
AREA REVIEW

Assessment of Hate Crime Offenders: The Role of Bias Intent in Examining Violence Risk

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ABSTRACT. This study investigated the criminal histories and violence risk of a sample of 204 hate crime offenders. Record review of the offender's criminal history was rated on the HCR-20 and Cormier-Lang scales. Crime reports were rated for the severity of the bias offense on the Victim Functional Impact scale and the offender's targeting of outgroup victims—i.e., the bias intent. Findings indicated that 56% of the offenders had prior criminal convictions; HCR-20 ratings were comparable to those found in other offender groups and were correlated with

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the severity of the hate crime. The severity of the criminal history as measured on the Cormier-Lang scale, the number of prior arrests, and number of criminal convictions were significantly greater for offenders who targeted racial minority victims. Offenders who belonged to bias oriented groups had more extensive and violent criminal histories and committed more severe hate crimes. Findings are considered in terms of clinical intervention and risk assessment practices with hate crime offenders. [Article copies available for a fee from The Haworth Document Delivery Service: 1-800-HAWORTH. E-mail address: <docdelivery@haworthpress.com> Website: <<http://www.HaworthPress.com>> © 2005 by The Haworth Press, Inc. All rights reserved.]

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In the U.S., a crime that is motivated in whole or in part by the offenders animus towards their victims' social ingroup may be prosecuted under either state or federal statutes (Levin, 1999). Since the passage of the Federal Hate Crime reporting act in 1990, bias motivated crimes have been monitored nationally by the criminal justice system. This has spurred research concerning hate crime victimization (Ehrlich, 1992; Herek, Gillis, Cogan, & Glunt, 1996). However, little attention has been given to the offenders of bias motivated crimes. The assessment of these offenders is particularly important given that the majority of hate crimes are not committed for material gain (e.g., robbery) or as a consequence of reactive revenge-type aggression as is found in domestic or workplace violence (Sullaway, in press). The absence of information for this offender group has led to problems in the identification (Jacobs & Potter, 1998) and prosecution (Dunbar, 1999) of suspects of hate crimes.

To date there is no available information concerning the risk for violence posed by hate crime offenders. The popular stereotypes of perpetrators of hate crimes as skinhead youth or psychologically disturbed members of hate groups has not aided criminal justice and mental health professionals in their rehabilitation efforts with this special class of offender. Research is needed that addresses the base rates of criminality and violence risk of hate crime offenders. This would contribute to the practical issues of case management and treatment as well as the generation of theoretical questions concerning risk for commission of hate crimes. Without such information it is very difficult to determine whether hate crime offenders constitute a relatively greater risk for

recidivistic violence and, concomitantly, are the intervention needs of this offender group.

Hate crimes must evidence a clear intent to engage in violence against victims of a specific social group. Accordingly, differences in the offender's bias intent may be important to the issue of risk assessment. This study examined the issue of violence risk with hate crime offenders. This was done by investigating the base rates of prior criminal activity and assessing their risk for violent recidivism. This study also considered whether the offenders' bias intent—as evidenced by the social group of their victim—was related to differences in violence risk and prior criminal activity.

VIOLENCE RISK ASSESSMENT WITH HATE CRIME OFFENDERS

An important question in the area of hate crime research concerns whether hate crime offenders pose a significant risk for violence. It is not known if offenders of hate crimes frequently perpetrate non-bias motivated crimes and if so, the seriousness of their criminal activity. Additionally determination of the risk for violent recidivism of hate crime offenders needs to be examined vis-à-vis other offender groups (Boer, Wilson, Gauthier, & Hart, 1997; Steadman et al., 2000). Empirically-derived risk assessment incorporates behavioral and development predictors of violence (Menzies, Webster, McMains, Staley, & Scaglione, 1994). These assessment tools seek to provide a systematic means by which to evaluate violence risk. However, historical, that is static, risk indicators fail to incorporate dynamic—i.e., changeable—elements of risk. Webster, Douglas, Eaves, and Hart (1997) have sought to remedy this problem by incorporating both historical and dynamic elements in the assessment methodology of the HCR-20. Determining risk for violence therefore ought to consider both fixed indicators of risk as well as changeable clinical and contextual characteristics of the offender.

A question in the study of violence research that has received little attention concerns whether risk estimates are related to the severity of subsequent violent crimes (Clear, 1988). Might the criteria which indicate risk for future violence additionally provide information on how violent the hate crime is itself? In other words, do indicators of risk for violence also demonstrate a relationship to the severity of the subsequent offense, and not simply whether it is more or less likely to occur?

**THE QUESTION OF BIAS INTENT
AND RISK FOR VIOLENCE**

By definition hate crimes reflect a discernible intent of the offender to target victims of a specific social outgroup. Intent is an important element in criminal law (American Law Institute, 1962; Black, 1979). Hate crime offenders intentionally and consciously commit crimes that target members of specific outgroups. Sullaway (in press) has noted that in hate crimes, intent reflects what the offender perceives as the good that will come from their actions; this may include inciting racial unrest in a community, forcing ethnic and sexual minorities out of a neighborhood by intimidation (Umemoto & Mikami, 2000), or targeting crime victims—gay men or undocumented persons, for example—who are less likely to seek the assistance of law enforcement personnel. In the case of hate-oriented criminal groups, intent may include efforts to force the out-migration of foreign-born persons from nation states, as well (Watts, 2001). Differences in the bias intent of these offenders may therefore be important in terms of risk assessment. As Sullaway (in press) has noted, “psychology can make a contribution to the development and refinement of techniques to collect evidence that best captures the various motivations involved in hate crimes.” Dunbar (2003), in a record review of 58 convicted hate crime offenders, found that ratings of a more discernible bias motivation were related to commission of instrumental violence and an intent to target racial minorities. This finding suggests that within-group differences of bias intent may be worth consideration in the assessment and treatment of hate crime offenders.

The issue of bias intent has also been considered in terms of societal norms that condone violence against gays, lesbians, and bisexuals. Herek (2000) and Franklin (2000) have suggested that bias against gay men and lesbians constitutes a cultural norm of U.S. society and is not per se deviant from mainstream values. Franklin’s (2000) research with college-age students suggests that harassment and aggression targeting gays and lesbians is quite frequent, and by implication engaged in by otherwise non-criminal individuals. Accordingly, there may be discernible offender differences in the risk for violence, if indeed aggression against gays and lesbians is perpetrated by more socially conventional offenders when compared to offenders of religious or ethnic/racial hate crimes.

Another potential factor in the assessment of violence risk with this population concerns offenders who associate with other bias-oriented individuals. Members of both hate-oriented groups and members of

racialized criminal gangs who engage in hate crimes—i.e., the commission of violence that is not better accounted for by inter-gang conflict but rather the targeting of members of ethnic outgroups—may constitute an important sub-group of hate crime offenders. Offenders who demonstrate a discernible bias motivation, particularly when it results in their involvement with other hate-oriented group members, may engage in distinctly different types of bias motivated violence. As suggested by Ezekiel (1995), attention needs to be given to offenders who belong to racialized or hate-oriented groups which espouse a hate-based ideology may pose a particular risk for recurring hate violence.

This study examined the following research questions: (1) what are the base rates for criminal activity—i.e., presence of criminal history—for hate crime offenders? (2) what is the risk for violence of these offenders vis-à-vis other criminal samples? (3) does the seriousness of the offender's history for violence vary based upon their bias intent, as determined via the targeted outgroup? and (4) are empirically-derived risk assessment systems such as the HCR-20 correlated with the severity of violence reported in the hate crime?

METHOD

Participants

Review of 814 reported hate crime offenses during the calendar year of 1999 in a large metropolitan area were reviewed in the current study. The cases were collected by an investigative unit of a law enforcement agency in a community located in the Western United States. Of these 814 cases, demographic information on the offender was available for 581 (71%) of the offenses. A subset of these cases (n = 204) resulted in the apprehension and identification of a suspect of the hate offense. The criminal histories of these 204 hate crime offenders were then reviewed and analyzed.

Materials

Offender Demographic Characteristics. Information from the crime report was coded for the offender's age, gender, and ethnicity/race. In addition, the identified bias motivation, reported by the responding officer was also coded in our record review.

Offender's Criminal History. The criminal histories of the identified bias offenders were tabulated through analysis of state and federal data management systems. Information analyzed included the specific charges that led to arrest or conviction for adolescent and adult offenses in the state of California and in the U.S., motor vehicle infractions, open and closed probation activity, bench warrants issued, probationary violations, and sentencing for federal parole.

HCR-20 (Webster, Douglas, Eaves, & Hart, 1997). The HCR-20 is a structured clinical guide, comprised of risk factors for violent behavior. The 20 rating items are classified into a 10-item Historical (H), a 5-item Clinical (C), and a 5-item Risk Management (R) scale. These 20 dimensions have been found in prior research to effectively estimate risk of future violence. The H criteria include ratings for prior violent and risk activities, the C criteria define the attitudes and clinical status of the offender at time of the evaluation, and the R criteria reflect the presence of destabilizing factors related to violent recidivism. Each item is scored by the examiner on a 3-point scale to denote if the specific variable (e.g., history of previous violence) is clearly present, somewhat present, or absent (scored 2, 1, and 0, respectively). The HCR-20 integrates static historical indicators with dynamic indicators of risk for future violence. The HCR-20 has been used in studies with offender groups with mixed psychiatric diagnoses (Douglas, Klassen, Ross, Hart, & Webster, 1998), yielding an H score of 12.45 (SD = 3.6), C score of 5.47 (SD = 2.46), and R score of 6.64 (SD = 2.3). In the Dunbar (2003) study with convicted hate crime offenders, the HCR scale values were 9.35 (SD = 5.72) for the historical criteria, 6.11 (SD = 1.85) for the clinical criteria, and 6.77 (SD = 2.96) for the risk management criteria.

Cormier-Lang Crime Index (Quincey, Harris, Rice & Cormier, 1998). This rating scale is based upon an earlier system developed by Akman and Normandeau (1967) to quantify the severity of the offender's criminal history. Quincey et al. (1998) note that "this system can be used when only official police 'rap sheet' information is available" (p. 250). The rating system is organized into Class One offenses, consisting of 16 individual weighted offense criteria (e.g., assault causing great bodily harm = 5), representing sub-types of violent crimes and Class Two offenses consists of 21 weighted items for non-violent crimes (e.g., theft under \$500 = 1; extortion = 5). A total score for all offenses can also be computed. With a sample of 58 convicted hate crime offenders (Dunbar, 2003), the mean for the total Cormier-Lang scales was 15.40 (SD = 18.92).

Victim Functional Impact. An estimate of the crime's impact upon daily life functioning for the victim was determined via a criterion rat-

ing method. The professional staff ($n = 22$) of the Victim Witness Assistance Program of the Los Angeles County District Attorney's Office was surveyed to provide a severity of impact rating for the 18 acts of aggression noted in the crime reports. These individuals provide direct human service consultation and medical referral to the Victims of Violent Crimes for Los Angeles County. Typically, they interact with clients during the acute post-event phase of crime victimization. Each act of aggression was rated on a Likert scale, as derived from the Axis 4 rating system for severity of psychosocial stress, as first proposed in the Diagnostic and Statistical Manual-Third Edition, Revised (DSM-III-R) classification system (APA, 1988). The rating range for severity of functional impact for each individual act of aggression ranged from 60 (catastrophic) to 10 (not at all). This rating methodology provided an estimate of the victim's post-event impairment, based upon the type of aggression reported in the crime report. For example, assault with a deadly weapon had a rating value of 52.23 (falling in the range of catastrophic-to-extreme), physical assault (extreme-to-severe impact) had a mean of 45.47, whereas being the target of printed humor or hate speech had an impact value of 27.28 (moderate-to-mild impact). Using these rating values, an estimate of post-event victim impact was derived. This was determined by aggregating the individual acts of aggression identified for the offense, as reported in the crime report. Ratings on the Functional Victim Impact scale produced a mean of 69 ($SD = 21$) for 1,538 hate crimes as determined via record review with a mean inter-class correlation of .76 for the rating items (Dunbar, 1997).

PROCEDURE

The methodology incorporated record review and content analysis of the criminal history and the bias (index) crime. Classification of the index offense as being bias motivated employed a multi-step process. First, the index offense had to be identified as bias motivated by the responding officer. This crime report was then reviewed by a precinct hate crime coordinator, who affirmed that the offense met the legal standards to be classified as bias motivated. The crime report was then forwarded to a special investigation unit, where the report was again reviewed to confirm or deny that the index offense met the standards to be reported as a hate crime. This process allowed for the removal of offenses that did not meet the legal standard of being both a crime and as being bias-motivated. Information on the index crime was recorded by

the responding officer for bias crime motive (e.g., race/ethnicity, religion), number of offenders involved in the crime, and demographic characteristics (gender, race, and age) of the perpetrator(s).

Analysis of the crime reports for the bias offense was conducted by a team of university research assistants under the supervision of the first author. The reports were examined to determine the specific bias intent (religion, sexual orientation, for example) of the crime. Offender characteristics of age, race/ethnicity, and gender were also coded. Offenders identified on the crime reports as having been members of hate oriented gangs and groups were also noted. The characteristics of the index crime were rated in terms of a variety of behavioral characteristics, which were used to compute the estimated crime severity on the Victim Functional Impact scale. The first author provided training and consultation in the coding of the Victim Functional Impact scale.

The criminal histories of the identified hate crime offenders were rated via record review for all crime activity prior to commission of the hate crime. Information included the identified offender's "rap sheet" of prior state and federal arrests and convictions. The criminal history was searched based on the child/adolescent and adult history of arrests and convictions, the motor vehicle record, and federal crime information. The initial criminal record search was conducted by the second author. The criminal history was then reviewed to establish severity ratings on the Cormier-Lang scale. Content analysis of the criminal records was used for scoring the HCR-20. This was coded in accordance with the rating criteria employed in the respective scoring manuals. These were coded by the first and third authors. The evaluation of the criminal histories and assignment of levels of violence risk was done without review or knowledge of the index crime, other than that the crime had been classified as being a hate crime.

RESULTS

The demographic characteristics of the 581 hate crime offenders included 497 (85.5%) men, 82 (14.1%) women, and 2 offenses were committed by men and women together (.4%). The race/ethnicity of the 581 bias crime offenders included 17.8% African American, 2.3% Asian-Pacific, 44.8% Euro-White, 30.4% Latino, and 4.7% of diverse ethnic and/or multi-racial backgrounds. The distribution of the offender's race and ethnicity is approximate to that of the demographic representation of the metropolitan area in which the crimes occurred.

For the 204 identified hate crime offenders 87% were men and 13% were women. The mean age of the identified bias offenders was 32.69 ($SD = 14.04$, range = 12 to 81); 84% of the offender sample were adults at the time the crime was committed. The race/ethnicity of this group included 15% African American, 2.6% Asian-Pacific, 48% Euro-White, 26.2% Latino and 7.2% of diverse or multiracial backgrounds. The offenses committed by these identified offenders revealed that 57.6% of the offenses were crimes against the person, 17.9% were property crimes, and 24.5% were verbal threats of harm to the person. There were no significant differences in the demographic representation of the sample of 581 hate crime offenders and the group of 204 identified (i.e., apprehended) offenders from which they were drawn. Ratings from the crime reports of the hate (index) offense indicated that 16% ($n = 31$) of the identified offenders were members of a hate-oriented criminal gang or group.

Base rates were computed for history of arrests and convictions (research question one). At the time of the commission of the bias crime, 59% of the 204 identified offenders had a prior history for arrest ($M = 4.04$, $SD = 7.58$) with 58% having had a prior criminal conviction ($M = 3.22$, $SD = 5.98$); 33% had more than one prior conviction. For the identified offenders the Cormier-Lang estimates for severity of history for violent offenses was 8.28 ($SD = 15.97$; range of 0 to 101) and 6.71 ($SD = 10.49$; range = 0 to 50) for non-violent offenses.

Estimation of risk for violence (research question two) was assessed on the HCR-20. For the identified bias offenders, the HCR-20 Historical indicator (H) scale mean was 8.21 ($SD = 4.74$; alpha reliability coefficient = .94), the Clinical (C) risk mean score was 5.39 ($SD = 2.46$; alpha reliability coefficient = .90) and the Risk Management (R) mean was 5.53 ($SD = 2.97$; alpha reliability coefficient = .95). The computed mean Cohen kappa for inter-rater agreement on the HCR-20 was .58 (range of .90 to .33). Cichetti and Sparrow (1981) note that kappa values of .40 to .59 are fair and values from .60 to .74 are considered good. The HCR-20 scores are similar to a sample of 175 offenders with mixed psychiatric diagnoses (Douglas et al., 1998). The total number of prior arrests and convictions were significantly correlated with the HCR-20 Historical ($r = .60$, $p < .001$, $r = .67$, $p < .001$), Clinical ($r = .53$, $p < .001$, $r = .48$, $p < .001$), Risk Management ($r = .55$, $p < .001$, $r = .62$, $p < .001$) scale scores. The HCR-20 risk indicators were also correlated with the Cormier-Lang scales. The HCR-20 Historical (i.e., static) indicators were correlated to severity of prior violent crimes ($r = .64$, $p < .001$) and non-violent crimes ($r = .66$, $p < .001$). The dynamic (i.e., changeable) Clinical ($r = .49$, $p < .001$; $r = .57$, $p < .001$) and Risk Management ($r = .56$, $p < .001$; $r = .63$,

$p < .001$) indicators were also correlated with the estimates on the Cormier-Lang for severity of prior violent criminality and non-violent criminality, respectively. These findings are presented in Table 1.

The criminal records revealed a variety of historical indicators related to heightened risk for violence. Forty-eight percent of the offenders had a prior arrest or conviction for a violent crime; 36% had an offense for violence prior to the age of 20. Twenty-three percent of the sample had a criminal record for substance abuse. A quarter (26%) of the identified bias offenders had family histories marked by parental separation and/or domestic violence; these were typically noted in the criminal record as having had “unfit” childhoods. That is, under the criminal code, the offender required institutional intervention as a minor child. Thirty-eight percent of the offenders had histories which implicated significant occupational problems; 45% had had prior supervision failures (e.g., probation and parole violations) with the criminal justice system.

TABLE 1. Criminal History, HCR-20, and Cormier-Lang Risk Indicators of 204 Identified Bias Offenders

	Percent with one or more offense	<i>M</i>	<i>SD</i>	Range
Criminal History				
Misdemeanor arrests	42%	1.37	2.57	0-18
Misdemeanor convictions	45%	1.29	2.53	0-18
Felony arrests	44%	2.04	3.99	0-28
Felony convictions	36%	1.32	2.57	0-13
Juvenile convictions	22%	.78	2.15	0-15
Prior probation sentencing	28%	.64	.65	0-7
Probation at time of bias crime	31%			0-1
Motor vehicle infractions	32%	1.02	2.43	0-18
Bench warrants issued	14%	.30	.98	0-8
HCR-20				
Historical Indicators		8.21	4.74	0-19
Clinical Indicators		5.39	2.46	0-10
Risk Management Indicators		5.53	2.97	0-10
Cormier-Lang: Severity of Criminal History				
Violent Offenses		8.28	15.97	0-101
Non-Violent Offenses		6.71	10.49	0-50

Research question three examined whether the offender's bias intent was related to differences in the risk for violence and extensiveness of the criminal history. The bias intent classified in the crime reports included 116 (54.4%) due to racial or ethnic bias, 25 (11.3%) due to religious bias, 56 (26.5%) of the hate crimes were motivated by the victim's sexual orientation and 6 (2.9%) were gender bias crimes; one case could not be classified for any of the identified categories. A series of One-Way Analysis of Variance tests were computed for the three primary categories for bias intent (race/ethnicity, religion, and sexual orientation) by the HCR-20 scores, aggregate history of arrests and convictions, and the Cormier-Lang estimates of the severity of the criminal history for violent and non-violent offenses. Results revealed that differences in the offenders' targeted outgroup were significantly related to the number of prior arrests ($F = 3.62, p < .05$) and number of convictions prior to commission of the hate crime ($F = 4.38, p < .01$). In both instances, Scheffe contrasts revealed that race/ethnic hate crimes were related to more extensive criminal histories than offenders who committed hate crimes due to religious bias. ANOVA results for the Cormier-Lang estimates of the severity of the history of violent offenses by bias intent was also significant ($F = 4.39, p < .01$), with offenders who targeted racial and ethnic minorities having significantly more severe histories of violence than offenders who committed hate crimes due to religious or sexual orientation bias. Table 2 summarizes these findings.

A separate series of analyses were computed with bias offenders who were classified on the crime reports as having been a member of a hate-oriented group or racialized criminal gang. When compared to other offenders in the sample, hate gang members had higher scores for total arrests ($t = 3.03, p < .003$) and total convictions ($t = 2.62, p < .008$), as well as higher HCR-20 Historical ($t = 3.41, p < .001$), Clinical ($t = 2.01, p < .01$), and Risk Management ($t = 4.91, p < .001$) scores. The hate gang members also had higher Cormier-Lang scores for the severity of violent criminal history ($t = 2.12, p < .04$) and non-violent criminal history ($t = 2.13, p < .03$); they also perpetrated significantly more severe hate crimes as measured on the Victim Functional Impact scale ($t = 5.71, p < .001$).

Research question four examined whether empirically-derived risk ratings demonstrated a relationship to the severity of the hate crime offense. For the 204 identified bias offenders, the mean Functional Victim Impact score was 93.67 ($SD = 28.39$; range from 27 to 204) in the commission of the hate crime. The HCR-20 Historical ($r = .27, p < .001$) Clinical ($r = .33, p < .001$) and Risk Management ($r = .31, p < .001$) scale scores were all correlated to the Victim Functional Impact scale.

TABLE 2. Identified Bias Offenders Risk Indicators by Bias Intent

	Racial/Ethnic (<i>n</i> = 116)	Sexual Orientation (<i>n</i> = 56)	Religion (<i>n</i> = 25)	<i>F</i>
Criminal History Total Arrests	5.51	2.59	1.17	3.62*
Criminal History Total Convictions	4.23	1.95	1.77	4.38**
HCR-20 Historical Indicators	8.80	7.74	6.64	1.23
HCR-20 Clinical Indicators	5.48	5.23	5.41	.09
HCR-20 Risk Mgmt. Indicators	5.88	4.81	4.33	1.02
Cormier-Lang Aggregate History Violent Offenses	11.21	4.03	2.81	4.39**
Cormier-Lang Aggregate History Non-Violent Offenses	6.90	4.02	3.75	1.11

* $p < .05$, ** $p < .01$

The Victim Functional Impact score was not significantly correlated to the Cormier-Lang scores for severity of the criminal history or the total number of prior convictions or arrests.

DISCUSSION

This study examined the issue of risk assessment with hate crime offenders from three different perspectives. This included determination of the offender's criminal history, estimation of the severity of prior offenses, and assessment of the relative risk for future violence. Collectively findings indicated that the majority of identified hate crime offenders had a prior criminal history and that differences in this offender group were related to the targeted outgroup of their victims.

Hate crime offenders who committed offense based upon racial animus had more extensive and violent criminal histories. By contrast, offenders who evidenced intent to target religious outgroups had fewer prior offenses and less severe criminal histories. Offenders who targeted gay and lesbian victims fell in a middle range between these two other offender groups. Record review indicated that many offenders

who targeted gay and lesbian victims had a prior history of violence which was not bias motivated. Thus, while offenders of hate crimes targeting sexual minorities had less extensive criminal histories than many other (i.e., racially motivated) hate crime offenders, they were likely to have evidenced prior anti-social behavior. These findings do not, however, conclusively address the proposition of Franklin (2000) that these offenses are committed by individuals with less extensive criminal histories when compared to a general criminal population.

Our findings also indicated that the members of hate-oriented gangs evidenced significantly greater risk for violence in general and indeed had more extensive criminal histories than other hate crime offenders. They were more violent by their criminal histories, they evidenced more historical and dynamic risk for on-going violent behavior, and they engaged in significantly more violent forms of aggression in the commission of the hate crime. This small group of individuals indeed reflects the popular image of the violent hate crime offender as a highly dissocial and aggressive individual. However, our findings underscore that these offenders constitute a very small percentage of individuals who commit hate crimes.

Implications for Clinical Assessment

The findings of the risk assessment criteria suggest that hate crime offenders pose treatment and probationary challenges comparable to that found for mentally disordered offenders. The implication of our findings is that hate crime offenders frequently pose a risk for violence based upon both static and dynamic factors. This and the prior study of Dunbar (2003) both found that the static historical risk ratings on the HCR-20 were modestly lower when compared to published data with the measure for other offender groups. By comparison both of the studies using the HCR-20 with hate crime offenders yielded moderately higher estimates for dynamic clinical and risk management factors. That is, prior life circumstance related to violence risk were modestly lower when compared to other samples using the HCR-20 criteria, but revealed somewhat greater risk for violence that was contemporaneous to the commission of the hate crime.

The information from our sample indicated many—though by no means all—of these offenders evidenced problems frequently found in patients diagnosed with a personality disorder—i.e., occupational problems, relationship failure, code-breaking behaviors, and impulsivity. The relationship between personality disorders—specifically narcis-

sism—and pathological forms of bias has been discussed by Bell (1979;1978). Pathological forms of bias have been identified as an area warranting further investigation by the DSM-V workgroup (Kupfer, First, & Regier, 2002). At present, however, a program of research has not been established to examine the relationship, if any, between personality disorders and intergroup aggression, yet alone commission of hate crimes.

Independent of the serious problems of daily living found with these offenders is their manifestation of aggressive intergroup behaviors. As Dunbar (2003) has suggested, recidivism risk for bias offenders may be further complicated when a discernible hate ideology is also present. These two components—a heightened risk for violence and a discernible hate ideology—may incrementally increase the probability for recidivistic bias criminality. Further study of the role of bias motivation as an independent risk factor for this group of offenders is an area in need of examination.

The assessment of hate crime offenders needs to be considered in terms of the debate over the relative merits of clinical and psychometric methods versus empirically-derived or “file drawer” approaches to violence risk (Rogers, 2000; Hilton & Simons, 2001). We would hope that both informed clinical opinion and the use of empirically-derived inferences will be used in the evaluation of this special class of offender. Research-driven methods optimally utilize clinical knowledge in risk determination, even when psychometric measures and clinical interviews are not part of the assessment methodology. With unique samples, such as offenders of hate crimes, a multi-faceted approach to assessment can provide greater specificity in risk determination. In addition, our findings suggested the importance of within-group factors of bias intent—as evidenced by the offender’s targeting of specific out-group victims—in risk assessment.

The relationship between the HCR-20 ratings and the severity of the subsequent hate crime (as determined by a separate rater group) points to other useful applications when historical, clinical, and contextual indicators of violence risk are integrated. We found that the aggregated crime histories and the estimated valuations of the severity of the prior criminal offenses were unrelated to the severity of the hate crime itself. This suggests that risk assessment of violence based solely upon the criminal history, even for offenders with extensive histories of violent crimes, may be less clearly related to the severity of future violence than what can be deduced through the use of an empirically-derived rating system. Our findings illustrate how these methods can be employed to

identify specific treatment goals (e.g., substance abuse, impulsivity) in the rehabilitation of bias motivated offenders. This is particularly important given that many stakeholder groups involved in responding to bias crimes have limited knowledge of what factors heighten risk for violent recidivism. The utilization of a risk assessment strategy that employs empirically-derived indicators along with crime investigation information can inform both law enforcement professionals and policy makers alike.

The violence risk posed by hate crime offenders extends to communities as well as individual victims. Given that hate crime offenders engage in violence against social groups, the magnitude of risk is more complex. Bias motivated violence as Bell (2003) has observed, constitutes a *public health risk*. When considered in this light, offenders of hate crimes, like serial rapists, constitute a risk to the community which is different by kind when compared to many violent offenders. As such, hate crime offenders constitute an additional societal risk, one that may inflict a substantial social psychological injury to both vulnerable individuals and groups. At present, there is no agreed-upon standard or criteria by which to assign risk to the community, in terms of individual offenders of hate crimes. This is an area in need of future investigation.

Implications for Intervention

These findings point to the need to reduce identified risk factors of violence for hate crime offenders such as poverty, occupational failure, and problematic familial relationships, as much as to address their cultural misperceptions. Comprehensive wrap-around interventions are needed to reduce the recidivistic behaviors of bias motivated offenders. Interventions such as Multi-Systemic Therapy (Henggeller, Melton, Brondino, Scherer, & Hanley, 1997) which have proven effective with young at-risk offenders provide one such example of a viable treatment model. Likewise, innovative criminal justice practices such as drug court programs and specialized probationary monitoring need to be imported to the area of hate crime offender management. To date, however, interventions to ameliorate an offender's intergroup bias have not been shown to contribute to the reduction in re-offense rates or desistance of at-risk behavior for recidivism. We feel that comprehensive risk assessment is needed in order to determine the treatment needs of bias motivated offenders.

The current findings underscore the serious risk posed by hate crime offenders, one which may be obfuscated by the more controversial issue

of how “criminal” hate crimes really are. This controversy, and on occasion dismissal, of bias crimes as not being “real crimes” as Boyd, Berk, and Hammer (1996) note, may lead some law enforcement personnel to not identify the hate element in crimes they report. This may result in the minimization of the seriousness of both the offense and the larger threat posed by the offender to their community. Nolan and Akiyama (1999) note that the effectiveness of law enforcement agencies to enforce hate crime laws is influenced by organizational attitudes and commitment, community relations, economic resources, and the individual beliefs of law enforcement personnel.

The current findings need to be considered in terms of both the community and institutional forces which shape how hate crimes are identified. In the current study, the large metropolitan agency from which the sample was drawn had several structural advantages in the detection of hate crimes which may be absent in other law enforcement organizations. This included a centralized investigative unit responsible for monitoring hate crimes and the coordination at the precinct level with officers who served as point personnel in crime investigation and interdiction. The metropolitan area additionally was supported by several victim advocacy and human relations groups who monitored law enforcement responsiveness to hate crimes. In jurisdictions absent these institutional forces, the identification of hate crimes may well be limited to only the most egregious and sensational events, while failing to identify the numerous offenses of verbal threat and property damage which meet the legal standards as being hate crimes.

Limitations in the Current Study

This study linked record review of criminal activity with information about hate crime perpetration, as found in the crime report. The use of crime scene data to make inferences about the offender is in many cases highly impressionistic. As Alizun, Bennell, Mukros, and Ormoral (2002) note, the derivation of personality characteristics and other intrapsychic states from review of crime scene evidence is highly subjective and absent any discernible methodology. We have tried to avoid these pitfalls by instead examining objective behavioral elements of the crime. All the same, while a great deal can be determined from the criminal record, other sources of information—which were not collected by law enforcement personnel—would have provided additional evidence of prior violence and exposure to destabilizers. These dynamic indicators would have further informed our risk determination in terms of both heighten-

ing risk estimates on the one hand (e.g., living with members of a hate group upon institutional release) and lowering risk concerns on the other (e.g., involvement in 12-step sobriety groups).

Research on violence risk assessment has frequently been accomplished via record review (Harpur, Hare, & Hakstian, 1989). There are numerous studies that have employed ratings based upon record review methods for the classification of violent offenders (Wong, 1988; Harris, Rice, & Cormier, 1991). Our use of the HCR-20 reflects the same limitations as found in any record review process. The estimates for violence risk arrived at with the HCR-20 in this study are, at this point, exploratory and need to be validated by future research.

There is a need to re-examine our assumptions as to what constitutes risk for bias motivated violence and how to mediate it. Reconsidering the assessment and treatment challenges posed with this offender group would help improve the response of criminal justice and mental health providers to this special class of offender.

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