GAY-BASHING, INTERRUPTED:
THE EFFECTS OF THE PRESENCE OF STATE HATE CRIME STATUTES
ON THE PREVALENCE OF HATE CRIMES AGAINST GAY INDIVIDUALS

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GAY-BASHING, INTERRUPTED: 
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ABSTRACT

This thesis explores the question of whether the presence of state hate crime statutes can affect the rate of anti-gay hate crimes. I take into consideration whether hate crime statutes specifically cover homosexuality. Using a fixed-effects model, I control for demographic, religious, educational and political factors within state populations. With these controls in place, I find that state hate crime statutes are less significantly correlated with anti-gay hate crimes than are racial hate crimes, racial demographics, unemployment, population size and education. I begin with an overview of the anti-gay hate crime situation, after which I introduce relevant literature and explain the conceptual framework and methodology behind the models explored. I then examine results from the models and, finally, discuss future research needs and policy implications.
The research and writing of this thesis is dedicated to everyone who helped along the way. Mike Barker proved to be an especially helpful and patient guide through the statistical challenges of this thesis.

Many thanks,
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CHAPTER 1: INTRODUCTION

In late 2010, a rise in bullying and gay teenage suicides attracted the national media’s attention to isolated, vulnerable teenagers who felt driven to extreme measures because of their peers’ and surroundings’ poor responses to their orientation. This inspired a “viral” internet response to support such teens, in which gay adults posted videos on a YouTube channel titled the “It Gets Better” project. ¹ In these videos, they discussed overcoming the difficulties caused by reactions to their homosexuality, promising that “it gets better.”² The numerous news stories inspired by these suicides and this project demonstrate the problems raised by responses to “otherness” in U.S. society. They also bring attention to fact that gays’ “otherness” provokes a range of problematic and violent reactions from their contemporaries, including verbal and physical abuse, murder, and harassment that could provoke suicide.³ Anti-gay hate crimes such as these are still an under-explored concern for current American society, presenting a compelling subject for academic investigation. It is my hope that this thesis contributes to a discussion that could enable policy-makers to better address the needs and challenges of the gay community in the face of violence.

BACKGROUND AND QUESTION

In 2008, agencies reported 1,237 hate crimes against perceived gays (female and male) to the Federal Bureau of Investigation (FBI), ranging from property damage to murder. This fact

¹ Stetler (2010).
² Stetler (2010).
³ For discussion of violence against gays, see Herek (1989).
raises the question of how to protect the gay community against such attacks. Thus far societal responses focus on legal and law-enforcement strategies.

Current federal hate crime legislation, which creates additional penalties for crimes motivated by bias against racial, ethnic, religious or sexual orientation groups, is the result of a social movement that started in the 1990s demanding governmental intervention against crimes caused by prejudice.\(^4\) The rationale behind this legislation is that it provides a deterrent against crimes motivated by bias, sending a strong social signal that such bias is unacceptable.\(^5\) This legislation also calls for the compilation of data on hate crimes by the FBI, which relies on voluntary reports by state police agencies.\(^6\) States have rapidly followed suit by passing their own hate crime laws in the early 2000s.\(^7\) These laws either enhance existing punishments for crimes if their motivation can be tied to bias, or they incorporate additional punishments for committing a crime out of bias into the existing body of state law.\(^8\) Since a decade has largely passed since the states have enacted their own hate crime laws, one might wonder how effective these laws have been in reducing violence against minorities. More precisely, the question I seek to answer is whether the presence of state hate crime laws, including those that specifically mention homosexuality, has any association with the rate of hate crimes committed against gays in states. I attempt to answer this research question in a quantitative manner, controlling for potentially important state-level characteristics.

\(^4\) Jenness and Grattet (2001).
\(^5\) Jenness and Grattet (2001).
\(^7\) Anti-Defamation League (2010).
\(^8\) Anti-Defamation League (2010).
POTENTIAL CONTRIBUTIONS

Researchers interested in the topic of hate crimes examine a variety of factors that could be significantly tied to anti-gay attack rates in states, but do so in a piecemeal manner that could benefit from being unified. I hope to contribute to this literature by providing an analysis that controls for demographic, economic, political, and legal components all in one model. As such, this thesis may be able to provide a general “big picture” that could serve as a springboard for more thorough future research. Additionally, the data I use span over the last decade, while a large amount of the literature was written in the 1990s, before hate crime legislation was fully implemented in the vast majority of states, so this thesis could provide insights on the condition of states and anti-gay hate crimes post-2000.

To the extent that this thesis makes any contribution to the discussion of anti-gay hate crimes, it does so by helping to uncover which resources could potentially be used to decrease anti-gay hate crime rates. If hate crime laws are found to correlate significantly with a decrease in anti-gay hate crimes, this could give policy-makers incentive to further enforce or elaborate upon such laws. Likewise, if other factors prove to be associated with anti-gay hate crimes in a manner that policy-makers could exploit, this could inspire further research on the subject.

CHAPTER 2: LITERATURE REVIEW

The papers examined here offer explanatory models, useful background information, or theoretical frameworks that could aid in understanding three subject areas: hate crimes in general, factors related to hate crimes against gays, and the issues surrounding hate crime laws.
This chapter is divided according to these three subject areas, which I proceed to present to the reader.

**ON FACTORS ENCOURAGING HATE CRIMES**

According to Levin and Devitt (2003), hate crimes arise from mainstream society and as such should not be treated as rare incidents by a few mentally disturbed individuals.\(^9\) Although the authors focus more on the varied nature and effects of hate crimes than on factors that encourage them, this finding suggests that there could be systemic or institutional factors that facilitate hate crimes. Torres (1999) corroborates these findings when he suggests that there is a widespread sympathy for perpetrators of hate crimes, from verbal harassment to assault.\(^10\) Wang (2000-2001) suggests that some minorities are seen by society as “good,” others as “bad,” and finally, the rest as “invisible,” – groups perceived as “bad” are more likely to be targeted for hate crimes and be faced with overall suspicion by authority figures (he uses the example of “driving while black” to illustrate the latter point).\(^11\) Where does this suspicion of minorities come from? Some authors suggest a political context to hate crimes in general.

King (2005) proposes one such political explanation. He suggests that competing cultural and political definitions of US nationhood cause a “relentless redrawing” of who belongs to American society and who does not, which always creates group tensions that could erupt in violence.\(^12\) Likewise, Lieberman (2010) finds that populations have clear ideas of “in-groups” and “out-groups” who do or do not belong to their polity, and that such considerations could

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\(^9\) Levin and Devitt (2003).
\(^10\) Torres (1999).
\(^12\) King (2005).
trigger darker impulses such as hate crimes.\(^{13}\) One can infer from these findings that group tensions, such as those between gays and heterosexuals, can be significantly correlated with the political culture of an area, especially if that political culture finds gays to be unacceptable members of the polity. This provides a basis for controlling for a state’s political leanings, which is further validated by findings by Schildkraut, Mendelburg, and Black and Black.

Schildkraut (2002) suggests that political elites are the first to change their minds on who is considered an acceptable member of the polity. Politicians then attempt to convince their constituents to be more tolerant, though there may be a time lag between politicians’ efforts and constituents’ responses.\(^{14}\) This suggests that any attempt to decrease anti-gay hate crimes by increasing tolerance of gays will be more successful if it focuses on garnering elite support at first. In the meantime, Mendelburg (2001) finds that politicians can increase the electoral support they receive when they use implicit appeals to racial tensions.\(^{15}\) One could reason from this that politicians could also benefit from implicit appeals to other forms of prejudice and inter-group tensions, which could lead to anti-gay platforms. This supposition is reinforced by findings by Black and Black (1987), though the authors focus on racial tensions. The authors suggest that politicians will indeed exploit group tensions to gain office, especially in southern states where the minority group (in this case African-Americans) is particularly large.\(^{16}\) One can infer from these findings that political factors could legitimize group tensions such as those between gays and heterosexuals in mainstream society to the point that, in areas where those tensions are strong, they could significantly correlate with anti-gay hate crimes.

\(^{13}\) Lieberman (2010).  
\(^{14}\) Schildkraut (2002).  
\(^{15}\) Mendelburg (2001).  
\(^{16}\) Black and Black (1987).
ON HATE CRIMES AGAINST GAYS

Some authors find that cultural and political antipathy towards homosexuals can in part be tied to continued lack of agreement as to whether homosexuality is a “disease” or “lifestyle choice” that gays can chose to leave behind, or whether it is a genetic condition that they can do nothing about. Mucciaroni (2004) points out that the “science” of homosexuality is still being debated in legislatures to this day. Maher et al (2009) discuss in depth how some academics tried to prove that gays were diseased as late as 1972. For example, until 1973 the American Psychiatric Association considered homosexuality to be a mental disorder and listed it as such in its Diagnostic and Statistical Manual of Mental Disorders. Maher et al note that from 1973 on, academia shifted gears and mostly considered those biased against gays as the ones who needed treatment. The authors then discuss research on institutions that could incite anti-gay hate crimes, as well as research that examines the effects of hate crimes on gays, ending their review by discussing works by Gregory Herek.

In his first survey, Herek (1989) finds that crimes against homosexuals appear to be rising (perhaps in response to homosexuals behaving more openly over time) but is unsure whether the trend is due to actual increases in attacks, or increases in the reporting of crimes in surveys. He also finds that up to 75% of survey participants have experienced a type of threat against their person, from verbal to physical. Russell et al (2001) reinforce these findings when they find that homosexual teenagers in their survey are much more likely to be violently attacked

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18 Herek (2010).
20 Herek (1989).
21 Herek (1989).
or engage in fights.\textsuperscript{22} Herek (1997) then focuses on homosexuals who have actually experienced an attack or an attempted attack (as opposed to being threatened), and finds that 50.5\% of his respondents experience such violence.\textsuperscript{23} Further survey work on his part reveals that attacks tend to occur in public settings, with aggressors ranging from strangers to neighbors, coworkers and relatives.\textsuperscript{24} McDevitt (2002) examines the motivations of such aggressors and finds that they are driven by thrill-seeking, feeling threatened by homosexuality’s existence, a moral mission or retaliation for perceived wrongs by gays.\textsuperscript{25} In 2008, at least 20\% of Herek’s respondents admitted having experienced a crime against their person or property.\textsuperscript{26} These findings are further echoed by Lampinen et al (2008), who find that at least 16\% of their survey respondents have experienced physical assault due to perceptions of their sexual orientation.\textsuperscript{27}

Although the numbers of assaulted gays in these surveys appear to decrease over time, they are significantly larger than the numbers reported to the FBI Hate Crimes division. Rubinstein (2004) calculates and reports ratios of anti-gay attacks to gay persons in the US using FBI Hate Crimes reports data, finding that 20 out of every 100,000 gay persons reports experiencing a personal attack. In contrast, African-Americans, the next-largest group that reports attacks,\textsuperscript{28} have reported attacks rates of 8 out of every 100,000 persons. Although it is worth noting that anti-gay hate crimes have the largest reported attack rates per 100,000 people in the FBI database, this still contrasts sharply with the survey findings by Lampini and Herek. These authors find through their surveys that it is between 16 and 50 people out of every 100

\textsuperscript{22} Russell et al (2001).
\textsuperscript{23} Herek (1997).
\textsuperscript{24} Herek (2002).
\textsuperscript{25} McDevitt (2002).
\textsuperscript{26} Herek (2009).
\textsuperscript{27} Lampinen (2008).
\textsuperscript{28} On ratios for homosexuals and African-Americans see Rubinstein (2004).
who experience personal attacks, roughly ten times more than the ratios reported to the FBI. The weakness of the FBI data will be further examined in the Data and Methods section.

Using data from attitudinal surveys and city-wide Census surveys, Alden and Parker find that cities where homophobic attitudes are strongly held are more likely to experience anti-gay hate crimes, controlling for education, religion and economics.\(^\text{29}\) Because the cross-sectional model presented by Alden and Parker does not control for changes over time, it is necessary to consider research that does. Green et al’s (2001) research makes use of time series and spatial analysis to see if gay population density might explain the occurrence of hate crime rates. Green et al find that there is a strong, positive relationship between the size of the homosexual population in an area and the number of hate crimes against homosexuals committed there.\(^\text{30}\) However, the study is limited to the region of New York City, raising questions on whether these findings can be generalized. The authors hypothesize that attack rates increase in areas with high gay visibility because attackers know where to find their victims. Green et al’s (1998) other study focuses on whether unemployment rates could explain the occurrence of lynchings in the past, with a subsection devoted to assessing whether unemployment rates could explain modern hate crimes, including those against homosexuals. He and his colleagues find that though lynchings did correlate with high unemployment rates, there appear to be no strong ties between economic conditions and modern hate crimes.\(^\text{31}\) Green and his colleagues speculate that this is because the kind of unemployment-related frustration that leads to aggression dies out too

\(^{29}\) Alden and Parker (2004). For further information on anti-gay attitudinal research, the reader might seek to consult Parrot (2008).


rapidly to cause hate crimes, especially if there are no figureheads who can pin blame on specific groups (thus fomenting mob rage).\textsuperscript{32}

**ON HATE CRIME LAWS**

Hate crime laws have been a subject of vigorous debate between those that do not find them to be an effective remedy, or view them as means of punishing people for the way they think,\textsuperscript{33} and those who argue that they have a place in the judicial system. Cogan (2002) argues that: there is a crime hierarchy; hate crimes might not be taken as seriously if it were not for enhanced punishment; the federal government has a historical role to protect victims from harm; and that crimes are not just against an individual, but a community, with a very clear motive.\textsuperscript{34} She thus establishes the viability of hate crime laws as a policy tool to limit hate crimes, making it worthwhile to consider such laws in this thesis. Soule and Earle (2001) find that states whose neighbors passed hate crime laws will soon follow. They also find that states with a governor from a different party than the legislature will be more likely to pass such laws.\textsuperscript{35} This suggests the importance of political culture not just in a state, but in a region. Jacobs and Potter (1997) focus on the relationship between racial hate crimes and hate crime laws. Though they do not voice any explicit disagreement with the symbolic value of hate crime laws, they conclude that the presence of hate crime laws are not likely to give a good idea of the tolerance or prejudice in an area because of differences between legislators and the segment of the population that would

\textsuperscript{32} Green et al (1998).
\textsuperscript{33} Readers seeking additional insights on the effect of hate crime laws on freedom of speech may consult Weinstein and Winders, (1992), and Redish (1992).
\textsuperscript{34} Cogan (2002). Additional authors exploring this viewpoint are Martin (1995) and Iganski (2001).
\textsuperscript{35} Soule and Earle (2001).
be prone to attacking gays. The authors also point out that hate crime laws are not the best proxy for prejudice due to enforcement issues.\textsuperscript{36}

Jenness and Grattet examine enforcement issues. Jenness and Grattet argue that while the ambiguity in the term “hate crime” is receding, there is still a need to examine the implementation of hate crimes legislation in comparison to the implementation of laws concerning other crimes in order to see how much the ambiguity has decreased.\textsuperscript{37} That is to say, the more uniformly a law is implemented compared to others, the less ambiguous it is considered to be. Thus the implementation of hate crime laws across states would show relatively the same levels of uniformity as the implementation of say, white collar crime laws across states. Haider-Markel points out that, while many police departments are making strong efforts to implement a patchwork of local, state and federal hate crime policies, some implement the laws more vigorously than others, i.e. by reporting crimes more faithfully, etc.\textsuperscript{38} Additionally, the author finds that lack of quantitative data might hamper evaluation of hate crime legislation, echoing calls for additional research and reminding us just how fragile hate crime legislation can be as a policy tool. Levin and McDevitt (2003) sum up the problems surrounding the implementation of hate crime laws by suggesting that, though in the short term they could be deterrents to violence, they will be insufficient to curb hate crimes in the long-term because they will never be an adequate substitute for advocacy efforts.

\textsuperscript{36} Jacobs and Potter (1997).
\textsuperscript{37} Jenness and Grattet (2001).
\textsuperscript{38} Haider-Markel (2001).
CHAPTER 3: CONCEPTUAL FRAMEWORK AND HYPOTHESIS

Although the main research question for this thesis is whether hate crime laws have any effect on anti-gay hate crime rates across states, I also take into consideration the following factors: the presence of gay marriage bans; the presence of laws allowing gay civil unions or partnerships; whether the state had sodomy laws between 2002, when the data start, and 2003, when the Supreme Court struck down such laws as unconstitutional;\(^\text{39}\) demographic, religious and political factors; and the size of LGBT populations in the states. The interaction between all these factors can be visualized in the figure on the next page.

*Figure 1: Conceptual framework.*

My goal is to isolate which of these factors are correlated with anti-gay hate crimes significantly enough to suggest they are worth investigating as a policy response to the problem of attacks on gays. In order for the reader to understand why these factors are included in my conceptual framework, I proceed to introduce my motivations for each factor:

PRESENCE OF HATE CRIME LAWS

Hate crime laws are written with the recognition that certain groups are more likely to be targeted for attacks because of particular characteristics that they possess, such as being handicapped, or their skin color. As discussed earlier in this text, hate crime laws are designed to give these groups additional legitimacy by inflicting a higher punishment on those who attack them. As such, it is possible that hate crime laws could give us insights into states’ tolerance levels: the greater the breadth of minorities a state includes in its hate crime laws, if it offers any, the more it could be trying to signal to its population that these members of society should not be considered as “out” groups. As such one may hypothesize that states which have hate crime laws seek to discourage attackers or at least signal social disapproval of their actions. This could potentially deter those inclined to attack gays, especially if they are covered in the state hate crime law. Another hypothesis is that states with such laws could simply be less prejudiced against homosexuals and thus less prone to having anti-gay hate crimes.

PRESENCE OF GAY MARRIAGE BANS, GAY PARTNERSHIP AND SODOMY LAWS

Gay marriage bans explicitly state that the jurisdiction will only recognize marriage between a man and a woman.40 Gay rights advocates view such laws as signals that gays are not peers with legitimate feelings for each other, feelings that could lead to matrimony, but deviants whose sexual behavior should not be accepted as natural.41 As such, one could argue that a state that explicitly forbids same-sex marriage is signaling to its population that gay behavior is not

40 Anti-Defamation League (2010).
41 Mucciaroni and Killian (2004).
legitimate. It is possible that some individuals or groups would interpret this as a signal that their society will not frown on attacks upon gays. Thus, one could hypothesize that states that ban same-sex marriage might have higher rates of anti-gay hate crimes.

In contrast, laws recognizing gay civil unions or partnerships give legal status to gay relationships, and oftentimes similar rights to marriage. Thus they could possibly be interpreted as signals of legitimacy for gay relationships, and gays themselves by extension. Because states with such laws could be signaling to their population that gays are to be considered as having established, non-“deviant” relationships, one could hypothesize that those with propensities to attack gays there would gain a sense of social disapproval and potentially refrain from their impulses more so than in states that do not offer such benefits to gay relationships.

Sodomy laws varied in their scope depending on the state, but in essence they all banned non-reproductive intercourse until the Supreme Court struck them down in 2003. Although in theory most states wrote their laws to cover both heterosexual and gay non-reproductive intercourse (though some, such as Texas’ sodomy law, explicitly banned gay intercourse), in practice these laws were enforced in such a manner that gays were the most penalized offenders. It is possible that this could affect anti-gay hate crimes in two ways: first, gays in states that had sodomy laws could associate law enforcement with people tasked to put them in prison for their sexual behavior, leading them to distrust the police to the point of not reporting attacks against them, even after the laws were struck down, especially if the attacker explicitly stated their anti-gay bias. Second, these laws could be a measure of prejudice in a state – people with prejudice against gays will elect leaders with the same inclinations, who will in turn pass legislation that curtail gay behavior and/or rights, such as sodomy laws.
STATE POLITICAL INCLINATIONS

Whether a state leans toward the Republican Party or the Democratic Party could be interpreted as a very rough proxy for a state population’s attitudes towards homosexuality, because by voting for candidates associated with certain party platforms they could be implicitly endorsing those platforms. The Republican platform is not as embracing of homosexuality as the Democratic platform, suggesting that states that opt for Republican leadership might be less open to gay causes. It is also possible that this would lead to lesser protection for gays in those states, leaving gays open to higher rates of attack.

STATE RACIAL MAKE-UP

Green hypothesizes that areas where gay populations are more visible because of their size might have higher anti-gay attack rates. If the visibility of the gay community is a factor triggering attacks, this could also be because there are few or no other minority groups that contrast with the mainstream in that area. For example, a state might be more racially homogenous, bringing more attention to gays because there are fewer minorities to represent a worrisome “otherness” for those inclined to attack minorities. Thus a state’s racial composition could affect anti-gay hate crime rates. This thesis examines states’ racial compositions to see if there is any validity to such a supposition.

STATE RACIAL HATE CRIME RATES

Hate crimes of any kind do not occur in a vacuum but within a political, social and institutional context. Although a lot of these factors are intangible or would take more resources
to verify than are available, it is possible that the intangibles that lead to racial hate crimes are correlated with the intangibles that lead to anti-gay hate crimes. This factor serves as a rough proxy for such intangibles, with the hypothesis that states with higher racial hate crime rates could have higher anti-gay hate crime rates.

STATE EDUCATIONAL STATISTICS

The inclusion of this factor is driven by findings in the literature review that suggest that anti-gay offenders tend to be younger and less educated than the general population. This would suggest that states with lower high school and college completion rates would have more individuals prone to attacking gays, and thus higher anti-gay hate crime rates.

UNEMPLOYMENT RATES

The inclusion of this factor is driven by Green et al’s (1998) article. Although they find no clear correlation between unemployment rates and anti-gay hate crime rates in their brief discussion of that topic, I include this factor because my data’s timeframe includes the economic meltdown that started in the mid-2000s and I want to see whether such turmoil might give groups inclined to attack gays motivation to use them as scapegoats for their potential economic difficulties.

POPULATION SIZE, LGBT AND STATE

This factor is included due to findings by Green (2001) that the size of an LGBT population appears to be correlated with higher anti-gay hate crime rates. Green hypothesizes
that large gay communities are more visible and thus attackers would know where to go in order to find victims. Because of significant differences in state population sizes, meaning that California would naturally have more hate crimes than Wisconsin given that California has more people overall, I control for state population size and use per-capita numbers for demographic distribution factors.

RELIGION

I take into account the percentage of state inhabitants who go to church at least once a week, and per-capita Catholic numbers. It is possible that religion could influence people’s attitudes toward gays, though it would be hard to predict in what ways, as churches’ doctrines vary not only between denominations but even within denominations. Some churches, such as the Roman Catholic Church and certain Southern Baptist branches, are known to take a more negative view of homosexuality, while others embrace a message of tolerance, such as certain Episcopalian branches. As such the general culture state inhabitants have towards homosexuality might be influenced by the state’s religiosity, but it would be hard to hypothesize whether this could lead to higher rates of anti-gay attacks by those who feel they have the moral high ground or fewer anti-gay attacks.

\[42\] A recent example of clergy embracing the gay cause occurred in Iowa, with 150 clergy from different Christian denominations petitioning for gay marriage in the state. For more details, see Clayworth (2010).
CHAPTER 4: DATA AND METHODS

DESCRIPTION OF THE DATA

It is useful for the reader to know that although the FBI breaks down its hate crime
statistics for sexual orientation by crimes against male gays, female gays and bisexuals, I use
aggregate data for these groups. This is because I did not think looking at solely male, or solely
at female, gays would provide a full understanding of crimes against gays given that people of
both genders experience attacks – although male gays experience more attacks, lesbians also
experienced experienced reported rates of attacks worthy of attention. Additionally, hate crimes
are committed against perceived gays, which could include bisexuals since they engage in
behavior similar to gays (flirting, dating, and having sexual relations with someone of the same
gender), further justifying the use of aggregate data.

The reader should also note that it might be difficult to generalize these findings due to
the fact that the existing data on anti-gay hate crimes are problematic. The main problem
surrounding data on hate crimes against gays is that they are vastly under-reported. Gays tend
to under-report crimes committed against them because they feel like it is not worthwhile (“it
won’t change anything”), they fear the police will either harass them or not take them seriously,
they do not wish to be openly identified as gay, or they are too scared to report crimes.
Additionally the FBI depends on local police agencies to report to them, and not all agencies can

43 On male gays being attacked more than female gays, and on the fact that female attack rates are worthy of
attention, see Green al (2001).
44 For additional information on the claim that attacks are made against perceived gays, see Herek (1989), Prum et al
46Herek et al (2002).
afford, or are required by their states, to compile and report information on hate crimes.\textsuperscript{47} Furthermore some police forces might have their divisions organized in such a manner that there is wide variance in how hate crimes are counted.\textsuperscript{48} Some police forces do not wish to pursue anti-gay hate crime offenders because penalizing such behavior is not endorsed by their communities.\textsuperscript{49} Despite these considerations, there is a sufficient number of observations in the FBI Hate Crimes database to provide an adequate sample size for the statistical models discussed below.

\textbf{STATISTICAL MODELS:}

This thesis employs two statistical models. The first is a simple OLS model that controls for all independent variables, to establish whether they have any significant correlation with the dependent variable. It shall be modeled as such:

\[ \text{Anti-gay hate crimes} = \beta_0 + \beta_1 (\text{hclaws}_i) + \beta_2 (\text{hclawsgay}_i) + \beta_3 (\text{sodomylaws}_i) + \beta_4 (\text{gaymarrban}_i) + \beta_5 (\text{gaypartnership}_i) + \beta_6 (\text{samesex2000}_i) + \beta_7 (\text{samesex2005}_i) + \beta_8 (\text{LGBT pop2005}_i) + \beta_9 (\text{unemployed}_i) + \beta_{10} (\text{Catholic2007}_i) + \beta_{11} (\text{church2008}_i) + \beta_{12} (\text{church2006}_i) + \beta_{13} (\text{HSdiplomas}_i) + \beta_{14} (\text{BAdegrees}_i) + \beta_{15} (\text{white}_i) + \beta_{16} (\text{black}_i) + \beta_{17} (\text{hispanic}_i) + \beta_{18} (\text{otherrace}_i) + \beta_{19} (\text{racehatecrimes}_i) + \beta_{20} (\text{prez2008}_i) + \beta_{21} (\text{governor2008}_i) + \epsilon_i \]

In this equation, \textit{hclaws} indicates whether states have laws increasing penalties or inflicting additional penalties for hate crimes; \textit{hclawsgay} indicates whether state hate crime legislation includes gays in its scope; \textit{sodomylaws} indicates whether the state had a sodomy law between 2002, when my data start, and 2003, when sodomy laws were deemed unconstitutional;

\textsuperscript{47} Federal Bureau of Investigations (2000-2008).
\textsuperscript{49} Haider-Markel (2001).
gaymarrban indicates whether a state defines marriage as between a man and a woman;
gaypartnership indicates whether the state recognizes gay civil unions other than marriage;
samesex indicates the per-capita numbers of gay couples per state in 2000 and 2005;
LGBTpop2005 states the estimated per-capita numbers of LGBT individuals in each state in 2005; unemployed gives the states’ unemployment rates; Catholic2007 indicates the per-capita numbers of Catholics in each state; churchgo gives the percentage of church-goers in each state;
HSdiplomas indicates the percentage of people over the age of 25 with high school diplomas, while BAdegrees states the percentage of 25+ year olds who have a BA or higher in each state; white gives the per-capita number of Caucasians in each state (excluding those of Hispanic origin); black, hispanic and other race do the same for those races; racehatecrimes indicates the number of racial hate crimes committed in each state per year; prez2008 indicates the percentage of the popular vote that went to the Democrats in the 2008 presidential election in each state; finally, governor indicates whether a Republican is sitting in office until the next election or has been elected in the year 2008.

The second model controls for fixed effects over time in the above model. This model is more limited in the following ways: data for the years 2000 and 2001 were not examined because racial data are very limited for those years. Additionally, the variables for gay marriage bans and gay partnership laws are not included because states did not implement shifts in these laws during the timeframe examined. If there is no variation across time within states for a variable, then it cannot be included. Likewise because I only have one to two years’ worth of data for LGBT population variables, political variables and religious variables (not enough to interpolate data for missing years), these variables are removed. The resulting model is as such:
Anti-gay hate crimes = \beta_0 + \beta_1 (hclaws_{it}) + \beta_2 (hclawsgay_{it}) + \beta_3 (sodomylaws_{it}) + \\
\beta_9 (unemployed_{it}) + \beta_{13} (HSdiplomas_{it}) + \beta_{14} (BAdegrees_{it}) + \beta_{15} (white_{it}) + \\
\beta_{16} (black_{it}) + \beta_{17} (hispanic_{it}) + \beta_{18} (otherrace_{it}) + \beta_{19} (racehatecrimes_{it}) + \epsilon_{it}

The nature of the variables described above and the sources from which they are obtained are discussed below.

THE DEPENDENT VARIABLE
The number of hate crimes committed against gays reported in a given year, in a given state, making this a time-varying continuous variable. These data were obtained from the FBI Hate Crime Reports for the years 2002 to 2008.

LEGAL VARIABLES

Presence of a hate crime statute: For this time-varying dummy variable, 1 stands for the fact that there is a hate crime statute in effect in the state, and 0 means there is no such law in the state. These data were obtained from the Anti-Defamation League.

Whether the hate crime statute mentions gays: For this time-varying dummy variable, 1 stands for the fact that a state’s hate crime statute includes homosexuality, and 0 means there is no such distinction. These data were obtained from the Anti-Defamation League.

Presence of sodomy laws: For this time-varying dummy variable, 1 means there was a sodomy law in effect in the state sometime between 2000 (when my data set starts) and 2003 (when all such laws were deemed unconstitutional by the Supreme Court), and 0 means there was no such law. These data were obtained from the Anti-Defamation League.
Presence of a law defining marriage as between a man and a woman: For this time-varying dummy variable, 1 means there is such a law and 0 means there is not. These data were obtained from the Anti-Defamation League.

Presence of a law recognizing civil unions between gays: For this time-varying dummy variable, 1 means there is such a law and 0 means there is not. These data were obtained from the Anti-Defamation League.

Presence of a law banning same-sex marriage: For this time-varying dummy variable, 1 means there is a law and 0 means there is not. These data were obtained from the Anti-Defamation League.

POPULATION-SIZE VARIABLES

Number of same sex couples in 2000 and 2005, as well as estimates of the LGBT population in a state in 2005: This constant variable gives the per-capita numbers of LGBT individuals and same sex couples in a state in the years 2000 and 2005. These data were obtained from the Williams Center in the UCLA Law School.

State Population Size: This time-varying continuous variable lists the population size for each state from 2000 to 2008. These data were obtained from the FBI Hate Crimes Report.

RELIGION VARIABLES

Number of Catholics in the state: This constant variable lists the per-capita numbers of Catholics in a state for the year 2007. These data were obtained from an online transcription of the Roman Catholic Church *Annuario Pontifico* per the voluntary efforts of a church member.
Percentage of church-goers in the state: This constant variable lists the percentage of adults who regularly attend church services. These data were obtained from two Gallup poll surveys: one for the year 2007, and one giving aggregate data from 2004-2006.

POLITICAL VARIABLES

Which party the state went to in the 2008 presidential election: These constant data were obtained from special reports on the election in the Washington Post.

Party of the sitting governor in 2008: This is a constant dummy variable with 1 meaning Republican and 0 (the baseline) meaning Democrat. These data were obtained from special reports on the election in the Washington Post.

RACE VARIABLES

Per capita rates of white, black, Hispanic or “other” persons in the state: This is a time-varying continuous variable. “Other” races here are Asians or Pacific Islanders, Native Americans or Eskimos, people with multiple races and people who checked “other” on the census. These data were obtained from the Census Bureau’s American Community Survey for the years 2002-2008, as the survey was not nation-wide prior to 2002.

EDUCATIONAL VARIABLES

Percentage of people over the age of 25 with a high school diploma and people over the age of 25 with a BA or more in each state: Time-varying, otherwise self-explanatory. These data were obtained from the Census Bureau American Community Survey.
UNEMPLOYMENT

Unemployment rates in the state: Unemployment rates in percentages in a given state for the years 2002 to 2008; this variable is time-varying. These data were obtained from the Bureau of Labor Statistics.

OTHER VARIABLES

States: This includes the 48 continental states, Alaska and the District of Columbia. Due to the FBI not receiving any hate crime reports from the state of Hawaii, this state is excluded from the model. There is a dummy variable for each state.

Year: I examine hate crimes data from 2002 through 2008, the last available year in the FBI’s database. There is a dummy variable in each year in that range.
### DESCRIPTIVE STATISTICS

Table 1: Descriptive Statistics of Variables

<table>
<thead>
<tr>
<th>Variable</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>Minimum Value</th>
<th>Maximum Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-gay Crimes</td>
<td>24.42</td>
<td>42.62</td>
<td>0</td>
<td>366</td>
</tr>
<tr>
<td>Bias Law</td>
<td>0.87</td>
<td>0.33</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Bias Law Gay</td>
<td>0.48</td>
<td>0.50</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Sodomy</td>
<td>0.08</td>
<td>0.27</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Gay Marriage Ban</td>
<td>0.87</td>
<td>0.33</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Gay Partnerships</td>
<td>0.20</td>
<td>0.40</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>State Population</td>
<td>15,186,345</td>
<td>6,490,621</td>
<td>234,120</td>
<td>36,800,000</td>
</tr>
<tr>
<td>Unemployment</td>
<td>5.03</td>
<td>1.11</td>
<td>2.8</td>
<td>8.3</td>
</tr>
<tr>
<td>White Population</td>
<td>0.73</td>
<td>0.14</td>
<td>0.24</td>
<td>0.96</td>
</tr>
<tr>
<td>Black Population</td>
<td>0.21</td>
<td>0.56</td>
<td>0.002</td>
<td>0.48</td>
</tr>
<tr>
<td>Hispanic Population</td>
<td>0.12</td>
<td>0.15</td>
<td>0.005</td>
<td>0.50</td>
</tr>
<tr>
<td>“Other” Population</td>
<td>0.13</td>
<td>0.23</td>
<td>0.14</td>
<td>0.64</td>
</tr>
<tr>
<td>Race Hate Crimes</td>
<td>79.14</td>
<td>113.9</td>
<td>0</td>
<td>687</td>
</tr>
<tr>
<td>HS diploma</td>
<td>85.47</td>
<td>3.75</td>
<td>75</td>
<td>91.7</td>
</tr>
<tr>
<td>BA+ diploma</td>
<td>27.25</td>
<td>7.75</td>
<td>16.1</td>
<td>36.3</td>
</tr>
<tr>
<td>Same Sex 2000</td>
<td>0.002</td>
<td>0.003</td>
<td>0.001</td>
<td>0.03</td>
</tr>
<tr>
<td>Same Sex 2005</td>
<td>0.003</td>
<td>0.004</td>
<td>0.001</td>
<td>0.04</td>
</tr>
<tr>
<td>LGBT 2005</td>
<td>0.04</td>
<td>0.04</td>
<td>0.01</td>
<td>0.07</td>
</tr>
<tr>
<td>Catholics 2007</td>
<td>0.25</td>
<td>0.12</td>
<td>0.03</td>
<td>0.75</td>
</tr>
<tr>
<td>Church 2006</td>
<td>41.87</td>
<td>9.03</td>
<td>24</td>
<td>56</td>
</tr>
<tr>
<td>Church 2008</td>
<td>40.86</td>
<td>8.47</td>
<td>24</td>
<td>58</td>
</tr>
<tr>
<td>2008 President</td>
<td>0.42</td>
<td>0.49</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>2008 Governor</td>
<td>0.46</td>
<td>0.49</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

*Note: All variables whose names contain a year have data for that year only.*

There are 344 observations in the sample used for all regressions, compared to the full database which contains 449 observations. The 105 missing observations come from: dropping the years 2000 and 2001 in the data due to the American Community Survey not having racial data for those years, which makes for 100 missing observations; missing hate crimes data for Mississippi in 2003-2005, which makes for three missing observations; finally, missing hate crimes data for Alabama in 2004-2005 make the remaining two missing observations.
Anti-gay crimes (dependent variable): The average rate of attack for these observations is 24.42 attacks per year, with a minimum of 0 and a maximum of 366.

Law variables: The first five indicator variables in Table 1 pertain to state law and statutes, based on data from the Anti-Defamation League. In these variables the minimum value of 0 means the absence of a law and the maximum value of 1 means the presence of a law. Biaslaw has a mean of 0.87, indicating that 87% of states have a hate crime statute. However, as seen by biaslawgay, fewer states include gays in their hate crime laws: the mean is 0.48 (48%). As seen by the sodomy variable, 8% of states (mean of 0.08) had sodomy laws until 2003, when such laws were deemed unconstitutional. Gaymarriageban has a mean of 0.87, meaning that 87% of states consider marriage to be only between a man and a woman. Gaypartnerships has a mean of 0.20, indicating that 20% of states recognize civil unions between gays. These variables could serve as rough measures of the populations’ willingness to treat gays as legitimate members of society deserving certain considerations, or not, based on what rights and protections they are afforded by the states’ legislative actions.

Unemployment rates in states: These data were obtained from the Bureau of Labor Statistics. The mean unemployment rate is 5.03%, a minimum value of 2.8% and a maximum value of 8.3%. Although a lot of the variation over time will likely be explained by the advent of the global financial crisis sometime between 2007 and 2008, these descriptive statistics hint at variation between states that could explain differences in perceiving gays as subjects of attack.

Racial demographics: This is obtained from cross-sectional data looking at the Census Bureau’s American Community Survey findings for whites, blacks and “other” races from 2002-2008 (earlier data were not state-wide). On average, whites made up 73% of the states’ population,
with a minimum value of 14% and a maximum value of 96%. On average, blacks made up 21% of the states’ population, with a minimum value of 0.2% and maximum value of 48%. Hispanics made up 12% of the states’ population on average, with a minimum value of 0.5% and a maximum value of 50%. “Other” races made up on average 13% of the states’ populations, with a minimum value of 1% and a maximum value is 64%. Race could be a significant factor because states that have conditions that foster racial hate crimes could also have conditions that foster anti-gay hate crimes. Thus I also controlled for racial hate crime rates: the mean is 79.14 attacks per year over the states, with a minimum value of 0 and a maximum value of 687.

**Educational Demographics:** These data were also obtained from the Census Bureau’s American Community Survey. The mean percentage of adults over the age of 25 high school diplomas across states is 85.45%, with a minimum value of 75% and a maximum value of 91.7%. The mean percentage of adults over the age of 25 with BAs or more across states is 27.25%, with a minimum value of 16.1% and a maximum value of 36.3%. Because hate crimes offenders tend to be less educated, the high school and college diploma rates for states could be a significant factor in explaining attack rates across states.

**LGBT Demographics:** These data were obtained from UCLA’s Law School’s Williams Center. In 2000, the mean per capita reported number for same-sex couples was 0.002, with a minimum value of 0.001 and a maximum value of 0.03. In 2005 the mean was 0.003, with a minimum value of 0.001 and a maximum value of 0.04. In 2005 the mean LGBT self-reported per-capita number was 0.04, with a minimum value of 0.01 and a maximum value of 0.07. This variation could be significant given Green et al’s 2001 finding that areas with high LGBT populations experience higher anti-gay hate crimes rates.
**Religious Demographics:** Using data from the Roman Catholic Church, in 2007 the mean per-capita rate for Catholics across states was 0.25, with a minimum value of 0.03 and a maximum value of 0.75. Data for previous years have not yet been digitalized by the Church. Using aggregate data from Gallup surveys on states’ church-attendance rates from 2004 – 2006 (yearly data were not available online), the mean church attendance rate was 41.17%, with a minimum value of 24% and a maximum value of 56%. In 2008 the mean percentage rate was 40.86%, with a minimum value of 24% and a maximum value of 58%. Church attendance rates would give an idea of the influence religious organizations can have in a state. This could be a significant factor because religious organizations can be very effective at promoting tolerance or condemning specific groups, which could play a part in how individuals respond to the presence of gays.

**Political variables:** These data were obtained from a special report by the Washington Post. In 2008, 42% of states included in the observations went to McCain, as seen by the mean of 0.42 from indicator variables where 0 is for the Democrat candidate and 1 is for the Republican candidate. Likewise that year 46% of states included in the observations either had sitting Republican governors or had just elected a Republican to office in the 2008 election.

**CHAPTER 5: RESULTS**

The central research question this thesis poses is whether the presence of hate crime laws can influence the rate (or reporting) of hate crimes against gays, including whether those hate crime laws mention homosexuality or not. The first model, in Table 1 shown below, is a simple ordinary least squares (OLS) model. It tests the relationship between hate crime laws and anti-
gay hate crimes using fixed effects, controlling for the above-mentioned demographic and state factors. This first model does not take into account time and state fixed effects but seeks to see whether there is any correlation at all between the factors this thesis examines and the rate of reported anti-gay hate crimes in states.

I find a significant, positive correlation with hate crime laws that specifically mention homosexuality and reported anti-gay hate crime rates in this model. In states with such a law, there are an additional 5.59 reported anti-gay hate crimes, with a p-value lesser than 0.05. The positive nature of the relationship could be due to gays feeling more comfortable reporting hate crimes in states that recognize that they are hate crime targets. Additionally, states with a gay marriage ban see an increase in their reported anti-gay hate crime rates: in those states that had a ban, reported anti-gay hate crimes increased by 7.66 crimes, with a p-value below 0.05. This suggests that factors prompting the passage of such laws could correlate with factors that prompt attacks on gays, such as intolerance of non-reproductive sex.

In this model, I also find that state population size matters – although the coefficient had a value smaller than 0.001, this variable had a p-value that was much smaller than 0.05. This is possibly because gays would be more noticeable in a smaller state population than in a larger population. Additionally, for every additional same-sex couple in a state in 2000, reported anti-gay hate crime rates would be projected to increase by over 3,000 crimes (p-value below 0.05).

These two findings suggest that it would be worthwhile to investigate Green’s 2001 hypothesis on a state-wide scale, if yearly data on LGBT populations could be compiled.

When it comes to the possible relationship between a state’s religiosity and its reported anti-gay hate crime rate, religion is significant in this model. The stronger the presence of
Catholics in a state, the more anti-gay hate crimes are reported: for every one percent increase in the number of Catholics in a state, anti-gay hate crime reports increase by 12.28 crimes, with a p-value lesser than 0.05. Likewise states with a higher religious attendance amongst adults also see an increase in reported hate crimes: using 2008 numbers: for every one percent increase in regular church attendance, reported anti-gay hate crimes increase by 0.82 crimes, with a p-value lesser than 0.05. This could reflect the fact that some religious leaders find homosexuality to be a sin, which could encourage intolerance of homosexuals in a state.

Using this model, I find that a states’ political inclinations matter. States that went to McCain in 2008 also saw an increase in anti-gay hate crimes, with an additional 4.7 hate crimes reported in states that voted for a him. This could reflect the fact that the Republican platform has typically not embraced homosexuality, potentially giving those prone to attacking gays the same sentiment than religious sanctions of homosexual behavior.

In this model, I also find that the more educated a state is, the more are reported anti-gay hate crimes. For every one percent increase in the amount of persons with BAs or more in a state, anti-gay hate crimes increase by 0.21, with a p-value of 0.05. Finally, while of a lesser significance, its p-value being lesser than 0.10, unemployment rates correlate significantly with reported anti-gay hate crimes. For every one percent increase in unemployment rates, reported anti-gay hate crimes increased by 1.12 crimes. As such this first, preliminary OLS regression gives a theoretical basis for the second, fixed-effects model.
Table 2: Model 1: OLS regression with all variables

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficients</th>
<th>T-values (P-values)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total R²</td>
<td>0.81</td>
<td></td>
</tr>
<tr>
<td>Intercept</td>
<td>-3.59</td>
<td>-0.71 (0.47)</td>
</tr>
<tr>
<td>Hate crime laws</td>
<td>-3.02</td>
<td>1.60 (0.11)</td>
</tr>
<tr>
<td><strong>Hate crime laws mentioning homosexuality</strong></td>
<td>5.59</td>
<td>3.81 (0.00)**</td>
</tr>
<tr>
<td>Presence of sodomy laws</td>
<td>-2.18</td>
<td>-1.10 (0.27)</td>
</tr>
<tr>
<td><strong>State population</strong></td>
<td>0.00</td>
<td>8.87 (0.00)**</td>
</tr>
<tr>
<td><strong>State unemployment rates</strong></td>
<td>1.12</td>
<td>1.71 (0.08)**</td>
</tr>
<tr>
<td><strong>Amount of same-sex couples in state in 2000</strong></td>
<td>3,614.21</td>
<td>2.59 (0.01)**</td>
</tr>
<tr>
<td>Amount of same-sex couples in state in 2005</td>
<td>-7,477.31</td>
<td>-1.20 (0.23)</td>
</tr>
<tr>
<td>State LGBT population in 2005</td>
<td>577.09</td>
<td>-1.11 (0.26)</td>
</tr>
<tr>
<td><strong>Presence of a gay marriage ban</strong></td>
<td>7.66</td>
<td>3.68 (0.00)**</td>
</tr>
<tr>
<td>Laws allow gay partnerships</td>
<td>-1.85</td>
<td>-1.10 (0.27)</td>
</tr>
<tr>
<td><strong>Catholic population in state</strong></td>
<td>12.28</td>
<td>2.95 (0.00)**</td>
</tr>
<tr>
<td><strong>State church attendance 2008</strong></td>
<td>0.82</td>
<td>-2.77 (0.00)**</td>
</tr>
<tr>
<td>State church attendance 2006</td>
<td>0.42</td>
<td>1.53 (0.12)</td>
</tr>
<tr>
<td><strong>Party state went to in 2008 presidential elections</strong></td>
<td>4.7</td>
<td>3.06 (0.00)**</td>
</tr>
<tr>
<td>Party state went to in 2008 gubernatorial elections</td>
<td>-0.05</td>
<td>-0.04 (0.96)</td>
</tr>
<tr>
<td><strong>State black population</strong></td>
<td>-15.61</td>
<td>-2.96 (0.00)**</td>
</tr>
<tr>
<td>State Hispanic population</td>
<td>-6.36</td>
<td>0.90 (0.37)</td>
</tr>
<tr>
<td>State “other” population</td>
<td>-2.05</td>
<td>-0.36 (0.72)</td>
</tr>
<tr>
<td>Percentage of HS grads age 25+</td>
<td>-0.03</td>
<td>-0.17 (0.86)</td>
</tr>
<tr>
<td><strong>Percentage of BA+ grads age 25+</strong></td>
<td>0.21</td>
<td>2.70 (0.00)**</td>
</tr>
<tr>
<td>Racial hate crime rates</td>
<td>0.15</td>
<td>17.75 (0.00)**</td>
</tr>
</tbody>
</table>

Notes: N= 344 * p<0.05 **p<0.10

In the fixed-effects model in Table 2 below, while the hate crime law variable keeps the same direction as in the OLS model, it loses its significance. Instead, sodomy laws are the significantly correlated variable, with a p-value below 0.10. In those states that had sodomy laws
before 2003 there is a 4.46 decrease in the reported number of anti-gay hate crimes. This is possibly because gays would be hesitant to report crimes to authorities that until recently would have been able to jail or fine them for their sexual behavior, perhaps for fear of harassment, dismissal or intimidation.

Education also remains significantly correlated with the number of reported anti-gay hate crimes in a state (p-value lesser than 0.10). For every one percent increase in the number of persons over the age of 25 with BAs or more, there is a 0.08 increase in reported anti-gay hate crimes. This variable, albeit with a lesser magnitude, keeps the same direction and possible explanation than in the OLS findings. Likewise, state population size continues to be statistically significant, with a similar coefficient but slightly lower p-value: 0.02 instead of 0.00, still well below the 0.05 standard for significance.

When time and state differences are factored in, unemployment rates increase in significance, now having a p-value lesser than 0.05, and the coefficient size increases: for every one percent increase in unemployment rates, reported anti-gay hate crimes increase by 2.08 crimes, an increase of 0.96 from the previous regression. Although Green et al (1998) find that unemployment does not have a statistically significant relationship with anti-gay hate crime rates, the authors do suggest that this could change if groups blaming gays for economic problems started inciting violence against them. With the steady deterioration of the economy, this could be a potential explanation for why this thesis found unemployment rates to be significant.

I also find that a larger the Hispanic population leads to a decrease in reported anti-gay hate crimes: for every one person increase in the Hispanic population, the number of anti-gay
hate crime reports decreased by over 30 crimes, with a p-value lesser than 0.05. This could be because those with intolerant tendencies could be more threatened by Hispanics and thus do not pay as much attention to gays. Over time Hispanic populations have been increasing rapidly,\textsuperscript{50} which might explain why that variable is more significant than the black racial one once state and time fixed effects are accounted for. However, this does not mean that factors leading to reported racial hate crimes do not correlate with factors leading to reported anti-gay hate crimes: this OLS regression found that for every additional racial hate crime reported in a state, the number of anti-gay hate crime reports increased by 0.14, with a p-value below 0.05.

Table 3: Model 2: Regression using fixed effects

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coefficients</th>
<th>T-values (P-values)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total R²</td>
<td>0.91</td>
<td></td>
</tr>
<tr>
<td>Intercept</td>
<td>-40.29</td>
<td>-1.72 (0.47)</td>
</tr>
<tr>
<td>Hate crime laws</td>
<td>-8.15</td>
<td>1.49 (0.13)</td>
</tr>
<tr>
<td>Hate crime laws mentioning homosexuality</td>
<td>9.38</td>
<td>1.32 (0.18)</td>
</tr>
<tr>
<td>Presence of sodomy laws</td>
<td>-4.46</td>
<td>-1.72 (0.08)**</td>
</tr>
<tr>
<td>State population</td>
<td>0.00</td>
<td>2.33 (0.02)*</td>
</tr>
<tr>
<td>State unemployment rates</td>
<td>2.08</td>
<td>1.93 (0.05)*</td>
</tr>
<tr>
<td>State black population</td>
<td>0.67</td>
<td>0.62 (0.53)</td>
</tr>
<tr>
<td>State Hispanic population</td>
<td>-30.51</td>
<td>-3.10 (0.00)*</td>
</tr>
<tr>
<td>State “other” population</td>
<td>2.85</td>
<td>-0.48 (0.63)</td>
</tr>
<tr>
<td>Percentage of HS grads age 25+</td>
<td>0.57</td>
<td>0.82 (0.41)</td>
</tr>
<tr>
<td>Percentage of BA+ grads age 25+</td>
<td>0.08</td>
<td>1.71 (0.08)**</td>
</tr>
<tr>
<td>Racial hate crime rates</td>
<td>0.14</td>
<td>-4.05 (0.00)*</td>
</tr>
</tbody>
</table>

Notes: \(N = 344\) * p<0.05 ** p<0.10

\textsuperscript{50} Morello, C. and Keating, D., 2011.
CHAPTER 6: DISCUSSION

The central question in this thesis, whether the passage and presence of hate crime laws have any effects on states’ anti-gay hate crime rates, seeks to help policy-makers determine whether or not such laws are a valid tool to combat anti-gay hate crimes. I find that the relationship between the state hate crime laws and anti-gay hate crime rates is not very strong, suggesting that policy-makers might benefit from considering additional tools to reduce the rate of reported anti-gay hate crimes in their states. Recall, however, that these data are weakened by the fact that FBI figures do not portray the actual rate of anti-gay hate crimes accurately due to under-reporting and a variety of institutional issues. Additionally, the data on the LGBT population sizes cover a more limited time span than other data and are self-reported, making it less reliable due to taboos on homosexuality, although this thesis suggests that state population size is a significant factor that further research might relate to LGBT population sizes.

This thesis suggests that the latent hostility inspired by racial bias could share common ground with, or be harnessed in a similar manner to, the hostility inspired by anti-homosexual bias. This could be due to hate groups that target racial and sexual minorities and use their organizational structures to encourage crimes against both. This also could be because both of these groups suffer from institutional isolation, or because the political discourse of the time defines those minorities as “out-groups,” to use King’s terminology, among other potential factors that are beyond the scope of this thesis. The significant correlation of anti-gay hate crime rates and unemployment rates could also suggest that unemployment is straining tensions between the those prone to attacking gays and the gay community, which could be tied to hate group recruiting efforts.
We also see that the more educated a state, the more it will have reported anti-gay hate crimes. As discussed above, this could be because greater access to education also exposes gays and those around them to greater knowledge on their rights and procedures to report crimes, as well as a greater understanding of why it is important to report crimes.

IMPLICATIONS AND SUGGESTIONS FOR FUTURE RESEARCH:

Using a similar method to gather information on anti-gay hate crimes than Green et al did in 2001 might counter some of the weaknesses imposed by under-reporting and institutional hurdles such as police reporting techniques, as it would take into consideration claims by activists who could be more trusted by local LGBT communities than police agencies. Group surveys would still run into issues of self-reporting, but Herek’s studies over two decades suggest that those open about their homosexuality are also open about discussing instances of verbal or physical abuse or harassment, so that researchers might also take such tools into account when compiling reports on anti-gay hate crimes. This would enable future researchers to work with more representative figures.

Additionally, I look at the presence of hate crime laws, but do not explore conviction rates under those laws or at the amount of news reporting surrounding their passage as this is beyond the scope of my work. It is possible that such laws do not serve as a proper deterrent to those inclined to committing anti-gay hate crimes because such criminals are either unaware of the additional penalties or convinced they will not have to suffer from them. Some states,

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51 In brief, by combining local LGBT activist’s groups neighborhood-specific population estimates with Census neighborhood-specific data pertaining to same-sex cohabitation, then cross-checking those numbers with the amount and geographic concentration of subscriptions to gay-centric periodicals, etc.
perhaps due to resource constraints, might not enforce their laws as vigorously as others, reducing the effect of hate crime laws. As such, future researchers could gain additional understanding of what drives anti-gay hate crime rates if they explore these matters.

This thesis also suggests looking into additional factors that are correlated with racial hate crimes, as these could correlate with factors causing anti-gay hate crimes. Suggestions in this regard include: empirically measuring the presence of hate groups that target minorities; keeping track of the amount of local leadership figures who encourage intolerance of minorities; and monitoring legislation that could be considered as legitimizing intolerance of minorities. Examining these questions could help clarify the correlation between racial hate crimes and anti-gay hate crimes.

Since this thesis suggests that education is correlated with increasing of reporting of anti-gay hate crime, policy-makers could look into understanding how factors in states with higher education rates lead to greater reporting of anti-gay hate crimes, and these reporting rates could be replicated in states with lower education rates. Additionally qualitative research into the history of social movements and other such factors across states could greatly enrich future research in the matter of anti-gay hate crimes. In turn such findings could guide policy-makers as to what tools to explore, and how to strategize policy-related campaigns, in order to reduce the amount of anti-gay crimes committed in their state.

IMPLICATIONS FOR POLICY-MAKERS

This thesis suggests that the mere passage of hate crime laws, even those that specifically target homosexuality, does not correlate significantly enough with anti-gay hate crime rates to
suggest that these laws could stand on their own as policy tools. As such policy-makers will also want to consider policies such as these: campaigns that bring attention to attacks on the LGBT community so that the population at large is aware that this is a social problem; provide defensive support such as giving funding to LGBT night patrols to deter violent attacks; encouraging local leaders to promote tolerance of homosexuality.

However, before such measures can be considered, policy makers will have to know the extent of the anti-gay hate crime problem in order to tailor their solutions to it appropriately. This will require that more accurate attack counts be made available. As such policy-makers might want to give serious consideration to the problem of under-reporting and institutional obstacles to the reporting of anti-gay hate crimes (such as police agencies not having sensitivity training towards gays, which could deter reporting rates, or not having enough manpower and funding to report attacks to the FBI, among other such concerns). A full list of possible policies is beyond the scope of this thesis, but discussions such as this one could provide some starting points for policy-makers inclined to address the issue of hate crime rates in their states.
APPENDIX A

STATA “DO” FILE

cd "C:\Users\Owner\Desktop\Thesis data\data4"

clear
set mem 300m

use state.dta
replace state = "Massachusetts" if state == "Massachusetts"
replace state = “West Virginia” if state == “West Virginia”
sort state

save state_temp.dta, replace

clear
use stateyear.dta
drop col15- year
gen wc = wordcount(stateyr)
gen year = word(stateyr , -1)
gen state = word(stateyr, 1)
gen state2 = word(stateyr, 2)
replace state = state + " " + state2 if wc == 3

sort state

merge state using state_temp.dta

tab state , gen(st_)
drop st_1
drop st_5

tab year , gen(yr_)
drop yr_1
drop yr_2

gen statepop2 = white + black + hispanic + other
gen popdiff = statepop-statepop

tabstat statepop2 , by(state)
drop statepop2

replace white = white / statepop
replace black = black / statepop

replace hispanic = hispanic / statepop
replace other = other / statepop

replace samesex2000 = samesex2000 / statepop
replace samesex2005 = samesex2005 / statepop
replace lgbtpop2005 = lgbtpop2005 / statepop

replace catholic = catholic / statepop


reg antigaycrimes biaslaw biaslawgay sodomy statepop unemploy black hispanic other hs ba_race_hate_crime st_* yr_* , robust

gen sample = e(sample)

REFERENCES

Alden, H.L., Parker, K., *Gender Role Ideology, Homophobia and Hate Crimes: Linking Attitudes To Macro-Level Anti-Gay And Lesbian Hate Crimes*, Deviant Behavior, 26:4(July-August 2005), pg. 321-324.


DATABASES:


