 1994 were men, 30% women, and 8% were either gay/lesbian institutions or unknown.³⁵ Incidents against institutions included bomb threats, arson, and vandalism with anti-lesbian/gay graffiti. In El Paso, women comprised 24% of the known victims and men comprised 76% of the known victims.

Nationally, women comprised 33% of all incidents against individuals (i.e., not including institutions). This was an all time high. In contrast, only 16% of the victims of sexual orientation bias crimes reported to the FBI were victims of anti-lesbian crime.³⁶ The number of lesbians/bisexual women victimized increased 19% over 1993, as compared to an increase of only 1% for gay/bisexual male victims.

Even though lesbians make up a significantly higher proportion of reported anti-lesbian/gay incidents than do women in all forms of hate crime, victim advocates believe that these numbers under-represent anti-lesbian crime. A number of components, in addition to those which suppress reporting by both gay men and lesbians, exacerbate the under-reporting of bias crime against lesbians. Women are subjected to far more sexist harassment than men -- "a continuous stream of harassment on the streets because of their gender."³⁷ This frequently leads women to become conditioned to harassment, minimize incidents, and suffer them in silence. Not seeing an incident as "serious enough" is the primary reason given by lesbians for not reporting a sexist or anti-lesbian incident to local organizations or to the police.³⁸ Moreover, it is frequently difficult for lesbians to discern if the incident was motivated by anti-woman bias, anti-lesbian bias, or both. Many victims feel it is only appropriate to seek assistance from and document incidents with gay/lesbian anti-violence organizations when the offense is clearly anti-lesbian.

This reflects data from seven of the nine national tracking programs. In these cities there were 1,725 incidents and 2,463 victims, as compared to 2,315 victims in 1993. Columbus and Minneapolis/St. Paul did not have comparable victim data for 1993.

The latest FBI report showed a total of 972 victims of bias crimes based on sexual orientation: 678 were the victims of "Anti-Male Homosexual" incidents; 134 of "Anti-Female Homosexual" incidents; 138 of "Anti-Homosexual" incidents; 19 of "Anti-Heterosexual" incidents; and 3 of "Anti-Bisexual" incidents. U.S. Department of Justice, Federal Bureau of Investigation, *Characteristics of hate crimes in 1992*, p. 9.

von Schulthess, B. (1992). Violence in the Streets: Anti-Lesbian Assault and Harassment in San Francisco. In, Herek, G.M. and Berrill, K. T. (Eds.), *Hate Crimes: Confronting Violence Against Lesbians and Gay Men*, p. 70.

Id. As another example, the New York City Gay and Lesbian Anti-Violence Project reports that even though 52% of its 1994 clients who were lesbians suffered physical injury, only 30% filed a complaint with the police.

HIV-Related Violence

In 1994, the national tracking programs documented 106 offenses in which anti-HIV/AIDS bias was the motivating factor. This was a 7% decrease from the 114 incidents documented in 1993. Six anti-HIV/AIDS offenses were documented by the LAMBDA Services Anti-Violence Project in 1994, a 200% increase from 1993.

Violence against persons with HIV and AIDS is both common and widespread. In a 1992 national survey by the National Association of People with AIDS³⁹ (N= 1,800), 21.4% of respondents reported that they had been victimized in their communities because of their HIV status and 12.3% reported experiencing such violence in their homes, from family members and partners.

In the vast majority of these cases, the targets were individual persons with HIV/AIDS (or persons perceived to have HIV/AIDS). The incidents ranged from harassment by neighbors and landlords, to anti-gay assaults in which the victims were called "AIDS faggots," to homicides. Anecdotal evidence from programs across the country indicates that bias attacks on persons with HIV/AIDS, particularly those who are symptomatic, exacerbates already frail health. After an attack, these individuals frequently report weight loss, fatigue, and the onslaught of new opportunistic infections.

Some HIV-bias cases involved violence against AIDS service providers or AIDS service organizations. For example, the Burlington, Vermont offices of Vermont CARES, a community-based AIDS services organization, were burned.

One highly publicized 1994 case involved two gay men - Joseph Shoemake and Robert Walters - who were murdered in Laurel, Mississippi, in October 1994. Marvin McClendon, 17, who confessed to and was convicted of the murders, claimed that the two men threatened to rape him and he feared infection with HIV. In a move that enraged the HIV and gay communities, the judge allowed the victims' corpses to be tested for HIV and released the results - one positive, one negative - to the jury. (McClendon was found guilty.)

In one New York City case, an HIV-positive gay man found gasoline poured under his apartment door, on which "Faggot with AIDS" was written.

These examples, and most of the incidents of HIV-related violence in 1994, demonstrate that anti-gay/lesbian and anti-AIDS/HIV prejudice and hate remain inextricably linked.

National Association of People With AIDS. (1992). *HIV in America: A Profile of the Challenges Facing Americans Living With HIV*. National Association of People Living With AIDS: 1413 K Street, N.W., Washington, D.C. 20005.

Gay-Related Homicides

To clarify and simplify the reporting of homicide information, only information on "gay-related" homicides was collected. Gay-related homicides are those in which the victim's sexual orientation was a significant motivating factor. This term does not include homicides of gay men and lesbians that appeared to be drug-related, the result of domestic violence, disputes between acquaintances, etc.⁴⁰ The following criteria were used to categorize homicides as gay-related:

- 1) specific anti-gay/lesbian statements made by the perpetrator(s);
- 2) evidence of rage/hate-fueled extraordinary violence, known as "overkill" in law enforcement (such as dismemberment, bodily and genital mutilation, use of multiple weapons, repeated blows from a blunt object, or numerous stab wounds);
- 3) location of the homicide in an area with a history of anti-gay/lesbian violence, or a known gay "cruising" area;
- 4) absence of signs of forced entry where the homicides occurred in a victim's home or hotel room; or
- 5) statements and insights offered by witnesses, friends of the victim or community leaders.

In the past, the inexplicable rage and violence that accompanied so many murders of gay men was ignored, or attributed to the "gay lifestyle".

In 1994 the national tracking programs reported 22 gay-related homicides, compared to 29 in 1993. In addition, information about 48 other gay-related homicides in other areas of the country, including one in El Paso was obtained. In all, gay-related homicides were documented in 25 states plus the District of Columbia.

The reported homicides were marked by an extraordinary and horrific level of violence with 49, or 70%, involving "overkill," including dismemberment, bodily and genital mutilation, multiple weapons, repeated blows from a blunt object, or numerous stab wounds.⁴¹ The remaining homicides included 13 (18%) murders by gunshot; 6 (9%) murders by strangulation; and 2 (3%) murders where the method was unknown.

In previous years, reports reflected two categories of homicides, "anti-gay homicides" and "other homicides." NGLTF guidelines stated the "other homicides" category was to be used to reflect "intentional killings in which the victim is a gay, lesbian, bisexual or transsexual but the motivation is uncertain."

This is well above the 58% overkill rate found in the report, "Gay/Lesbian-Related Homicides in the United States, 1992-1994: First National Analysis and Report," prepared by lesbian/gay anti-violence programs nationwide, released on December 20, 1994. Available from the author of this report. See report for more complete analysis of lesbian/gay-related homicides.

Forty-three (61%) of the murders appear to have occurred in a pick-up scenario where the perpetrator and victim met (usually at a gay bar or known gay "cruising" area) and mutually agreed to go somewhere for sex (usually the victim's home or motel). The overwhelming majority of these cases do not involve a sex-for-money transaction, but appear to be perceived by the victim as a "date." Only 51% involved robbery or theft, and 67% involved elements of overkill, meaning that the level of violence was nearly the same as any of the other gay-related homicides that were not pick-up cases.

Only two of the 70 murder victims were women. In both of these cases, the murders were committed by relatives - one by the victim's daughter's boyfriend, and another by the victim's lover's sons - supporting studies that suggest that lesbians are more frequently victimized by family members, while gay men are more frequently victimized in public and gay-identified areas.⁴²

A description of the homicides appears as Appendix B.

Herek, G.M. and Berrill, K.T. (Eds.), *Hate Crimes: Confronting Violence Against Lesbians and Gay Men*, pp. 25 and 28.

Defamation

As in past years, expressions of anti-gay, anti-lesbian and AIDS-phobic bigotry by public figures were shamefully commonplace in 1994. Although the offensive remarks quoted below are legally protected speech, they nonetheless foster an atmosphere of intolerance that facilitates and encourages violence.

Boise, ID. "I do not believe that the gay-rights community should have special rights."

-Former Vice President Dan Quayle, *The Idaho Statesman*, 7/5/94

New Jersey. "Silly Faggot, Dix are for Chix!"

-T-shirt for sale in New Jersey beachwear shops.

Washington, DC. "It is madness to pretend that families are anything other than heterosexual couples. Over time, we want to have an explicit bias in favor of heterosexual marriage. If you look at the pathologies and weaknesses of America today, re-establishing the centrality of marriage and of the role of a male and female in that relationship is a very central issue of the next 20 years. [Homosexuality is] an orientation in the way that alcoholism is an orientation."

-Speaker of the House Newt Gingrich, unpublished excerpts from a *New York Times* interview in April. Published November 25 by the *Washington Blade*.

San Francisco, CA. "A careful study of disasters, especially the stock market crash and major earthquakes reveals they occurred in connection with abortion or homosexual related events."

-John McTevnan, published in the *Bay Area Christian News*, December.

Manhattan, NY. "I'll say it: the next Attorney General should not be an admitted lesbian."

-Staten Island Borough President Guy V. Molinari, to a Columbus Day breakfast for police officers, who cheered this remark wildly. Associated Press, October 16.

Laurel, MS. J. Ronald Parrish, defense lawyer for Marvin McClendon, who confessed to and was convicted of the murders of Joseph Shoemake and Robert Walters, argued that the victims' HIV status might have justified the murders. "If these two men left a party... fixing to go find an individual to have sex with and they ended up with a 16-year-old Black boy from Laurel, Mississippi, and he killed them; if these people had HIV, ...don't you think that's relevant? ...He acted just like any Black boy in that situation would act." Parrish asserted that having HIV was equivalent to carrying a loaded gun, and that "the National Gay and Lesbian Task Force is no better than the Ku Klux Klan." When McClendon was convicted, Parrish decried the decision as "a defeat for decency, it's a defeat for people who want to keep this town protected from men trolling for sex." Associated Press; WBAI radio interview.

New York, NY. Rev. Rubén Díaz, a member of the New York City Police Civilian Complaint Review Board, made numerous anti-gay and AIDS-phobic public statements in June, 1994, including this statement in Impacto: "The Gay Games are a danger to public morals. Some of the athletes are likely to be infected with AIDS or can return home with the virus. Many of them will

be staying with homosexuals that live in the City. You do not have to be psychic to realize that this will lead to sexual encounters spreading AIDS."

Richmond, VA. "The mother, Sharon Bottoms, has openly admitted in this court that she is living in an active homosexual relationship. ...I will tell you first that the mother's conduct is illegal. I will tell you that it is the opinion of this Court that her conduct is immoral. And it is the opinion of this court that the conduct of Sharon Bottoms renders her an unfit parent."

-Opinion of Honorable Buford M. Parsons, Jr., in a decision in which he revoked the parental rights of Sharon Bottoms, granting custody of her young son to his grandmother, solely on the basis of her sexual orientation.

Montgomery, AL. "I don't like AIDS. I think it is a self-inflicted wound. I do not feel sorry for anyone who got [AIDS] through a homosexual act."

-Birmingham Mayor Emery Folmar, published in *Montgomery Advertiser*, December 2.

Numerous anti-gay/lesbian organizations, including the Christian Coalition and the American Family Association, went on the offensive in 1994, making incredible claims about the gay and lesbian community, such as the following excerpted from the American Family Association newsletter:

"The push to make homosexuality 'morally acceptable' is a VERY real threat to you, your family, your children and our entire society! Because homosexuals cannot 'reproduce' themselves, they are forced to recruit new members. And the targets of their recruitment drives are OUR CHILDREN! Today, those recruitment efforts are going on in government, in our schools, in our military, in nearly every avenue of influence."

Honolulu, HI. The Microsoft Corporation withdrew an ad for its Composer Collection after it was met with protest. The ad, which appeared in People Magazine on November 21, portrayed a tough-looking man arguing over a composer with a man with a "high girlie voice." The punchline for the ad read, "And then I deck him." Associated Press, December 1

Ovett, MS. Camp Sister Spirit, a feminist retreat owned by a lesbian couple, was subjected to numerous threats and attacks, including gunfire and a dead dog draped across the mailbox. Local law enforcement did nothing to combat the attacks. "This area is a conservative religious community that has a standard based on biblical morality. Residents at Camp Sister Spirit reject that standard and have a radical agenda that would seek to change our whole way of life," said Paul Walley, a local lawyer leading the fight to oust the Camp from its property. *The New York Times*, February 19.

Seattle, WA. A mother who gave her child up for adoption protested when she learned the boy had been adopted by a gay couple, prompting an attempt by legislators to limit adoptions to married heterosexuals. "It's lunacy that these people should be allowed to adopt," said Val Stevens, a representative in the Washington State Legislature.

Humboldt, NE. Brandon Teena, who passed as a man in a small town, was raped and then murdered a week later by two men after they discovered she was biologically female. When asked why no arrests had been made for the rape, despite an abundance of physical evidence and a partial confession, Sheriff Charles Laux replied, "What kind of person was she? ...she was trying to pass herself off as a guy. We were trying to figure out when she was telling the truth and when she wasn't." Brandon's mother says, after the rape but before the murder, Laux referred to Brandon by saying "You can call *it* 'it,' as far as I'm concerned." County Attorney Douglas Merz stated, "I don't know what a hate crime is. I don't know if we have laws against hate crimes in Nebraska." *Village Voice*, April 28.

The Social Context for Anti-Lesbian/Gay Violence

1994's incidents of anti-lesbian/gay violence must be viewed within the context of a growing climate of intolerance and hate in the public and political arenas. The number of anti-Jewish incidents reached an all-time high in 1994, with 2,066 incidents reported to the Anti-Defamation League.⁴³ In California, the Coalition for Immigrant and Refugee Rights has documented widespread harassment and violence against immigrants and persons of color since the passage of Proposition 187, an initiative seeking to deny education, health care, and other government-supported services to undocumented immigrants. Violent attacks on abortion clinics soared during the year.

This rising sea of intolerance appears to be part of an orchestrated campaign by the radical right to gain political power. In the spring, Radical Right organizers held a secret, week-long conference in Colorado Springs specifically to strategize about exploiting gay and lesbian issues. In state, local and federal elections during 1994, candidates cloaked in "family values" and "Christian morality" sought to blame gays and lesbians, welfare recipients, homeless people, "affirmative action," and immigrants for society's woes.

Anti-Gay/Lesbian Ballot Initiatives

For several years, the Radical Right has been using lies and myths about gay and lesbian people as one of its principle tools to organize voters, build coalitions, and win elections. The anti-gay ballot initiatives, which seek to deny civil rights to gay men and lesbians, is a fundamental weapon in this effort. Ballot initiative organizers stoke their campaigns with the groundless myths that gay men and lesbians seek "special rights," that extension of civil rights protections will require "hiring quotas for homosexuals," that gay men and lesbians are sexual predators seeking to "convert" children, and that gays and lesbians do not deserve civil rights protections because being gay or lesbian is a "choice."

During the 1992 elections, the Radical Right won a ballot initiative in Colorado, and lost one in Oregon. (Colorado's Supreme Court ruled the law unconstitutional; the U.S. Supreme Court recently agreed to hear the state's appeal.) During the 1992 campaigns, both states experienced an explosion in anti-lesbian/gay violence, including the bias-motivated homicides of a gay man and a lesbian in Oregon.

In 1994, ballot initiative campaigns were organized in nine states: Arizona, Florida, Idaho, Maine, Michigan, Missouri, Oregon, Nevada, and Washington. These efforts were successful in placing anti-gay measures on the ballots in two states, Oregon and Idaho.

Idaho - Proposition One. The Idaho initiative would have prevented the state and local governments from enacting anti-discrimination laws based on sexual orientation. Two weeks before the vote, Aryan Nations produced and distributed virulently anti-gay literature. The Idaho

Anti-Defamation League. (1994). *Audit of Anti-Semitic Incidents*, p. 1. New York City: Anti-Defamation League, 823 United Nations Plaza, NY, NY 10017.

Anti-Violence Project, which was formed in early July, documented 12 incidents that were directly attributable to the Proposition One campaign. Many other incidents went undocumented due to the newness of the organization and fear of reporting. During this year's annual Boise Pride Parade/Rally in June, anti-gay protesters held a huge banner reading "The Only Good Queer is a Dead Queer."

The No on One campaign was able to convince a slim majority of the voters to reject the measure, which lost by less than one percent of the votes cast.

Oregon - Proposition 13. Oregon's measure (Proposition 13), the "Minority Status and Child Protection Act," sought to amend the Oregon Constitution to forbid the state or any local government from enacting anti-discrimination laws based on sexual orientation (and overturning existing anti-discrimination ordinances in the cities of Portland, Corvallis, Ashland, and Eugene). In addition, the measure would have placed extreme restrictions on how public schools, universities and libraries acknowledged the subject of homosexuality.

The Oregon Citizen's Alliance, sponsors of the proposition, sponsored a mailing to all registered voters and broadcast a video on cable television claiming that the Nazi party's ideology and the "final solution" resulting in the Holocaust were masterminded by homosexuals.

Through tireless campaigning, "No on 13" led the effort against the proposition, which was narrowly defeated, 51% against, 49% in favor. Unlike the 1992 campaign, incidents of anti-lesbian/gay violence reported to the Lesbian Community Project of Portland rose only 7% (from 99 incidents in 1993 to 106 incidents in 1994).

Far Right organizers also attempted to pass anti-gay measures at the city and county level in six states. In Alachua County, Florida (Gainesville), these attempts were successful, with voters in there passing two measures repealing the county's ordinance protecting citizens from discrimination on the basis of sexual orientation. Voters in West Palm County (Ft. Lauderdale and West Palm Beach), on the other hand, rejected a similar attempt.

November Elections / Future Concerns

The November elections marked extraordinary successes for right-wing candidates, many of whom used the gay/lesbian issues as a "wedge" to defeat their opponents. Thirty-eight of the 48 newly elected Republican members of the U.S. Senate and House of Representatives were endorsed as "religious conservatives" by the Christian Coalition. According to Political Research Associates, the "Christian Right" has now gained a dominant role in 18 states, most notably California, Florida, Georgia, Iowa, Minnesota, and Texas.

Since the beginning of the year, Radical Right legislators in Nebraska, Minnesota, North Dakota, Oklahoma, Utah, South Dakota, and Iowa have either proposed anti-gay/lesbian legislation or defeated pro-gay bills. As of March 1, anti-gay ballot initiatives have already been filed in Maine, Washington, and Tampa, Florida. More anti-gay/lesbian legislation is expected across the country.

Recommendations

Federal Recommendations

- ▼ Congress should reauthorize the Hate Crimes Statistics Act.
- ▼ Funding should be allocated to train state and local law enforcement personnel (especially patrol officers) on identifying, responding to, and documenting hate crimes.
- ▼ Congress should pass legislation that prohibits discrimination on the basis of sexual orientation and authorizes the Attorney General to investigate civil rights violations based on sexual orientation.
- ▼ The Office for Victims of Crime should ensure that state allocations under the Victims of Crime Act target community-based crime victim assistance programs, including those assisting victims of bias crime.
- ▼ The Attorney General should train federal law enforcement personnel to identify and aggressively prosecute federal hate crimes, including those against gay men and lesbians

Local Recommendations

- ▼ Increased funding should be made available to local victim assistance programs, including those serving lesbian and gay crime victims, as well as all victims of bias crime.
- ▼ The state should enact legislation that prohibits discrimination against individuals on the basis of their sexual orientation.
- ▼ Additional training should be provided to local police to help them identify, recognize and respond to bias crimes. This training should specifically address anti-gay/lesbian crime.