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Anti-LGBT Hate Crimes in the US

A Dissertation Presented

by

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to

The Graduate School

in Partial Fulfillment of the

Requirements

for the Degree of

Doctor of Philosophy

in

Sociology

Stony Brook University

August 2017

Stony Brook University

The Graduate School

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Abstract of the Dissertation

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in

Sociology

Stony Brook University

2017

This dissertation provides a comprehensive and theoretically grounded empirical analysis of anti-LGBT hates crimes utilizing national crime data from the Uniform Crime Report and National Crime Victimization Survey. Current accounts of anti-LGBT (lesbian, gay, bisexual, and transgender) hate crimes at the national level typically only discuss prevalence or offer descriptive statistics, and more advanced statistical analyses have used small samples and offer conflicting conclusions across studies. This project utilizes advanced regression techniques with national data to examine the factors that contribute to these crimes, which represents a major methodological advance in the study of anti-LGBT hate crimes. First, the role of macro level social factors is examined by testing the theory that violence is used against LGBT people as means of social control. Specifically, the role of increasing legal visibility through LGBT civil rights legislation is examined in relation to yearly state level hate crime rates. Secondly, the idea that intersecting identities, such as race and class play a role in risk of victimization is explored through examining how these factors correspond to the severity of violence used against LGBT victims of hate crimes. Finally, much of our understanding of hate crimes victims comes from police report data, but this overlooks victims' non-reporting to police. Another location for identifying victims of hate crimes may be through the health care system, as victims seek help post-traumatically. Thus, the differences in reports made to the police versus reports to health care seeking behaviors among victims are explored, which will allow for examination of hate crime victims who have not reported the incident to police. By engaging in a systematic analysis of the data available on anti-LGBT hate crimes, this dissertation addresses the complex and unique nature of these crimes, furthers our theoretical understanding of the social causes of anti-LGBT hate crimes, and enhances out understanding the individual level factors that impact anti-LGBT hate crime victimization and perpetration.

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Chapter 1: Introduction

Hate violence is not a new social phenomenon, as bias-motivated violence has existed within U.S. society since its inception (Levin 2002). Violence against racial minorities was used to reinforce the lower status of those groups, initially with the relocation and murder of those native to "America"—and then by way of American slavery. Even as slavery ended, the use of violence to continue the oppression of particular groups was still common, though as modern rights based legal discourses evolved, legal protections for those groups eventually followed (Levin 2002).

It was not until the 1980's that violence against lesbian, gay, bisexual, and transgender[1] (LGBT) people began gaining recognition as a social problem (Gerstenfeld 2013). Anti-LGB[2] hate violence was first recognized under state hate crime statutes in 1984, though protections for other groups, particularly religious, racial and ethnic groups, already existed (Lewis 2013). Anti-transgender hate violence was only recognized under state hate crimes statues in 1989(Human Rights Campaign 2016). Recognition of anti-LGB hate crimes was further acknowledged with the passage of the Hate Crimes Statistics Act by Congress in 1990, which required the Federal Bureau of Investigation (FBI) to collect and disseminate information regarding the number of hate crimes reported to police on the basis of race, ethnicity, religion, and sexual orientation (Federal Bureau of Investigation 2005; Gerstenfeld 2013). Despite these evolving legal

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[1] "Transgender" refers to a gender identity that does not match the sex assigned to a person at birth. For instance, at birth a person is assigned a biological sex of male or female and from that, usually develops a matching gender identity: man for male, and woman for female. Those who are transgender do not feel this alignment of their biological sex and gender identity; for example, a person assigned male at birth identifies as a woman. This will sometimes be abbreviated trans in this project.

[2] Here, only LGB hate crimes are referenced, as national data collection for anti-transgender hate crimes did not begin until 2012. Throughout this paper, LGB and LGBT are utilized distinctly to recognize instances in which transgender individuals are either excluded or included from the data, study, or theory being discussed.

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protections, law enforcement officials have often failed to utilize these laws when hate crimes against LGBT people occur (Ejeris Dixon, Jindasurat and Tobar 2012; Perry 2001; Rubenstein 2003). Moreover, defining who does or does not constitute a victim of a bias-motivated incident remains in flux, with definitions of bias-motivated crimes changing over time. For example, while sexual orientation was included in 1990, the Violent Crime and Law Enforcement Act of 1994 expanded the definition of hate crimes to include people with disabilities. Similarly, gender identity was not included until the passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in 2009 (United States Department of Justice and Federal Bureau of Investigation 2012a).

Yet, understanding patterns of anti-LGBT hate crimes is critically important given that recent population based studies estimate that over the course of a lesbian, gay, or bisexual individual's lifetime there is a 20% risk of experiencing hate violence, while a transgender individual's risk violence is 27% (Herek 2009; Lombardi, Wilchins, Priesing et al. 2002). Even more disconcerting is the fact that because LGBT people make up only 3.5% of the US population, they are highly overrepresented as victims of hate crimes (Gates and Newport 2013; Rubenstein 2003). Such a high incidence of crime against LGBT people may be related to the general increased awareness of LGBT individuals in social life. Although data collected by the federal government indicates that the incidence of hate crimes has remained relatively stable over time (Wilson 2014), some studies indicate the proportion of hate crimes against LGB individuals has increased in recent years (Sandholtz, Langton and Planty 2013). Many activists and social commentators, scholars, and even policy makers have argued that as LGBT visibility[3] in social life increases, so too does the violence against them (Boxall 1993; Bronski 2007; Califia

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[3] Though social visibility can be defined in many different ways, this project specifically explores the idea of legal visibility for LGBT people, defined as both restrictions and protections regarding the civil rights of LGBT people.

1981; Chestnut, Dixon and Jindasurat 2013; D'Addario 2013; Griffin 1992; Karim 2011; Kimmel 1995). This visibility has been characterized as both negative for LGBT people, such as Anita Bryant's national campaign against gay rights in 1977 or state constitutional bans to same-sex marriage, and also as positive, such as in the repeal of sodomy laws and passage of same-sex marriage laws (Boxall 1993; Califia 1981; D'Addario 2013; Healy 2004).

Though these arguments are about visibility at the societal level, it is important to recognize that visibility can also be manifested at the individual level (Perry 2009). In considering individuals, those who visibly defy traditional expectations regarding gender and sexuality are often at greatest risk for violence (Perry 2009; Serano 2009). This puts LGBT people in the position of having to "pass" as heterosexual (or cisgender[4]), ensuring the invisibility of their LGBT identity, or risk violence against themselves (Herek 1992; Herek 1995; Serano 2009). Interestingly, because this risk is based on perpetrators perceptions of the victim, not necessarily the identity of the victim, even heterosexuals who fail to perform these identities properly are at risk of experiencing anti-LGBT violence (Herek 1992; Herek 1995). Moreover, victims of anti-LGBT hate violence may fail to report this type of violence, fearing that doing so will make their sexual orientation or gender identity public, or that they may experience further violence at the hands of police (Berrill and Herek 1990).

Though there is theorizing about and research on the motivations, incidence, and effects of hate violence as a general phenomena, particularly in relation to racially and religiously motivated hate violence, there is relatively little theory or research that addresses anti-LGBT hate violence specifically (Perry 2012). These general theories suggest that hate crimes are a means of

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[4] The term cisgender refers to individuals whose gender identity and presentation is aligned with the biological sex they were assigned at birth.

maintaining the dominance of particular social groups by punishing those who threaten the existing social hierarchies (DeKeseredy and Perry 2006; Perry 2001; Perry 2009). Those who challenge boundaries or who attempt to redefine established social norms are often the greatest threat to established social hierarchies; thus becoming targets of violence. When we consider anti-LGBT hate crimes, it is important to recognize that these crimes serve to reinforce traditional systems of gender and sexuality, often punishing those who deviate from traditional notions of heterosexual masculinity or femininity (Buijs, Hekma and Duyvendak 2011; Herek 1992; Perry 2001). Anti-transgender violence may also reinforce systems of gender and sexuality by reinforcing men's social dominance over women, with violence against transwomen being legitimated in similar ways to cisgender women, and violence against transmen being used as punishment for their gender deviance (Witten and Eyler 1999). Finally, as masculinity and homophobia are closely connected, this allows us to understand why lesbian, gay, bisexual, and transgender individuals would signify a greater threat to men, implicating them as the most common perpetrators of hate crimes (Tomsen 2001).

Given that LGBT people are overrepresented as victims of hate crimes, the fact that anti-LGBT hate crimes are so underrepresented in the hate crimes literature is troubling. Despite the increasing volume of data being collected on hate crimes, current analyses are primarily descriptive rather and seeking to build or test theory. In fact, despite the claim that increased visibility of LGBT people in the US contributes to increased LGBT hate crimes, no study has empirically examined whether increased visibility actually contributes to the incidence of LGBT hate crimes. There is also limited research into victims and perpetrators of anti-LGBT hate crimes, but the research that does exist typically fails to account for both simultaneously (DeKeseredy and Perry 2006). Finally, there is little attention outside of psychological literature

that addressed the consequences of these crimes (DeKeseredy and Perry 2006; Perry 2001). It is

therefore critical that we expand our knowledge of the causes and consequences of anti-LGBT

hate violence, as understanding these factors can lead to better prevention and response, legally

and socially (Gillespie 2008; Rose 2003)[5]. This dissertation will add to the literature on anti-

LGBT hate crimes by addressing three primary questions:

1. *What factors account for the rise in anti-LGB hate crimes?*

    To address this question, specific attention will be given to the role LGBT rights

    legislation plays in increasing the legal visibility of LGBT individuals as it relates

    to the incidence of anti-LGB hate crimes. Both positive and negative visibility

    will be considered through inclusion of both state level hate crimes legislation,

    enactment of same-sex marriage laws, and bans on same-sex marriage in the

    analysis. The primary data for this analysis will be drawn from state-level

    Uniform Crime Report (UCR) data and supplemented with data on LGBT civil

    rights legislation and state-level demographic information.[6]

2. *How are anti- LGBT hate crimes tied to the victims and perpetrators?*

    This question revolves around the risk of victimization at the individual level.

    This analysis explores the severity of the violence used against particular victims

    and by particular perpetrators to examine the intersections of identity and

    violence. This research question will be addressed using incident level data from

    the 2003-2013 National Crime Victimization Survey (NCVS) for LGB victims.

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[5] For example, poor relationships with the LGBT community and failure to prevent and respond to violence against LGBT individuals in several jurisdictions has led to the development of LGBT liaisons within those police departments. The creation of these liaisons has led to improved community relations, higher satisfaction with the police, and lower levels of crime against LGBT people (Gillespie 2008, Rose 2003).

[6] For details on the datasets, variables used, and methodology, please see methods section in each corresponding chapter.

Unfortunately, the NCVS fails to include transgender victims, thus, anti-transgender hate violence will be assessed utilizing the 2012 UCR.

3. *What are the consequences of victimization?*

Finally, this project will explore how victim's interactions with social institutions are important to our conceptualizing of hate crimes. Much of our understanding of hate crimes victims comes from police report data, but this overlooks victim's non-reporting to police. However, another location for identifying victims of hate crimes may be through the health care system. I will explore this question by examining differences in reports made to the police and differences in health care seeking behaviors among victims, which allows for examination of hate crime victims who have not reported the incident to police. The NCVS includes these outcomes, as well as hate crime incidents that are not reported to the police, which are central to this analysis.

As is evident above, there is no single data set that addresses all of the proposed research questions. I, therefore, draw on two commonly used national data sets, the Uniform Crime Reports and the National Crime Victimization Survey. These will further be supplemented with state and national data on LGBT civil rights. The research questions will further be grounded in a theoretical framework that recognizes the intersections of gender, sexuality, and violence. Current theoretical accounts typically focus on sexual identity as a singular category for analysis of hate crime victimization or embeds sexuality within gender, rather than addressing the complex intersections of gender and sexuality and their situation within a particular historical social context (Meyer 2010).

By engaging in a systematic analysis of the data available on anti-LGBT hate crimes, this project will address what has long been missing from the discussion on anti-LGBT hate violence: that it is complex, that it is a unique form of hate violence, and that it has roots in social factors. In the sections that follow, I will detail how the rise in LGBT visibility could be related to the rise in anti-LGBT hate violence, how other scholars and federal agencies have attempted to study and collect data on this issue, including the theoretical frames that have guided them. This study will expand our current understanding of hate crime victimization by quantitatively examining the social context in which hate violence occurs, specifically by exploring how LGBT legal visibility is related to hate crimes against LGBT individuals. This project also examines the importance of individual characteristics to risk of hate crime victimization, as well as the consequences of that victimization.

Review of the Literature

A hate crime is specifically defined in US law as a "criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin or sexual orientation" (Federal Bureau of Investigation 2010). Hate crimes include a large number of offenses ranging from property damage, harassment, assault, to murder. However, violence against the LGBT community comes in various forms and not all of these are considered hate crimes. The broader term hate violence includes non-criminal violence directed toward LGBT individuals, including verbal or street harassment that is non-criminal in nature (Moore 1999). This is important to recognize when reviewing this research because many organizations that provide support to victims use hate violence in their own data collection and

reporting due to the similar negative impacts on victims (Chestnut et al. 2013; Grant, Mottet, Tanis et al. 2011b).

Though anti-LGBT bias as a general phenomenon is important to examine, some of the most comprehensive data collected covers hate crimes specifically, either in self-report studies or as collected by law enforcement agencies (Federal Bureau of Investigation 1998; Harlow 2005). Additionally, the emphasis on hate crimes should not negate the importance of other types of discrimination and violence faced by LGBT people; rather hate crimes reflect the extreme end of the spectrum on bias against LGBT people. In the following sections, I will describe the empirical and theoretical work on anti-LGBT hate violence in the US. Presently these two bodies of literature are fairly disconnected, as empirical studies are largely atheoretical, they do little to contribute to theory construction. I will also discuss how this project seeks to further our understanding of anti-LGBT hate crimes by integrating these bodies of literature, empirically examining anti-LGBT hate crimes in a theoretically informed manner.

Research on Anti-LGBT Hate Violence

Research on anti-LGBT hate violence falls into three broad types of study: national crime statistics, data collected by national organizations that serve LGBT individuals, and smaller studies that examine particular areas or issues (Chestnut et al. 2013; Grant et al. 2011b; Huebner, Rebchook and Kegeles 2004; James and Council 2008; Kuehnle and Sullivan 2001). The Uniform Crime Report (UCR) and the National Crime Victimization Survey (NCVS) are the most frequently used data sources for examining hate crimes, as the UCR reports data from 98% of law enforcement agencies and the NCVS is a nationally representative panel survey that

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includes data on hate crime victimization (Federal Bureau of Investigation 2005; James and Council 2008).[7] The National Coalition of Anti-Violence Programs (NCAVP) collects national data that separately examines anti-gay, lesbian, bisexual, and transgender violence (Chestnut et al. 2013). The National Center for Transgender Equality (NCTE) has also undertaken a comprehensive study of the experiences of the experiences of transgender people specifically (Grant et al. 2011b). The NCAVP and NCTE data also examine hate violence and discrimination more broadly than national crime statistics, including issues such as harassment, discrimination, and other non-criminal victimization. Smaller studies have also examined patterns of violence experienced by LGBT people, and though these often utilize nonprobability samples, may also be relevant to the current investigation (Herek 2009; Huebner et al. 2004; Kuehnle and Sullivan 2001; Meyer 2010). These empirical investigations into anti-LGBT hate violence revolve around four main themes, the incidence of crimes and violence against LGBT people, characteristics of victims and offenders, and finally the consequences of victimization; each of which is relevant to the current study.

Incidence of Anti-LGBT Hate Crimes

Reports of the incidence of anti-LGBT hate crimes are essential in recognizing the magnitude of the phenomenon under investigation, but also paint a portrait of the larger landscape of research on anti-LGBT hate crimes and some of the difficulties inherent in working with this type of data. All of the studies regarding the incidence of violence are drawn from national data, though some are more comprehensive or representative than others.

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[7] The National Incident Based Reporting System (NIBRS) also collects hate crimes data and is more detailed than the Uniform Crime Report, however, only 17% of law enforcement agencies report NIBRS data, limiting its use in empirical analyses (James and Council 2008).

UCR data is submitted to the monthly to the FBI by local law enforcement agencies regarding crimes reported to the police in several categories, including anti- LGB hate crimes (Federal Bureau of Investigation 2005). The unit of analysis is the criminal incident, which can be aggregated to the state level. This data is compiled and analyzed by the FBI with a hate crimes report released annually since 1997 (Federal Bureau of Investigation 1997). When collection of this data began in 1996, 1,281 anti-LGB hate crimes were reported to police, reaching a peak of 1,540 in 2012(Federal Bureau of Investigation 1997; Federal Bureau of Investigation 2013b). Though there has been an overall increase in the number of bias crimes related to sexual orientation since data collection began in 1996, the Hate Crimes series does not analyze longitudinal trends in the data. Starting in 2012, data collection began on anti-transgender bias incidents, unfortunately those crimes are not included in annual FBI hate crimes reports, they are only submitted as part of the data file (United States Department of Justice and Federal Bureau of Investigation 2012b).

The NCVS is a survey of individuals and captures self-report data on criminal victimization in the US, including incidents not reported to the police, thus capturing a greater number of crimes than the UCR (Federal Bureau of Investigation 2005; James and Council 2008). This means that nearly 27,000 hate crimes motivated by sexual orientation were captured by the NCVS, between 2003 and 20009, while just over 6,000 were reported in the UCR data for the same time period (Langton and Planty 2011). In fact, hate crimes motivated by the victims sexual orientation are less likely than most other bias related crimes to be reported to the police; examining trends in non-reporting shows that on 43% of these crimes were reported during the 2003-2009 time period (Langton and Planty 2011). Though police non-reporting is a major issue that explains the difference between UCR and NCVS data, non-reporting or under-reporting may

also be an issue with the NCVS (Green, Strolovitch, Wong et al. 2001b). Specifically, certain types of crimes, such as sexual violence are likely to be undercounted, and some victims may be unwilling to disclose the motivation for the incident, as this would disclose their sexual orientation (Huebner 2016). Despite these differences in reporting, both the NCVS and the UCR data indicate that hate crimes based on sexual orientation increased from 2003 to 2011 (Sandholtz et al. 2013). Likewise, even as other hate crimes have decreased, the proportion of anti-LGBT hate crimes has increased (Rubenstein 2003). When considering this data, it is important to keep in mind NCVS paints a much different picture of hate crime victimization, indicating that many more hate crimes occur in a given year than are reported to the police. Given the increase in the number of anti-LGB hate crimes, the problem of police non-reporting is especially troubling.

The National Coalition of Anti-Violence Programs produces an annual report based on information provided by local NCAVP member organizations across the US regarding instances hate violence (Chestnut et al. 2013). NCAVP member organizations take reports of individuals seeking services post-victimization and from community members who have witnessed these events. The NCAVP data includes hate crimes and hate violence, regardless of whether it has been reported to police. In the most recent (2015) report, 1,976 incidents were reported to NCAVP, more than are reported by law enforcement in the UCR in the most recent data release, though less than the NCVS (Waters, Jindasurat and Wolfe 2016). Despite the broadened definition of violence used by NCAVP, it has only 15 member organizations, which report data for 18 states; making it clear that UCR data is undercounted. Similar to the NCVS, the NCAPV data indicates that only 56% of incidents were reported to the police. When looking at people who went to the police, only 77% of these reports were actually taken by police (in other cases

the person was turned away), and in almost 27% of the cases reported to police, the police were hostile to the person reporting the incident (Chestnut et al. 2013). Again, this is an important indication that the UCR undercounts anti-LGBT hate crimes.

In the largest and most comprehensive survey of the experiences of transgender people in the US, the National Transgender Discrimination Survey, found that 26% of transgender people had experienced physical assault because of their gender identity, while 10% had experienced a sexual assault because of their gender identity (Grant et al. 2011b). However, these statistics likely underestimate the violence experienced by transgender people, as this is a composite of violent experiences in particular domains, including at school, work, and in public, as well as in their interactions with family, police, and social service providers. There was no question that asked generally about these experiences of violence. Again, police harassment was a major barrier to seeking assistance, with 46% being uncomfortable seeking this assistance and 22% of those interacting with police experiencing police harassment. The NCAVP findings on violence at the hands of police support these findings and also indicate that people of color, particularly transgender women of color were more likely to experience violence at the hands of police (Chestnut et al. 2013). Kuehnle (2001) found that the victim's race also impacted reporting the incident to police, with non-white Hispanic victims less likely to report the incident.

The New York Anti-Violence Project also conducted a study with the Gender Public Advocacy Coalition (GenderPAC) concerning experiences of violence and discrimination against transgender people, finding that 26.6% of respondents had experienced physical violence during their lifetime (Lombardi, Wilchins and Priesing 2001). This study also found that 55.5% of transgender people had experienced street harassment or verbal abuse in their lifetimes, 33.6% in the last year, and 17.9% in the last month.

Though the number of incidents may vary by year or due to methodological differences, what is consistent across these studies is that LGBT people, but especially transgender people, are at risk of violence in their daily lives, much of it criminal violence. Moreover, violent victimization is not the only concern for LGBT people, as many choose to forgo reporting these incidents to the police because police fail to take these crimes seriously and may further victimize the people reporting them.

Characteristics of Victims

It is important to recognize that not all LGBT people are equally at risk of experiencing hate crimes. Victim characteristics put some individuals at greater risk of experiencing violence than others. The nationally representative data from the UCR and NCVS do not go into great depth in reporting about the LGB victims of hate violence. UCR data contains surprisingly little information about the victims of criminal incidents, though we do know that gay men are the most common victims of hate crimes based on sexual orientation (Federal Bureau of Investigation 2013a). The NCVS also finds that men are more likely to be victims of hate crimes motivated by sexual orientation, and also finds that victims are more likely to be White, non-Hispanic, and age 21 or older, though the findings on age should be regarded with caution, as age was represented as only either under 21 or 21 and over (Harlow 2005).

The NCAVP reports contain demographic information about victims, also indicating disproportionate rates of victimization for particular groups (Chestnut et al. 2013). The majority of the victims were cisgender, or gender conforming, gay men; however, violence against other groups may be underrepresented due to the nature of services provided by NCAVP member

organizations, which are primarily directed toward gay men. In terms of racial composition, whites were underrepresented, while Hispanics were overrepresented in terms of victimization. Additionally, those ages 19-29 were at highest risk for violence followed by those ages 30-39, accounting for over half of all victims reported (Chestnut et al. 2013). These are factors that will be important to consider using a nationally representative data set.

Data collected nationally by NCAVP examining LGBTQ hate crimes also finds that transgender people are more likely to experience violence than their LGB counterparts (Chestnut et al. 2013). The National Transgender Discrimination Survey found that transgender people of color are more likely to live in extreme poverty, making under $10,000 per year, which also increases their likelihood to experience violence. Further, black and Hispanic transgender people are more likely to experience violence at the hands of a family member or the police than their white counterparts. Finally, transwomen experienced greater violence than transmen (Grant, Mottet, Tanis et al. 2011a; Grant et al. 2011b; Grant, Mottet, Tanis et al. 2012).

In smaller studies, researchers have investigated the victim characteristics associated with increased risk of victimization, and though these are nonprobability samples the results have implications for the present investigation (Huebner et al. 2004; Kuehnle and Sullivan 2001). Kuehnle (2001) found that victims of hate violence tended to be gay men or transwomen, and that victims were most often Hispanic. Heubner (2004) found no significant differences in the incidence of violence based on the race of the victim, but did find that being under the age of 21, versus 21 and older, was associated with increased incidence of victimization. Because both of these studies utilized small nonprobability samples, these patterns should be investigated using national level data.

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There are few studies that examine reports to the police of violence experienced by transgender people due to the fact that police report data and hate crime reporting data do not explicitly ask for information on victims' gender identity (Stotzer 2009). However, data for hate crimes in Los Angeles County does specifically examine gender identity and shows the same troubling patterns of victimization, that transwomen of color are most often victims of violence. Latina and black transwomen were the most frequent victims, 51% and 22.4% respectively, though Latina transwomen were not overrepresented based on the demographics of Los Angeles County (Stotzer 2009).

These studies point to several characteristics that put LGB and T people at increased risk of violence. The most consistent finding is that gay men and transwomen are most at risk for violence. As for other identity categories that put people at risk of violence, the results vary from study to study, with several but not all studies finding racial and ethnic minorities at greater risk for victimization. Age also has mixed results across studies, suggesting that a more detailed analysis of this effect would be an important addition to the literature on victims. Finally, income was only addressed by one study, thus further investigation of this effect is warranted. Understanding the victims of anti-LGBT hate crimes could allow law enforcement and other agencies to better respond to these types of crimes.

Characteristics of Offenders

It is also important to recognize that offender characteristics are also a factor in the commission of hate crimes. Offenders of hate crimes differ significantly from those who commit non-hate crimes, thus it is important to understand their unique characteristics (Harlow 2005).

In terms of offender demographics both the UCR and NCVS find that men commit the majority of hate crimes (Federal Bureau of Investigation 2013a; Harlow 2005). They also find that whites are more likely than other racial groups to commit hate crimes against LGB people, however; neither analyzes data regarding offender ethnicity (Federal Bureau of Investigation 2013a; Harlow 2005). In contrast, NCAVP found that black and Hispanic men were disproportionately likely to be offenders of anti-LGB violence, though they interpret these findings with caution in the case of black offenders, as the data from New York City may be an outlier. When New York City data are omitted, the findings on black offenders are no longer significant (Chestnut et al. 2013). It is also important to note that hate crimes differ from non-hate crimes, in that they are more likely to be committed by multiple offenders, and this may be an important consideration in analysis of offenders (Federal Bureau of Investigation 2013a; Harlow 2005).

Our knowledge of offender characteristics is somewhat limited by the fact that not all offenders are known to their victims, or for that matter, known to police. Despite the limited data available on offenders of anti-LGBT hate crimes, inclusion of the data we do have available is important to a comprehensive understanding of these crimes and to targeting prevention efforts.

Consequences of Victimization

The most frequently acknowledged consequences of hate crime victimization are the negative health consequences of experiencing hate violence (Herek, Sims, Wolitski et al. 2008). In terms of physical health, the injuries of victims of hate crimes are typically more serious than the victims of similar crimes not rooted in bias (Iganski and Lagou 2015). Though the physical

impacts of violent victimization, such as cuts, bruises, or broken bones are the most easily discernable, hate crimes also take a considerable mental toll on victims (Garnets, Herek and Levy 1990). In fact, the mental health consequences of hate crime victimization often last long after the physical injuries have healed, and can persist even if no physical injury occurred (Garnets et al. 1990; Iganski 2001). Because of this, the mental health effects of anti-LGBT hate violence are one of the most studied consequences of victimization.

In regard to physical injuries, the NCVS reports that hate crimes generally are becoming more violent, with the rate of violent victimization rising from 78% in 2004 to 90% in 2012 (Harlow 2005). In about 20% of hate crimes, the victim sustained some type of injury during the attack. An important caveat here is that the NCVS data discusses all hate crime victimization, not just hate crimes based on sexual orientation (Harlow 2005). In regard to anti-LGBT hate crime specifically, NCAVP data indicates that gay men are more likely to experience injuries and also more likely to require medical attention for their injuries than other victims (Chestnut et al. 2013). Additionally, NCAVP finds that LGBT people of color are at greater risk of physical violence that would require medical attention than white LGBT people (Chestnut et al. 2013). Other researchers have also noted that when injuries are sustained during anti-LGB hate crimes, the injuries are typically severe (Dean, Meyer, Robinson et al. 2000; Herek et al. 2008; Reasons and Hughson 2000). Thus, consideration of the consequences of anti-LGBT hate crimes as distinct from other hates crimes is necessary.

The psychological toll of being the victim of an anti-LGBT hate crimes is also unique in its consequences (Herek et al. 2008). In the case of anti-LGBT hate crimes, victimization is tied to a central aspect of a person's identity, but it is also victimizes the larger LGBT community. Because LGBT identities are socially stigmatized, community is incredibly important for many

LGBT people, meaning that the attack on their identity has many layers; they are targeted as an individual, attacked as a member of a community, and their community is being attacked in the process (Herek et al. 2008). Thus, being the victim of a hate crime often creates a sense of vulnerability surrounding a person's sexual or gender identity as a result of being targeted for these characteristics (Garnets et al. 1990). Moreover, LGBT people who are not out may experience secondary victimization by having their sexual orientation or gender identity disclosed as a result of the attack, which has additional negative mental health consequences (Berrill and Herek 1990).

In terms of mental health, negative effects are more common among victims of anti-LGBT hate crimes than for victims of non-hate motivated violence (Cramer, McNiel, Holley et al. 2012). Victims of anti-LGBT hate crimes experience a wide range of negative mental health outcomes, including anxiety, depression and post-traumatic stress disorder (Herek et al. 2008). Other mental health indicators associated with victimization include increased fear, low self-esteem, anger, and suicidal ideation (Clements-Nolle, Marx and Katz 2006; Cramer et al. 2012; Herek et al. 2008). In fact, for transgender people, experiences of physical violence are strong predictors of attempted suicide (Clements-Nolle et al. 2006).

Better understanding the consequences of victimization is important not only because of the detrimental physical and mental health consequences of victimization, but also because many victims do not seek help for these crimes from the police. Unfortunately, little is known about the rate of health care seeking of the victims of anti-LGBT hate crimes. However, the health care system has improved detection of and response to other types of violent victimization, for instance following intimate partner violence (Schornstein 1997). In 1989, the American Medical Association first launched its campaign to promote awareness of the issue of violence against

women, and by 1991, guidelines were in place for routine screenings in emergency rooms and primary care settings (Schornstein 1997). This campaign allowed victims non-criminal justice based options for prevention, support, and treatment (Nelson, Bougatsos and Blazina 2012). Not surprisingly, though, these efforts regarding IPV prevention have largely left out those who are non-heterosexual, transgender, abused by a same-sex partner, and/or men (Blosnich and Bossarte 2009; Coston 2011).

The lack of recognition of LGBT victims of intimate partner violence mirrors the lack of recognition and awareness of unique LGBT health concerns by the health care system more generally (Fish 2006; Grant, Mottet, Tanis et al. 2010). Troublingly, LGBT people report experiencing the same homophobia, transphobia, and discrimination at the hands of health care providers that they experience from the larger society and other social institutions, such as the justice system (Fish 2006; Grant et al. 2010). Though there has been a recent emergence of attention by public health researchers to LGBT health issues, this literature often focuses on individual health issues (such as smoking), rather than examining how health care providers can improve the quality of care for these patients (Coulter, Kenst and Bowen 2014; Mayer, Bradford, Makadon et al. 2008). Moreover, relatively little attention has been given to the health consequences of the interpersonal violence experienced by LGBT people (Ard and Makadon 2011).

Despite these barriers, LGBT victims of intimate partner violence are still more likely to seek help from a health care provider than the police (St Pierre and Senn 2010). Given the frequency of negative mental and physical health consequences associated with victimization, as well as the fact that the health care system has been a site of contact for LGBT victims of intimate partner violence despite the presence of homophobia, transphobia, and other barriers,

suggests that the health care system may be an important site of intervention for LGBT victims of other forms of violence, including anti-LGBT hate violence.

This is not meant to suggest that the health care system is an ideal alternative for lesbian, gay, bisexual, and transgender people, as they do face specific barriers in regard to accessing health care. The Institute of Medicine recently commented on the dearth of knowledge regarding the specific health needs of LGBT people and recommended increased research regarding all areas of LGBT health (Institute of Medicine 2011). The report highlights the most common problem encountered by all LGBT people: the lack of knowledge and sensitivity regarding their specific health needs (Ard and Makadon 2012; Frazer 2009; Johnson, Mimiaga and Bradford 2008; Lombardi and Bettcher 2006). These issues range from language that excludes the possibility of same-sex partnerships/relationships or gender identity on medical forms, to lack of knowledge about the needs of people having sex with same-sex partners, to lack of cultural competency regarding the specific health care needs of transgender men and women (Ard and Makadon 2012; Frazer 2009; Johnson et al. 2008). This lack of sensitivity combined with the possibility of outright discrimination keeps many from disclosing their sexual orientation and/or gender identity to health care providers (Mollon 2012). Previously, the lack of legal recognition for LGBT relationships in many states and through various employers also meant that many LGBT people lacked health care because they could be included on their partners insurance, leaving the LGBT population underinsured and lacking access to any services in the first place (Johnson et al. 2008). Though the legalization of same-sex marriage and implementation of the Affordable Care Act improved coverage, lack of insurance coverage remains a problem for many LGBT people (Gonzales and Henning-Smith 2017). These issues suggest that though the health

care system may be an alternate location in which victims of violence seek help, there are still

numerous obstacles that they face in accessing those services.

Summary of the Literature

The studies outlined above address the incidence of crimes and violence against LGBT

people, characteristics of victims and offenders, and the consequences of victimization. These

findings are the empirical foundation that this project builds upon to enhance our understanding

of anti-LGBT hate violence. While data regarding the incidence of anti-LGBT hate crimes is

important, it is also critical to explore the social factors that contribute to changes in rates of hate

crimes. This project explores those social factors by examining how LGBT rights legislation is

related to those trends. Additionally, we know that characteristics of both victims and offenders,

such as age, race, and gender, are important to understanding hate crimes, but most of the

research on these characteristics utilizes non-probability samples. Further, there are contradictory

findings across studies about the importance of these characteristics; thus, it is essential to

investigate them utilizing nationally representative data. Finally, we know that many hate crimes

are not reported to the police, but that there are serious physical and mental health consequences

of victimization. Accordingly, this project will consider victim non-reporting and whether there

are alternate points of contact, such with the medical system, with these victims. Though these

empirical studies are important, most are not theoretically informed, and a review of this

literature is also important to a comprehensive understanding of anti-LGBT hate crimes.

Theoretical Framework

Although there is a considerable amount of research regarding the incidence, characteristics, and effects of hate crimes, these studies have done little to generate or test theory. While some theories of hate violence as a general phenomenon do exist, most specific accounts consider racially or religiously motivated violence. In these general theories, there is little attention given to anti-LGB hate violence, and even less to anti-transgender hate violence (Green, Glaser and Rich 1998a; Green, McFalls and Smith 2001a; Witten and Eyler 1999). This lack of theorizing is especially concerning, given that LGBT people are disproportionally targets of hate crimes (Perry 2001; Perry 2009).

General Theories of Hate Violence

Numerous theoretical accounts for the motivations of hate violence exist, ranging from the individual psychological motivations of attackers, to sociological and economic accounts that examine how macro level social factors create a climate in which hate violence emerges (Craig 2002; Gerstenfeld 2013; Green et al. 1998a; Green et al. 2001a; Green, Strolovitch and Wong 1998b; McDevitt, Levin and Bennett 2002). Below, I outline these theories with specific attention to how they have been applied in the context of racial or religious hate crimes, as well as discussing the potential application to anti-LGBT hate crimes.

Psychological theories focus mostly on individual level factors and interactions within groups that predispose individuals to violence (Craig 2002; Gerstenfeld 2013; McDevitt et al. 2002). At the individual level, authoritarian attitudes have been linked to hate crime perpetration (Craig 2002; Gerstenfeld 2013). Specifically, an authoritarian personality type can result in a

person holding conservative ideologies, which can include biased and prejudicial attitudes toward "outsider" groups, including racial and religious minorities or LGBT people (Craig 2002; Gerstenfeld 2013). In addition to individual personality traits, psychological researchers have created a typology for understanding offender motivations, with four main types of offenders: thrill-seeking, defensive, retaliatory, and mission (McDevitt et al. 2002). Thrill-seeking helps explain why offenders of hate crimes tend to be young and also why crimes are more likely to be committed by multiple offenders. In defensive attacks, offenders target perceived outsiders in their communities, including schools, workplaces, and neighborhoods. Retaliatory violence is a reaction to a real or perceived act of violence against one's own group; for example, the rise in hate crimes against Muslim and middle-eastern people after 9/11. Finally, mission offenders a deep-seated hatred for the members of a particular group and view violence as a means of eradicating those they view as inferior. Though these are general types, there can be and often is an overlap in actual motivations for individual incidents. Likewise, in group settings, multiple types of offenders can simultaneously exist (McDevitt et al. 2002). Though these perspectives fail to account for macro-level social factors, they do demonstrate how both individual level factors and small group dynamics can impact hate violence.

As opposed to psychological theories, economic theories of violence tend to emphasize competition between groups for scarce resources; yet, findings to support this theoretical perspective are somewhat conflicting (Gerstenfeld 2013; Grant et al. 2010; Green et al. 1998b). For example, in examining one of the most economically difficult periods of time in US history, the Great Depression, there is no evidence that hate crimes (specifically in the form of lynching) increased during this period (Green et al. 1998a). In a more nuanced analysis, Gale, Heath, and Ressler (2002) found that when the black-white income gap shrinks, hate crimes increase.

However, analyses including both economic and neighborhood demographic information suggest that neighborhood integration is a much stronger predictor of hate crimes than economic inequality (Green et al. 1998b). While economic frustrations may certainly be a precipitating factor in some hate crimes (Gerstenfeld 2013), it remain unclear how economic conditions more broadly are implicated in hate crimes as a general phenomena. However, given the high rates of poverty among LGBT people and the small numbers of LGBT people, economic accounts that emphasize competition over scare resources don't seem well suited in accounting for anti-LGBT hate violence.

From a sociological perspective, hate crimes can be viewed as a means of maintaining social dominance of particular social groups, specifically, by punishing those who threaten the hegemonic social order (Perry 2001; Perry 2009). In considering the hegemonic social order, it is important to recognize that although hegemony refers to the social dominance of some groups over others, that dominance is constantly being contested (Gold 2004; Lears 1985). The dominance of these groups leads to the values, norms, and ideals of the that group gaining widespread acceptance as cultural norms, that are then imposed on other groups. However, in considering hegemony in terms of social power, it is necessary to also recognize that it is multifaceted in nature; race, class, gender, and sexuality (among others) are all implicated in creating and maintaining social hierarchies (Gold 2004; Lears 1985; Schippers 2007). Thus, white, heterosexual, upper-middle class, masculine ideals are normalized, reproduced, and used as a measure for success for everyone, not just members of those groups (Kimmel 1996). Clearly, not everyone is equally invested in or capable of achieving those ideals, which can lead to them being reinterpreted or even contested (Connell and Messerschmidt 2005). But as hegemonic ideals are adopted by the broader culture, not just members of dominant groups,

challenging them serves to challenge society's deeply held beliefs, norms, and ways of life (Lears 1985). To link this to back to hate crimes, those who threaten the social order are individuals who challenge social boundaries or attempt to redefine established social norms. Thus, violence against those individuals can be used as a means of reinforcing social boundaries (Perry 2001; Perry 2009). Of course, social norms and boundaries are always in flux, and some are more important at certain historical time periods than others. For example, during the 1950's and 1960's, the social boundaries and norms involving race relations in the US were actively being contested and changing, which resulted in the targeting of people of color, and especially African Americans (Ball 2005). Likewise, after 9/11, anti-Muslim and anti-Arab hate crimes increased significantly (Disha, Cavendish and King 2011). This project explores how social change in regard to issues sexuality and gender identity may operate in similar ways.

Theories of Anti-LGBT Hate Violence

In considering the use of violence as a means of social control that is used against LGBT people, it is important to understand how the existence of LGBT individuals challenges the hegemonic social order. Social norms surrounding gender and sexuality are rooted in the binary conception of sex and gender, and further predicated upon heteronormativity[8] (Connell 1987; Connell 2005; Currah 1996; Jackson 2006; Varela, Dhawan and Engel 2016). These conceptions assume that biological males and females are distinct from one another, and expects that those distinctions should be performed through displays of gender difference; that men should be masculine and women feminine(Butler 1999; Connell 2005; West and Zimmerman 1987).

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[8] Heteronormativity refers to the set of social beliefs that view men and women as inherently complementary, thus normalizing heterosexual relations and stigmatizing homosexuality.

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Heteronormativity takes this further, through the social expectation that, based on those

differences, men and women are necessary complements to one another in sexual relationships.

LGBT people serve as challenges to both the binary sex/gender system and heteronormativity. In

the first instance, transgender individuals directly challenge the notion that biological sex

directly corresponds to gender identity or gender presentation (Schilt and Westbrook 2009).

Further, gender-nonconforming LGB people also serve as a challenge to this system in a way

that gender-conforming LGB people do not (Glick, Gangl, Gibb et al. 2007). In considering

heteronormativity, the existence of LGBT people in general serves as a challenge to the necessity

of heterosexuality (Butler 1999; Currah 1996). This project examines two related and

quantifiable ways that LGBT people have challenged the heteronormative social order,

specifically, LGBT visibility and LGBT rights.

Visibility

Activists, scholars, policy makers, and social commentators have long argued that LGBT

visibility is directly related to the violence against LGBT people (Boxall 1993; Bronski 2007;

Califia 1981; Chestnut et al. 2013; D'Addario 2013; Griffin 1992; Karim 2011; Kimmel 1995).

In challenging the assumptions of heteronormativity, visibility is crucial, as the presence of

LGBT people in public life is what challenges existing social norms, not the private actions of

LGBT individuals (Myslik 1996). Negative forms of visibility are particularly detrimental to the

LGBT community. One of the earliest direct connections between negative visibility and

violence is Pat Califia's (1981) argument that the first widespread increase in violence against

the LGBT community took place during Anita Bryant's national campaign against protections

for LGBT people, in which LGBT people were framed as dangerous predators. Anecdotal evidence has also linked passage of state constitutional bans on same-sex marriage to incidents of violence (Healy 2004). However, it is not just negative visibility that contributes to violence against LGBT people, as all forms of LGBT visibility pose a challenge to the heteronormative social order.

Despite the popular notion that positive LGBT visibility is important for mainstream acceptance of LGBT people, Bronski (2007) argues that the relationship is more complicated, that increased acceptance is an eventual outcome of positive visibility, but that a violent backlash emerges first. This idea is supported by academics and activists arguing that the social rights advances of LGBT people are making them more vulnerable to violence (Bronski 2007; Chestnut et al. 2013; Kimmel 1995). For example, the year following the Supreme Court ruling striking down sodomy laws saw an increase in violence, and increases in violence related to the passage of same-sex marriage amendments has also been reported (Healy 2004). Though this may seem somewhat contradictory, even positive visibility represents a challenge to long held social norms, and individuals often feel deeply invested in those norms (Bronski 2000). Legal changes can be especially problematic in challenging these norms, as legal precedents often change much faster than social support for those changes (Krieger 2000). This helps explain the violence following the Supreme Court ruling, and would suggest that other legislative changes would also exacerbate problems of violence against LGBT people.

Individual LGBT people are also aware that their personal visibility may also be dangerous (Herek 1992; Herek 1995; Myslik 1996; Serano 2009). They recognize that by standing out, especially in heterosexual social spaces, they risk becoming a target of violence (Myslik 1996; Serano 2009). Thus, many LGBT people attempt to manage that risk by

downplaying their own visibility, attempting to pass as heterosexual or cisgender in public

spaces (Myslik 1996; Serano 2009). The fact that LGBT people are aware of the spaces in which

it is "safe" to be themselves and other places where they feel the need to regulate their behavior

and presentation, thus managing the perceptions of others, is a result of the heteronormative

social structure in which LGBT people live their daily lives (Myslik 1996).

These claims about social visibility have never been empirically tested, but they are

widely utilized by social activists and those who are involved in creating public policy

(D'Addario 2013). The issues surrounding individual visibility are also important to social

activists in the LGBT community (Chestnut et al. 2013). The idea that the visibility of LGBT

people both socially and individually leads to a violent backlash against members of that

community points to tensions surrounding the shifting norms around sexuality in the US. This

project seeks to empirically examine these issues by investigating how legal visibility contributes

to this backlash and how individual's identities contribute to their risk of victimization.

LGBT Legal Issues

Perhaps one of the most visible ways in which LGBT have attempted to gain social

acceptance, despite heteronormative social expectations, has been through pursuit of legal rights,

both as individuals and through the recognition of their relationships. Prior to the start of the

modern gay rights movement in the 1960's, LGBT people were largely invisible in US social

life, faced extreme social stigma, and had no legal protections (Comstock 1992). Though there

are many battles for LGBT rights that remain today, there has been a great deal of legal progress

regarding LGB(T) rights in the past few decades(Human Rights Campaign 2014a; Human Rights

Campaign 2016; Karim 2011). Most of this progress has been in terms of LGB rights, while transgender rights have seen considerably less progress in comparison (Minter 2000; Stryker 2008). Much of this is due to the lack of attention to transgender issues within the gay rights movement, which some have argued is due to homonormativity[9] within the movement (Duggan 2002; Minter 2000; Stryker 2008). Though there is no consensus within the LGBT community on which issues are most important, the most legislative progress has been made regarding hate crimes and same-sex marriage.

The recognition within the LGBT community of violence as widespread and systematic problem arose in the 1950's and 1960's; as LGBT people began organizing, they had a greater awareness of these shared experiences, and violence was sometimes a result of their organizing efforts as well (Comstock 1992). For example, a common form of state-sanctioned violence against the LGBT community to conduct raids on gay bars (Comstock 1992). However, as the gay rights movement progressed, the state slowly turned away from outright public displays of violence, and in fact began to publicly recognize the right of LGBT people to be free from violence through the enactment of hate crimes legislation. Though these laws do not directly challenge heteronormativity, they are the first acknowledgement by the government of the basic rights of LGBT people (Richardson 2000; Seidman 2001). In 1981, Oregon and Washington enacted the first state-level hate crimes legislation; however neither included protections based on sexual orientation or gender identity (Shively 2005). California in 1984, was the first to include civil protections against hate crimes based on sexual orientation, while Washington, DC in 1989 was the first to include both sexual orientation and gender identity (1989; Lewis 2013;

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[9] Homonormativity refers to an assimilationist approach to homosexuality that upholds and reinforces heteronormativity. Homonormativity fails to challenge the prevailing systems of gender and sexuality. One of the primary claims being that homosexuals and heterosexuals are ultimately striving toward the same socially proscribed heteronormative ideals, such as marriage and families.

Movement Advancement Project 2017; Shively 2005). As of 2017, 17 states and the District of Columbia have hate crime legislation that protects on the basis of both gender identity and sexual orientation; while 13 have legislation that protects on the basis of sexual orientation, but not gender identity (Movement Advancement Project 2017).

This shift has not been uniform among states, and currently, 40% of all states fail to recognize violence that targets LGBT people based on sexual orientation or gender identity as a hate crime in state legislation. Despite gaps in protection for LGBT people at the state level, there have been several important federal acts relating to hate crimes, which have expanded definitions of those crimes and eventually come to recognize LGBT people. The 1990 Hate Crimes Statistics Act mandated the reporting of hate crimes to the federal government, including the collection of data on hate violence against lesbian, gay, and bisexual individuals (Federal Bureau of Investigation 2011; Shively 2005). That act was amended by the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act in 2009, to include collection of data on hate crimes based on gender identity (Gerstenfeld 2013). The 2009 act also expanded federally protected groups for hate crimes to include sexual orientation and gender identity, expanded the definition of criminal acts that constitute hate crimes under federal guidelines, and gave the federal government jurisdiction to prosecute these cases when states cannot or will not (2009). These changes to federal law are major advances, as they provide protection for LGBT people, regardless of the laws in their state. The enactment of these laws suggests a shift from the government's protection of society from homosexuals in the 1950's and 60's to the protection of LBGT people from society, first at the state level and then nationally.

The other largest social change in terms of LGBT rights has been regarding same-sex marriage. Individual couples were legally challenging the idea that marriage was reserved for

heterosexual couples as early as the 1970's; however, the issue of same-sex marriage didn't garner national attention until the 1990's (Human Rights Campaign 2014a). In fact, the national debate around the issue was so intense that President Clinton signed the Defense of Marriage Act (DOMA) in 1996, which was designed to defend traditional marriage by stating the federal government would not recognize same-sex unions (Adam 2003; Smith 2001). In 1999, California and Vermont established domestic partnerships and civil unions, which legally recognized same-sex unions (Poirier 2008). Though many LGBT activists saw this as progress, many others recognized that the establishment of separate statuses for same-sex unions marked them as not only different, but socially and legally inferior to heterosexual marriages (Poirier 2008). In 2004, Massachusetts became the first state to allow same-sex marriages; however, in that same year, 12 other states passed constitutional amendments defining marriage as only between a man and a woman (Human Rights Campaign 2014a; Human Rights Campaign 2014c). This was largely a reactionary measure to preserve the sanctity of heterosexual marriage in those states moving forward; though DOMA already allowed them to legally discount same-sex marriages, domestic partnerships, and civil unions performed in other states (Eskridge Jr 2013).

In 2015, the Supreme Court ruling in the Obergefell v. Hodges case legalized same-sex marriage throughout the US (Gates and Brown 2015). That decision itself occurred in the midst of a rapidly changing legal landscape. For example, at the start of 2014, only 17 states and the District of Columbia recognized same-sex marriages, but by the end of the year, courts had overturned bans on same-sex marriage in 19 states, growing the number of states that had legalized same-sex marriage to 36 (Freedom to Marry 2014). Moreover, the remaining 14 states that had bans in place were all undergoing legal challenges prior to the 2015 ruling by the Supreme Court(Human Rights Campaign 2014b). Despite the potentially homonormative aims

of the marriage equality movement, it remains one of the most visible outcomes of the gay rights movement and has produced a great deal of social change in a relatively short period of time.

The recent changes in both hate crimes legislation and same-sex marriage point to a period of rapid social change, which sociologists see as contributing to a climate in which hate violence emerges. Thus, examination of recent hate crimes data in light of these social changes is timely.

Theorizing LGB and T Hate Violence

Herek (1992) argues that the increased visibility of homosexuality serves as a dual challenge to society's systems of gender and sexuality, leading to a climate in which anti-LGBT violence is acceptable. Alden and Parker (2005) analyzed this relationship by linking negative attitudes toward the morality of homosexuality among individuals using data from the 1996-2000 General Social Survey to the incidence of hate crimes at the city level from the 1994-1998 UCR. Interestingly, support for gay civil rights is also correlated with an increase in the incidence of violence (Alden and Parker 2005), which may support the idea that anti-LGB violence is a backlash against increased visibility.

Additionally, anti-LGBT hate violence specifically can be viewed as a means of repudiating homosexuality (Buijs et al. 2011; Glick et al. 2007; Kimmel 1995; Tomsen 2001). Along this vein is the belief that homosexuality is so repulsive to an individual that they may commit acts of hate violence when they encounter homosexuality. This is not out of step with theoretical perspectives on masculinity, in which some scholars have suggested that hate violence is a reaction to the symbolic threat to one's own masculinity when confronted by homosexuality

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(Buijs et al. 2011). Thus, anti-LGBT hate violence serves as a way of bolstering one's own identity. If we further extend this to make an intersectional argument, it is possible that men with marginalized identities use violence as a means of exerting control over other men (Tomsen 2001). As homosexuality (and transgender identity) are so drastically marginalized in our society, these would be groups that men generally, but especially marginalized men, would act out against when their masculinity is threatened.

Finally, anti-transgender hate violence can be viewed as a form of gender-based and sexual violence (Buijs et al. 2011; Witten and Eyler 1999). On the one hand, violence against transwomen is a way of maintaining men's social dominance over women. Additionally, given frequent conflation of gender and sexuality, transwomen are frequently and wrongly perceived to be gay men (Serano 2009).

Linking Theory and Data

As is evidenced by the literature review above, perhaps the largest problem in the literature on anti-LGBT hate crimes is how disjointed the empirical and theoretical work is (DeKeseredy and Perry 2006; Perry 2003). Most empirical work doesn't incorporate or build on theory, and likewise, most theoretical accounts haven't been empirically validated. This project seeks to join the two, providing a theoretically informed empirical account of anti-LGBT hate crimes in the US.

First, this project tests the theory that all forms of visibility lead to a violent negative backlash against LGBT people (Bronski 2000) by examining the impact of state-level LGBT civil rights legislation on anti-LGB hate crimes. The backlash hypothesis suggests that we would

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see increases in state level rates of hate crimes regardless of the type of legislation that is passed, as both negative and positive visibility are theorized to produce immediate negative consequences (Bronski 2000). It is important to examine this empirically, as the decision to pursue (or delay pursuing) additional rights for LGBT people often hinges on this argument (Healy 2004).

The examination of perpetration and victimization is also theoretically informed. Theory suggests that anti-LGBT hate crimes can be used to repudiate homosexuality, bolstering one's sense of masculine identity (Buijs et al. 2011; Tomsen 2001). While it is true that men commit the majority of hate crimes, theoretically, we should also expect to find that anti-LGBT hate crimes committed by men are more serious than those committed by women. Likewise, we would expect to find that racial or ethnic minorities use greater levels of violence, as use of violence may be a means of compensating for the fact that the hegemonic ideal of masculinity is a white masculinity (and, in turn, doesn't apply to men of color) (Buijs et al. 2011; Tomsen 2001). In terms of victimization, we would also expect that some victims would be more threatening to social norms and masculine ideals than others. Specifically, in discussing the threat that is posed by particular victims, trans people would be most threatening, followed by gay men, with lesbians being the least threatening; thus, we would expect more serious crimes directed against those who are more threatening.

However, examining the help-seeking behaviors of victims is largely exploratory. While we know that, empirically, many victims do not seek help from police (Ahmed and Jindasurat 2015; Harlow 2005), we also know that there are often serious physical and mental health consequences of victimization (Herek et al. 2008). While the same homophobia and transphobia that prevent LGBT victims from seeking help from police often keeps LGBT people from

seeking healthcare generally, the negative physical and mental health consequences of hate crime

victimization may make it an unavoidable necessity (St Pierre and Senn 2010). What's more,

some preliminary research indicates that emergency rooms are points of contact between

healthcare providers and LGBT victims of intimate partner violence (Schornstein 1997; St Pierre

and Senn 2010). As such, this project explores whether the same is true for victims of anti-LGB

hate crimes, as relatively little is known about victims' help-seeking behaviors.

Synopsis of Chapters

This section provides a conceptual roadmap of the chapters that follow. Moving first

from the social causes of anti-LGBT hate crimes, to the factors that impact perpetration and

victimization, and ending with an examination of the consequences of violence through the help

seeking behaviors of victims.

Chapter two addresses the research question, is the enactment of state LGBT civil rights

legislation related to anti-LGB hate crimes? Specifically, this research examines the influence of

bans to same sex marriage, legalization of same sex marriage, civil unions legislation, bias crime

legislation based on sexual orientation, and bias crime legislation based on gender identity, on

rates of anti-LGB hate crimes. Legal advances and restrictions both contribute to LGBT visibility

in public life, whether positive or negative. However, both serve as a challenge to the

heteronormative social structure of society. While many have argued that social visibility

contributes to a violent backlash against LGBT people, there are no empirical tests of that

hypothesis. In order to empirically examine this, a fixed effects regression model is used to

estimate the effects both state and national level LGBT rights legislation on state level rates of

anti-LGB hate crimes. Data for this analysis comes from the Uniform Crime Reports from 1996 to 2014 and is supplemented with LGBT civil rights data and state-level demographic information. The results of this analysis indicate that the enactment of same-sex marriage bans are associated with higher rates of anti-LGB hate crimes; while passage of same-sex marriage legislation is associated with reduced rates of anti-LGB hate crimes. Other types of LGBT rights legislation analyzed in this investigation had no effect on state-level rates of hate crimes. National level effects that reduced state-level rates of anti-LGB hate crimes were also present.

Chapter three builds on previous studies that indicate that crime victimization is often linked to characteristics of both victims and offenders by examining the effects of victim and perpetrator characteristics; specifically, age, race, and number of offenders, on the seriousness of anti-lesbian, gay, bisexual (LGB) and anti-transgender (T) hate crime incidents. Previous studies find that gay men and transwomen are most frequently victims of hate violence; however there have been no quantitative comparative analyses examining differences in the seriousness of these incidents. Additionally, there are limited and contradictory findings regarding characteristics of perpetrators, such as the effects of race, that contribute to anti-LGB(T) hate crime offending. This analysis uses a series of Chi-square tests to examine the importance of the characteristics of victims and offenders using data from the 2003- 2013 National Crime Victimization Survey (NCVS), and a partial proportional odds model for data from the 2012 Uniform Crime Report Hate Crime Data (UCR) to examine differences in seriousness among LGB and T victims. This study confirms previous studies that race and number of offenders are an important consideration in anti-LGB(T) hate crimes, even when adding the dimension of seriousness, but also finds that characteristics such as victims' sex or gender identity may not impact victimization in the ways suggested by previous studies when we take seriousness into account. Specifically, when more

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offenders are present, anti-LGBT hate crimes are more serious in nature. Interestingly, the importance of the race of offenders in regard to the seriousness of hate crimes is largely impacted by whether the data is self-report data or police data. However, there are no significant differences in the seriousness of hate crimes committed against lesbian, gay, or transgender victims.

Chapter four examines victim and incident characteristics that contribute to non-reporting, as more than half of all victims do not report incidents of anti-LGB violence to police. Specifically, victim's sex and race, number of offenders, and offender race. Additionally, this paper examines whether victims are seeking help in alternate locations, such as the health care system—a likely location given the propensity for these crimes to result in injury to the victim. For this analysis, victim's sex, race and income are examined while controlling for seriousness of the crime and number of offenders present. The analysis uses binary logistic regression to examine three separate outcomes, whether victims of anti-LGB hate crimes reported the incident to the police, whether victims sought medical care, and whether they sought any form of help. The importance of victims and incident characteristics that influence these outcomes is examined using data from the 2003- 2013 National Crime Victimization Survey (NCVS). This study confirms previous findings, that over half of all anti-LGB hate crimes are not reported to the police, but also finds that race of the offender is a significant factor in reporting, with incidents committed by nonwhite offenders being reported to the police more frequently. In terms of health care seeking behaviors, more serious crimes are more likely to result in seeking healthcare. Additionally, health care seeking among victims of anti-LGB hate crimes has declined over time. Finally, in considering whether any help was sought, incidents involving nonwhite victims are more likely to result in some type of help seeking after the incident, as are

incidents involving nonwhite offenders. As expected, more serious incidents are also more likely to result in some type of help seeking.

Finally, chapter five synthesizes the findings from chapters two, three, and four while discussing them in relation to the literature on anti-LGBT hate crimes more broadly. In particular, it discusses how these analyses add to currently existing theoretical accounts of hate violence utilizing empirical evidence. The practical implications of these findings will also be discussed, specifically as they relate to future data collection and provision of services to victims. Finally, the limitations of this project and the directions for future research on anti-LGBT hate crimes are discussed.

Chapter 2: LGBT Rights and their Impact on Anti-LGB Hate Crime

In the last several decades, there have been numerous changes in the legal rights of

lesbian, gay, bisexual and transgender[10] (LGBT) people in the US (Gerstenfeld 2013; Josephson

2016). Some of these have been restrictions to legal rights, such the enactment of the Defense of

Marriage Act, while others have conferred rights, as with the legalization of same-sex marriage

(Josephson 2016). Though these changes have been both positive and negative, the effect has

been to increase the visibility of LGBT people in the US (Bronski 2000; Bronski, Pellegrini and

Amico 2013). During the same time period in which these rights have been contested, the

proportion of hate crimes against LGB[11] individuals has increased, making LGB people more

likely to be victims of bias related crimes that any other group (Sandholtz et al. 2013). While this

may seem counterintuitive, activists, scholars, policy makers, and social commentators have long

argued that such policy decisions, whether positive or negative, result in a violent backlash

against LGBT people (Boxall 1993; Bronski 2007; Califia 1981; D'Addario 2013; Griffin 1992;

Karim 2011; Kimmel 1995; Waters et al. 2016). However, these assertions rely on anecdotal

evidence related to individual hate crimes, rather than analysis of large-scale trends in these

crimes. Given that this theory about a violent backlash is often cited as a reason for slow and

incremental progress concerning LGBT rights, it is especially important to evaluate these claims

(Keck 2009).

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[10] "Transgender" refers to a gender identity that does not match the sex assigned to a person at birth. For instance, at birth a person assigned a biological sex of male or female and from that, usually develops a matching gender identity: man for male, and woman for female. Those who are transgender do not feel this alignment of their biological sex and gender identity; for example, person assigned as biologically male at birth identifies as a woman.

[11] Here, only LGB hate crimes are referenced, as national data collection for anti-transgender hate crimes did not begin until 2012. Throughout this paper, LGB and LGBT refer to instances in which transgender individuals are either excluded from or included in the data, study, or theory discussed.

While there is a great deal of theorizing about and research on the motivations, incidence, and effects of hate violence as a general phenomena, particularly on racially and religiously motivated hate violence, there is a surprising lack of theory and research regarding anti-LGBT hate violence specifically (Perry 2012). Broadly, hate crimes serve as a means of maintaining social dominance of particular social groups by punishing those who threaten the hegemonic social order (DeKeseredy and Perry 2006; Perry 2001; Perry 2009). Those individuals who are most threatening to that social order are those who challenge boundaries or who attempt to redefine established social norms. In considering the recent advances in LGBT civil rights, boundaries and norms surrounding traditional systems of gender and sexuality are actively being contested; thus, anti-LGBT hate crimes can be viewed as a means of reinforcing those traditional systems, punishing those who deviate from traditional notions of heterosexual masculinity or femininity (Buijs et al. 2011; Herek 1992; Perry 2001).

Given the lack of theoretical exploration of LGBT hate crimes combined with the overrepresentation of LGBT people as victims of these crimes, the scarcity of scholarship in this area is troubling. Despite the increasing volume of data being collected on hate crimes and the claims that increased visibility of LGBT people in the US results in a violent backlash against them, there are no studies testing whether any forms of increased visibility actually contribute to the incidence of LGBT hate crimes. There is also limited research into the social causes of these crimes (DeKeseredy and Perry 2006; Perry 2001); for example, how public policy may impact rates of victimization. This paper adds to the literature on anti-LGBT hate crimes by empirically examining how LGBT civil rights legislation is related to changes in rates of anti-LGB hate crimes. Both positive and negative forms of visibility are considered through inclusion of both state and national level hate crimes legislation, enactment of same-sex marriage laws, and bans

on same-sex marriage in the analysis. The primary data for this analysis are drawn from state-level UCR data from 1996 to 2014 and supplemented with data on LGBT rights legislation and state level demographics. This study expands our current understanding of hate crime victimization by quantitatively examining the social contexts in which hate violence occurs, specifically by exploring how LGBT legal visibility is related to hate crimes against LGBT individuals.

Review of the Literature

Theories of anti-LGBT hate violence

While there are some theoretical accounts of hate violence as a general phenomenon, most specific theorizing is regarding racial or religious hate crimes. There is little consideration given specifically to anti-LGB violence in the broader literature on hate crimes, and even less to anti-transgender hate crimes (Green et al. 1998a; Green et al. 2001a; Witten and Eyler 1999). Given the proportion of hate crimes that are directed against LGBT people, the lack of theorizing is especially concerning (Perry 2001; Perry 2009). Finally, despite the data we do have on anti-LGB hate crimes, theoretical and empirical work remains largely separate from one another, with empirical analyses being largely descriptive, rather than utilized to test theory (Perry 2003).

In terms of social control, we can consider hate crimes as a means of reinforcing the hegemonic social order, specifically by punishing those who challenge it (Perry 2001; Perry 2009). Individuals who challenge social boundaries or attempt to redefine established social norms are most threatening to the hegemonic social order. Thus, the use of violence against those individuals serves as a means of reinforcing social boundaries (Perry 2001; Perry 2009). Of

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course, some boundaries are more important at certain historical time periods than others. For example, during the civil rights movement of the 1950's and 1960's, there was a great deal of change surrounding race relations in the US, these changes were met with a great deal of organized hate violence directed at people of color, and particularly African Americans (Ball 2005). Though the LGBT rights movement has had some involvement with US politics since the 1950's, the attention to same-sex marriage in the 1990's moved LGBT civil rights issues firmly into the national spotlight, generating a great deal of public debate about the place of LGBT people in US society (Ball 2016). As such, the social boundaries surrounding LGBT people have been and are being actively contested.

Though the use of violence as social control against LGBT people remains under theorized, the existence of LGBT individuals does serve as a challenge to the hegemonic social order, which is both rooted in the binary conception of sex and gender, and further predicated upon heteronormativity[12] (Connell 1987; Connell 2005; Currah 1996; Jackson 2006; Varela et al. 2016). These binary conceptions of sex and gender rest upon the assumption that biological males and females are distinct from one another, and moreover, expects this biological distinction to be manifested in the performance of gender identities as well; men should be masculine and women feminine (Butler 1999; Connell 2005). Heteronormativity takes this distinction a step further, that because men and women are so different, they are therefore necessary complements to one another in sexual relationships. LGBT people serve as challenges to both the binary sex/ gender system and heteronormativity. In the first instance, transgender individuals directly challenge the notion that biological sex directly corresponds to gender identity or gender presentation (Schilt and Westbrook 2009). In considering heteronormativity,

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[12] Heteronormativity refers to the set of social beliefs that view men and women as inherently complementary, thus normalizing heterosexual relations and stigmatizing homosexuality.

the existence of LGBT people in general serves as a challenge to the necessity of heterosexuality (Butler 1999; Currah 1996). In examining the hegemony of the heteronormative social order, it is important to investigate two related areas, LGBT rights and LGBT visibility, as these both challenge the existing social order in different ways.

LGBT Rights

One of the main ways in which LGBT people have attempted to normalize their identities in the face of these heteronormative social expectations has been to seek legal recognition, both as individuals and through recognition of their relationships. The landscape for LGB rights has changed dramatically since the gay rights movement began in the 1960's. Prior to the gay rights movement, LGB people were largely invisible in US social life, faced extreme social stigma, and had no legal protections. Though there are still numerous ongoing legal battles surrounding LGBT rights, there has been a great deal of legal progress regarding LGB rights (Human Rights Campaign 2014a; Human Rights Campaign 2016; Karim 2011). While there has been legal progress for transgender rights as well, this progress has been significantly slower, and the gay rights movement has also been criticized for its lack of attention to transgender issues, which some have argued is due to homonormativity[13] in the LGB rights movement (Duggan 2002; Minter 2000; Stryker 2008). Though LGBT people in general may not agree on which issues are most important, the most progress, at both the national and state levels, has been in the areas of hate crimes and same-sex marriage legislation. As such, this project uses changes in legislation

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[13] Homonormativity refers to an assimilationist approach to homosexuality that upholds and reinforces heteronormativity. Homonormativity fails to challenge the prevailing systems of gender and sexuality. One of the primary claims being that homosexuals and heterosexuals are ultimately striving toward the same socially proscribed heteronormative ideals, such as marriage and families.

regarding criminal penalty enhancement for bias motivated attacks based on sexual orientation and gender identity, legalization of civil unions or domestic partnerships, legalization of same-sex marriage, and legislation banning same-sex marriages to investigate how policy changes impact rates of hate crime victimization.

Although violence against LGBT people has occurred sporadically throughout US history, widespread recognition of systematic violence against the LGBT community began in the 1950's and 1960's when the LGBT community began organizing to a greater degree (Comstock 1992). In these early years, some of the violence was specifically sanctioned by local governments in the form of raids on gay bars to eliminate the threat of homosexuality (Comstock 1992). However, as recognition of the problem of violence directed at particular social groups grew, governments gradually moved away from policies that persecuted these groups and moved toward policies providing them with specific legal protections, eventually enacting hate crimes legislation. Though these laws do not directly challenge heteronormativity, they are the first acknowledgement by the government of the basic rights of LGBT people (Richardson 2000; Seidman 2001). In 1981, Oregon and Washington were the first to enact hate crimes legislation; however neither included protections based on sexual orientation or gender identity (Shively 2005). California, in 1984, was the first to include civil protections against hate crimes based on sexual orientation, while Washington, DC, in 1989, was the first to include both sexual orientation and gender identity (1989; Lewis 2013; Movement Advancement Project 2017; Shively 2005). As of 2016, 16 states and the District of Columbia have hate crime legislation that protects on the basis of both gender identity and sexual orientation; while 14 have legislation that protects on the basis of sexual orientation, but not gender identity(Human Rights Campaign 2016; Movement Advancement Project 2017).

This shift has not been uniform among states, moreover, the recognition of hate crimes as a specific class of crimes against LGB and T people is still unacknowledged by some states. Despite gaps in protection for LGBT people at the state level, there have been several important federal acts that relate to hate crimes. In 1990, the Hate Crimes Statistics Act was passed, which mandated the reporting of hate crimes to the federal government (Shively 2005). While this did not relate to the sentencing of offenders who commit hate crimes, the legislation did include the collection of data on hate violence against lesbian, gay, and bisexual individuals (Federal Bureau of Investigation 2011; Shively 2005). The Hate Crimes Statistics Act was amended by the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act in 2009, to include collection of data on hate crimes based on gender identity (Gerstenfeld 2013). Federally protected groups for hate crimes were expanded to include sexual orientation and gender identity, criminal acts were included under these new provisions, and the federal government was given jurisdiction to prosecute these cases (2009). These changes to federal law are major advances, as they provide protection for LGBT people, regardless of the laws in their state. The enactment of these laws suggests a shift from the government's protection of society from homosexuals in the 1950's and 60's to the protection of LBGT people from society, first at the state level and then nationally.

The other largest social change in terms of LGBT rights has been regarding same-sex marriage. Again, the struggle for recognition for same-sex marriage is not without contest, as marriage itself is rooted in heteronormative ideals (Duggan 2002). Though the legal battles for recognition of same-sex marriage began in the 1970's, it was not until the 1990's that the issue reached the national spotlight (Human Rights Campaign 2014a). In fact, the national debate around the issue was so intense that President Clinton signed the Defense of Marriage Act (DOMA) in 1996, which was designed to defend "traditional" marriage by stating the federal

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government would not recognize same-sex unions (Adam 2003; Smith 2001). In 1999, both California an Vermont established statutes to legally recognize same-sex couples through domestic partnerships and civil unions, which distinguish same-sex unions as different and inferior to traditional marriages, despite being a major legal advance at that point in time (Poirier 2008). Same-sex marriage was not recognized in any state until 2004, when Massachusetts began allowing same-sex marriages (Human Rights Campaign 2014a). That same year, 12 other states passed constitutional amendments defining marriage as only between a man and a woman (Human Rights Campaign 2014c). This was largely a reactionary measure to preserve the sanctity of heterosexual marriage in those states, allowing them to legally discount same-sex marriages, domestic partnerships, and civil unions performed in other states (Eskridge Jr 2013).

Marriage equality made very little progress in the years following, and by 2010, only four more states had legalized same-sex marriages (Human Rights Campaign 2016). By January of 2014, 10 years after Massachusetts legalized same-sex marriage, only 15 states and the District of Columbia recognized same-sex marriages. Over the course of 2014, 18 states had their marriage bans overturned in the courts, though appeals to those bans led to delays in implementing same-sex marriages in some of those states (2015). In 2015, the Obergefell v. Hodges decision by the Supreme Court legalized same-sex marriage throughout the US (2015). Though the approach to marriage rights is arguably homonormative, the recognition of same-sex couples as legal equals to opposite-sex couples directly challenges the superiority of heterosexuality, one of the two pillars of our heteronormative social structure.

These changes in both hate crimes legislation and in same-sex marriage point to a period of rapid social change, where norms and beliefs surrounding gender and sexuality are being contested, a period which sociologists see as contributing to a climate in which hate violence

emerges. Thus, examination of hate crimes data in light of these social changes is timely. This study adds to our theoretical understanding of anti-LGB hate crimes by examining whether changes to LGBT rights contribute to an increased incidence of hate crimes against them.

Visibility

Activists, scholars, policy makers, and social commentators have long argued that LGBT visibility is directly related to the violence against LGBT people (Boxall 1993; Bronski 2007; Califia 1981; D'Addario 2013; Griffin 1992; Karim 2011; Kimmel 1995; Waters et al. 2016). Visibility is crucial to the argument that LGBT is threatening to hegemonic social order, as it is the presence of LGBT people in public life, not their private actions, that challenge the assumptions of heteronormativity (Myslik 1996). A negative awareness of the LGBT community is particularly detrimental. Pat Califia (1981) argues that when Anita Bryant's campaign against protections for LGBT people went national, this was, perhaps, the first time we saw a major increase in violence against the LGBT community; however, there are no statistics to support this claim, as data on anti-LGB hate crimes was not widely collected until more than a decade later. The passage of state constitutional bans on same-sex marriage have also been linked to incidents of violence, though only anecdotally (Healy 2004). However, it is not just negative visibility that contributes to violence against LGBT people, as any visibility of LGBT people challenges the dominance of heterosexuality.

Despite the popular notion that positive LGBT visibility is important for mainstream acceptance of LGBT people, Bronski (2007) contends that the relationship is more complicated, that increased acceptance is an eventual outcome of positive visibility, but that a violent backlash

emerges first. In fact, both academics and activists argue that the social rights advances of LGBT people are making them more vulnerable to violence (Bronski 2007; Kimmel 1995; Waters et al. 2016). The year following the supreme court ruling striking down sodomy laws saw an increase in violence, and increases in violence related to the passage of same-sex marriage amendments have also been reported in some states (Healy 2004); however, these are anecdotal accounts, and it is unclear whether they are part of a larger trend. Though this may seem somewhat contradictory, even positive visibility represents a challenge to long held social norms, and individuals often feel deeply invested in these norms (Bronski 2000). Legal changes can be especially problematic in challenging norms and long held beliefs, as legal precedents often change much faster than social support for those changes (Krieger 2000).

Though the claims about LGBT visibility creating a violent backlash against LGBT people have never been academically substantiated, they are widely utilized by social activists and those who are involved in public policy (D'Addario 2013). In fact, the potential negative consequences of pursuing additional civil rights protections for LGBT people is a commonly cited a reason for maintaining the status quo (Ball 2005). This project seeks to empirically examine these issues by investigating if and how legal visibility contributes to a violent backlash against LGB people.

Data and Methods

This research is an empirical examination of the assertion made by scholars, activists and policy makers that increased visibility, specifically in the form of major LGBT-rights related legislation, accounts for the rise in anti-LGB hate violence. The primary data for this analysis

will be drawn from state-level 1996-2014 Uniform Crime Report (UCR) Hate Crimes data was

supplemented with data collected by the author and an undergraduate assistant on LGBT civil

rights legislation and state-level demographic information, as described in the section that

follow.[14]

Data

The UCR collects data on criminal incidents occurring within states in the US, as well as

the District of Columbia (Federal Bureau of Investigation 2005). UCR data is submitted monthly

by participating law enforcement agencies in each state to the Federal Bureau of Investigation

(FBI) and is intended to be a national representation of crime, with individual crimes as the basic

unit of analysis. In 1996, the UCR began collecting and reporting data regarding bias motivation

for crimes reported (Federal Bureau of Investigation 2005). UCR is panel data, and is the most

comprehensive data available that captures the incidence of anti-LGB hate crimes at the state

level, which is necessary for inclusion of state-level LGBT rights legislation. In 2014, 97.7% of

the US population was represented by UCR data (Federal Bureau of Invesitgation 2015). As

UCR data is voluntarily submitted, some states have failed to report data in some years.

However, state-year data on anti-LGB hate crimes was available for 92% of all possible state-

years in the period under investigation.

The second source of data used in addressing this research question is LGBT civil rights

data collected by the author and an undergraduate research assistant. Legislation pertaining to the

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[14] Unfortunately, the incidence of anti-transgender, as opposed to LGB, hate crimes are only captured beginning in the 2012 UCR data collection. Because of the limited data on anti-transgender hate crimes, these crimes cannot be included in addressing this research question.

civil rights of LGBT people was collected for all 50 states. Initial data concerning the year of

enactment of legislation was drawn from the Human Rights Campaign's (HRC) maps of

statewide laws and policies regarding the legal protections (or restrictions, in the case of

marriage) pertaining to LGBT individuals (Human Rights Campaign 2014a; Human Rights

Campaign 2014c; Human Rights Campaign 2016). An undergraduate research assistant and I

verified the initial data from HRC using FindLaw.com to identify the statute and date of

enactment for each of these items. Additionally, we traced the statute history to find revisions, as

the original statute may have included only sexual orientation, but gender identity was included

in later revisions. Tracing the revision history allowed us to identify the correct year for these

events, as criminal penalty enhancements for sexual orientation and gender identity are separate

variables, coded as dummies (present or not present) for each state-year.

Finally, variables for state level demographic information were appended to the UCR and

civil rights data. Control variables for state level demographic were drawn from a number of

sources, as follows: the per capita rate of crime from annual Crime in the United States reports,

per capita income from the Bureau of Economic Analysis, unemployment rate from the Bureau

of Labor Statistics, and percent of population living in poverty from annual Poverty in the United

States reports (Gale, Heath and Ressler 2002; Nolan, Akiyama and Berhanu 2002).

Dependent Variable

The natural log of the annual incidence of anti-LGB hate crimes per capita in each state

per year will be used, as the per capita incidence accounts for differences in the population

covered by the number of jurisdictions and law enforcement agencies reporting in each year of

data (Gale et al. 2002). Annual per capita hate crime rates were calculated by dividing the

number of hate crimes reported by law enforcement in the state by the population covered by

those reporting agencies and multiplying this figure by 100,000. The natural logarithm of this

number was used in final analyses to address the right skewedness of the dependent variable, as

is common when using crime rates and is consistent with other studies of rates of criminal

behavior (Gale et al. 2002; Kepple and Freisthler 2012; Kovandzic, Vieraitis and Boots 2009;

Morris, TenEyck, Barnes et al. 2014).

Independent Variables

The time-varying variables related to each individual state include the year of passage for

each of the following types of legislation: criminal penalty enhancement for bias motivated

attacks based on sexual orientation, criminal penalty enhancement for bias motivated attacks

based on gender identity, legalization of civil unions (or domestic partnerships), legalization of

same-sex marriage, and legislation banning same-sex marriages.[15] All LGBT civil rights

variables were coded as dummy variables for the state-year. Both gains and restrictions to LGBT

rights are included as both are theoretically linked to anti-LGBT hate violence (Bronski 2000;

Bronski 2007). Time-varying control variables for the per capita rate of crime, per capita income,

unemployment rate, and percent of population living in poverty are also included for each state-

year, as these factors may impact overall rates of hate crimes (Gale et al. 2002; Nolan et al.

2002).

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[15] The year variables from the civil rights data set collected by the author were appended to the UCR data by state, as were all control variables.

In order to avoid model misspecification, the model contains two additional control variables. Inclusion of fixed-effects for year is used to capture effects that take place in each year that can't be captured by other variables. For example, some LGBT rights legislation has been at the national level that are not reflected in the state-level time-varying variables (Morris et al. 2014). This does not only account for national legislation, but any events occurring in a given year that have an impact across states. Finally, a one-year lag of the dependent variable was introduced, which accounts for the possibility that hate crimes in one year impact hate crimes in the following year (Keele and Kelly 2006; King and Sutton 2013).

Analysis

Fixed effects models are typically used to analyze panel data in which sets of units, such as states, are being investigated and the independent variables of interest vary over time (Allison 2009; Morris et al. 2014). The fixed-effects model ignores variation between states, analyzing only changes occurring within each state over time. Thus, a fixed effects model can account for the variation within each state surrounding the passage of LGBT rights legislation. As this analysis is primarily interested in looking at within-state variation over time, this model is most theoretically appropriate. The choice of a fixed effects model was also confirmed as preferable to a random effects model, which includes between state variation by using a Robust Hausman test to ensure that the fixed effects model was more efficient (Cameron 2007).

The dependent variable, the natural log of anti-LGB hate crime rates, followed an approximately normal distribution and is a continuous variable, thus, an ordinary least squares effects model was utilized to examine the relationship between LGBT rights legislation and anti-

LGB hate crimes. Fixed effects coefficients are susceptible to bias in the presence of autocorrelation and heteroskedacicity (Drukker 2003; Wooldridge 2010), and tests for both of these were conducted. While autocorrelation was not a problem, heteroskedacicity was present in the data; therefore robust standard errors with clustering by state were utilized to reduce bias in the standard errors (Wooldridge 2010). The data was examined for outliers and influential cases; however, exclusion of outlying cases did not impact the significance of results, or the magnitude or directions of coefficients, thus these cases were retained in the final model. Finally, multicollinearity diagnostics were performed by including state and year dummies in an OLS model and assessing variance inflation factors, as including these approximates a fixed effects model (Torres-Reyna 2007). Multicollinearity was present due to the strong correlation between violent crime and poverty; however removing this variable did not alter the main findings or largely impact standard errors, and as a theoretically important control variable, was retained in the final model.

Results

The descriptive statistics for all variables used in subsequent analyses are presented in Table 1. The overall means, standard deviations, minimums, and maximums includes all state-years of data, while the between groups descriptive statistics examine differences between states over time, and within group descriptive statistics represents changes within states over time. T-bar indicates the number of years a variable was observed. State-year rates of hate crimes motivated by sexual orientation were missing for cases in which no agencies reported data in a given year. Additionally, the inclusion of 1-year lag results in the exclusion of data from 1996

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and some cases in which data was not available for all years, this leaves 799 observations that are included in subsequent analyses.

The results of the ordinary least squares fixed effects regression model examining the factors that influence changes in yearly state level hate crime rates are presented in Table 2. The full model was significant, $F(27,49) = 8.29$, p < .001, with an overall $R^2 = .56$. In regard to LGBT civil rights, both enactment of bans to same-sex marriage and same-sex marriage legalization are significant predictor of changes in hate crimes motivated by sexual orientation (p <.05), such that passage of state-level bans increase the incidence of anti-LGB hate crimes in a state; while same-sex marriage being legalized decreases the incidence of anti-LGB hate crimes in a state. In regard to the control variables, income is also a significant predictor of state-level rates of hate crimes. The positive coefficient for income indicates that increases in annual income in a state are associated with an increased incidence of anti-LGB hate crimes. Additionally, the 1-year lag of state-level rates of hate crimes is significant, (p <.01), indicating that rates of anti-LGB hate crimes are a strong predictor of state-level hate crime rates in the following year. Finally, there are significant effects that impact state-level rates of hate crimes for the years 2005 (p < .05), 2010 (p < .05), 2011 (p < .05), 2013 (p < .05), and 2014 (p < .01). In all of these instances, yearly effects resulted in overall reductions to state-level rates of hate crimes.

Table 1. Descriptive Statistics

Variable		Mean	Std. Dev.	Min	Max	Observations	
Rate of Bias Crimes Motivated by Sexual Orientation (Natural Log)	overall	-0.91	0.94	-4.84	2.01	N	799.00
	between		0.75	-2.84	1.14	n	50.00
	within		0.58	-3.39	1.75	T-bar	15.98
Same Sex Marriage Legal	overall	0.10	0.30	0.00	1.00	N	826.00
	between		0.13	0.00	0.61	n	50.00
	within		0.27	-0.51	1.04	T-bar	16.52
Same Sex Marriage Ban	overall	0.35	0.48	0.00	1.00	N	826.00
	between		0.32	0.00	1.00	n	50.00
	within		0.37	-0.58	1.19	T-bar	16.52
Legal Status Similar to Marriage	overall	0.11	0.32	0.00	1.00	N	826.00
	between		0.19	0.00	0.61	n	50.00
	within		0.25	-0.50	1.00	T-bar	16.52
Criminal Penalty Enhancement (Sexual Orientation)	overall	0.52	0.50	0.00	1.00	N	826.00
	between		0.43	0.00	1.00	n	50.00
	within		0.28	-0.37	1.40	T-bar	16.52
Criminal Penalty Enhancement (Gender Identity)	overall	0.16	0.36	0.00	1.00	N	826.00
	between		0.29	0.00	1.00	n	50.00
	within		0.21	-0.78	1.05	T-bar	16.52
Violent Crime Rate	overall	432.20	233.61	78.20	2024.20	N	826.00
	between		222.99	117.48	1463.97	n	50.00
	within		71.08	169.03	992.43	T-bar	16.52
Annual Income	overall	36078.31	8506.12	19514.00	69838.00	N	826.00
	between		5703.96	28234.18	55711.47	n	50.00
	within		6336.76	15962.84	51220.01	T-bar	16.52
Unemployment Rate	overall	0.06	0.02	0.02	0.14	N	826.00
	between		0.01	0.03	0.09	n	50.00
	within		0.02	0.02	0.12	T-bar	16.52
Poverty Rate	overall	0.13	0.03	0.05	0.23	N	826.00
	between		0.03	0.07	0.20	n	50.00
	within		0.02	0.08	0.18	T-bar	16.52

Table 2. OLS Fixed Effects Estimates of LGBT Civil Rights on Rates of Anti-LGB Hate Crimes

	Coefficient	Standard Error	p
Same Sex Marriage Legalized	-0.18	0.08	0.029*
Same Sex Marriage Ban	0.17	0.08	0.05*
Legal Status Similar to Marriage	0.07	0.10	0.51
Criminal Penalty Enhancement (Sexual Orientation Bias)	-0.11	0.13	0.43
Criminal Penalty Enhancement (Gender Identity Bias)	0.04	0.10	0.73
Violent Crime Rate	0.00	0.00	0.69
Annual Income	0.00	0.00	0.05*
Unemployment Rate	-0.22	2.96	0.94
Poverty Rate	0.54	1.97	0.78
1 Year Lag of State-Level Hate Crime Rate	0.38	0.08	.00**
Year Variables:			
1997			
1998	-0.05	0.15	0.76
1999	-0.21	0.17	0.22
2000	-0.13	0.19	0.50
2001	-0.17	0.21	0.42
2002	-0.35	0.20	0.09
2003	-0.23	0.23	0.32
2004	-0.38	0.25	0.13
2005	-0.63	0.27	0.03*
2006	-0.48	0.33	0.15
2007	-0.62	0.35	0.08
2008	-0.65	0.37	0.08
2009	-0.65	0.34	0.06
2010	-0.71	0.34	0.04*
2011	-0.86	0.40	0.04*
2012	-0.87	0.44	0.06
2013	-0.90	0.44	0.05*
2014	-1.22	0.47	0.01**
R-square within	0.21		
R-square between	0.85		
R-square overall	0.56		
F(27,49)	8.29		
p	<.001		

* p > .05, ** p >.01

Discussion

These findings contradict the theory that all forms of LGBT visibility result in a violent backlash against LGB(T) people. While the legal visibility of LGBT people is associated with rates of hate crimes against LGB people, it is not in the ways previously suggested. Theoretically, we would expect that all forms of LGBT legal visibility would result in violence against LGBT people. However, the passage of same-sex marriage legislation is actually associated with a decreased incidence of hate crimes at the state level, rather than an increase. Thus, it may be necessary to rethink how positive legal visibility challenges existing social norms and consider how it plays a role in reshaping them. As expected, negative visibility, in the form of same-sex marriage bans, is associated with an increase in state-level hate crime rates. Effectively, negative legal visibility further entrenches existing norms and values encompassed within heteronormativity, creating a social climate that encourages violence against those who transgress. Though criminal penalty enhancements are not associated with state-level rates of hate crimes, there is arguably less public discourse surrounding these events, and they may have had less impact on LGBT visibility than issues surrounding marriage equality. Perhaps most importantly, this analysis demonstrates that conferring rights in the positive sense is either beneficial or has no impact, while restricting rights is negatively associated with state-level hate crime rates. These findings counter the traditional belief that all forms of increased visibility put LGBT people at risk of greater violence. In fact, it suggests that positive forms of visibility sometimes have an insulating effect. Thus, we need to reconsider the backlash hypothesis as it relates to violence against LGBT people.

The significance of prior year rates of state-level hate crimes is also an important finding. While prior studies have suggested that hate crimes tend to occur in clusters (King and Sutton

2013), the significance of the one-year lag suggests even longer lasting impacts of these crimes. The fact that rates of hate crimes within states are relatively stable across years may reflect that the underlying cultural homophobia that motivates anti-LGB hate crimes changes relatively slowly within states. Future analyses should investigate the effect of LGBT civil rights legislation on cultural homophobia more directly.

Finally, all significant yearly effects in this analysis suggest an overall trend of decreasing state-level rates of violence against LGBT people. This directly counters arguments about LGBT visibility leading to greater violence, as LGBT issues have become increasingly visible in recent years. Interestingly, the years with significant effects are not necessarily years in which national level LGBT rights legislation was enacted. This indicates that there are factors other than LGBT rights legislation that impact the incidence of anti-LGB hate crimes annually. Future research should focus on investigating what other factors might account for these changes.

It is also important to recognize that while this analysis highlights the impact of state-level legal visibility on rates of anti-LGB hate crimes, it cannot account for all state-level characteristics that may impact hate crimes. For example, the political composition of a state legislation may make it more or less likely to pass such legislation in the first place, but this composition may also reflect social attitudes that would contribute to a climate in which hate crimes occur. Future research might focus on disentangling such effects. Additionally, the focus on state-level effects may obscure national or local level effects. Future research examining whether national and local policy changes have similar impacts on national and local rates of anti-LGB hate crimes would serve to bolster the analyses presented here. This would also allow

for the inclusion of types of legislation, such as antidiscrimination ordinances that are generally implemented at the local level.

Conclusion

Despite 18 years of data collection and research on anti-LGB hate crimes, as well as more recent attention to anti-transgender hate crimes, there have been few studies that utilize empirical evidence while integrating theoretical accounts of anti-LGBT hate crimes (Perry 2012). While there is growing legal recognition that anti-LGBT violence is a problem, there is little research that investigates characteristics and complexities of this particular type of violence; this project seeks to fill that void. Furthering our theoretical understanding of anti-LGBT violence is especially necessary, as the majority of theoretical accounts of hate violence fail to specifically address violence against LGBT people (Perry 2001; Perry 2009). Of the theoretical accounts that do directly address anti-LGBT violence, there has been little empirical research to support their propositions (Perry 2003). This project is a direct response to the need for integrated theoretical and empirical accounts of anti-LGB hate crimes, examining the theory long held by activists and scholars that the increasing visibility of LGBT people in social life is creating a violent backlash against them in the form of hate crime victimization (Bronski 2000; Califia 1981; D'Addario 2013; Kimmel 1995; Waters et al. 2016). Unlike other approaches, describing hate violence as a general phenomenon, this accounts specifically for anti-LGB violence by placing sexuality and the challenge it presents to the existing heteronormative social structure at the center of the analysis.

Chapter 3: Understanding Characteristics of Victims and Perpetrators of Anti-LGBT Hate Crimes

Bias against the lesbian, gay, bisexual, and transgender[16] (LGBT) community comes in various forms, ranging from homophobic and transphobic beliefs, to discriminatory actions, and even outright violence; though not all of these are considered hate crimes or even hate violence[17]. However, the most comprehensive data collected regarding anti-LGBT bias covers hate crimes specifically, both in self-report studies and as collected by law enforcement agencies (Federal Bureau of Investigation 1998; Harlow 2005). What this data tells us is that although the overall incidence of hate crimes has remained relatively stable since 2004 (Wilson 2014), the proportion of hate crimes against lesbian, gay, and bisexual[18] (LGB) individuals has increased (Sandholtz et al. 2013). In fact, LGBT people are eight times more likely to be the victim of a hate crime than other those who are not LGBT (Gates and Newport 2013; Rubenstein 2003). Over the course of an LGB individual's lifetime there is a 20% risk of experiencing hate violence, while a transgender individual's lifetime risk of hate violence is 27% (Herek 2009; Lombardi et al. 2002). Although there are a number of studies that highlight the incidence of LGBT hate crimes, few have systematically examined the seriousness of hate crimes against LGBT individuals. Yet, understanding seriousness of these crimes is important because it provides greater insight into the existing literature; while prior studies may show that victim and

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[16] "Transgender" refers to a gender identity that does not match the sex assigned to a person at birth. For instance, at birth a person is assigned a biological sex of male or female and from that usually develops a matching gender identity: man for male, and woman for female. Those who are transgender do not feel this alignment of biological sex and gender; thus a biological male is a woman, not a man.

[17] Throughout this paper, I will use "violence" when the research cited regards *hate violence* (which may include both criminal and non-criminal acts of violence) and "crimes" when referring to *hate crimes* (criminally defined acts of hate violence).

[18] Here, only LGB hate crimes are referenced, as national data collection for anti-transgender hate crimes did not begin until 2012. Throughout this paper, LGB and LGBT are used to recognize instances in which transgender individuals are either excluded or included from the data, study, or theory being discussed.

perpetrator characteristics are important to examine, the current study expands on previous work

by demonstrating how these characteristics are important in relation to the seriousness of these

crimes. Additionally, it is important to examine the seriousness of these crimes because studies

suggest that the physical and psychological toll that anti-LGBT hate crimes have on individual

victims are more serious than similar crimes not motivated by bias (Iganski 2001; Meyer 2010).

Furthermore, the impacts of anti-LGBT hate crimes extend well beyond individual victims,

taking a negative psychological toll LGBT people generally and creating fear in LGBT

communities (Otis and Skinner 1996).

Moreover, while existing studies of hate crimes have contributed to our understanding of

victimization, they have been limited in scope and generalizability. Specifically, studies using

nationally representative data typically present raw counts or percentages regarding types of

victims or perpetrators, rather than engaging in hypothesis testing; however, these don't allow us

to draw conclusions about the significance of patterns in the data. While smaller studies do often

examine the importance of victim or offender characteristics, the small nonprobability samples

from which they are derived often yield conflicting results across studies, making it difficult to

draw conclusions about their importance to anti-LGBT hate crimes broadly (Kenagy 2005;

Xavier, Bobbin, Singer et al. 2005). But again, these studies typically only examine the

frequency of anti-LGBT crimes, which fails to account for possible differences in how victims

experience those crimes or possible differences in offenders' motivation. However, examining

the seriousness of these incidents does provide insight into these differences.

As such, this paper examines what has long been missing from the literature on anti-

LGBT hate crimes: investigation of patterns of the seriousness of anti-LGBT hate crime

victimization and perpetration using both nationally representative data and methods that allow

for hypothesis testing (Meyer 2010; Perry 2003). Specifically, this paper uses a series of Chi-square tests to examine the importance of victim and offender characteristics, including sex, age, race, and number of offenders, on the seriousness of anti-LGB hate crimes using data from the 2003- 2013 National Crime Victimization Survey (NCVS). Additionally, a partial proportional odds model is used to examine differences in seriousness between lesbian, gay, and transgender victims using data from the 2012 Uniform Crime Report (UCR) Hate Crime Data. These data sets are nationally representative and have previously been used in studies of anti-LGBT hate crimes; however, prior analyses have not assessed the statistical significance of these characteristics, nor have they directly examined the seriousness of anti-LGBT hate crime incidents.

Review of the Literature

Seriousness of Crime

The issue of crime seriousness has long been studied by social scientists, as understandings of crime seriousness have wide-ranging implications (Ramchand, MacDonald, Haviland et al. 2009; Roman 2011; Wolfgang, Figlio, Tracy et al. 1985). Crime seriousness is considered to be related to the overall social and economic impact of individual criminal incidents, those crimes that cause greater social and economic harm are generally considered more serious (Roman 2011). This is, in turn, related to public policy decisions, the allocation of criminal justice resources, and the punishment of offenders (Roman 2011; Wolfgang et al. 1985). Perhaps most importantly to the current investigation, measures of crime seriousness are used to

understand patterns of criminal perpetration and victimization, allowing for researchers to examine qualitative differences in crime in a quantifiable manner (Wolfgang et al. 1985).

The seriousness of a criminal incident has previously been used to study many criminal issues, including gang-related crimes (Rennison and Melde 2009), neighborhood factors that contribute to crime (Cheong 2008), intimate partner violence (Goodlin and Dunn 2010), criminal recidivism (Sample 2003), and changes in offending patterns over an offender's life course (Ramchand et al. 2009). Previous research conducted on seriousness has used the NCVS seriousness hierarchy—also used in this study—in several ways. In some cases, researchers have used the full seriousness hierarchy, which collapses crime into nine broad crime categories; while other researchers have collapsed the data into smaller categories, for example, violent vs. nonviolent crimes (Cheong 2008; Goodlin and Dunn 2010; Rennison and Melde 2009). Additionally, Rennison and Melde's (2009) study of gang crime notes that the use of NCVS data and the seriousness hierarchy overcomes some of the limitations encountered using NCVS data for some classes of crime, specifically those in which victims fail to report incidents to the police and in crimes where police misclassify or downgrade the crime committed.

It is important to acknowledge that hate crimes are often more serious than non-bias crimes, suggesting that victims of bias-motivated crimes differ from victims other crimes (Iganski 2001; Weisburd and Levin 1993). Additionally, perpetrators of hate crimes based on sexual orientation differ from other perpetrators, in that they have less serious criminal histories than most other offenders (Franklin 2000) and also less serious criminal histories than those who commit racially motivated hate crimes (Dunbar 2006). In terms of victimization, the risk for LGBT people is two-fold: groups that experience the most frequent victimization also often face the most serious victimization, both in terms of the crimes against them and the injuries sustained

during from these crimes (Meyer 2010; Pezzella and Fetzer 2015; Waters et al. 2016); however, in the vast majority of studies regarding anti-LGBT hate crimes, the seriousness of crime typically focus on seriousness of outcomes following hate crimes rather than the seriousness of the incident itself (Herek 2009; Meyer 2010).

Characteristics of Victims

It is important to recognize that not all LGBT people are equally at risk of experiencing hate crimes. Victim characteristics put some individuals at greater risk of experiencing violence than others. Though most studies conceptualize risk as the frequency at which particular groups are victimized, frequency and seriousness are often related, as the most frequently targeted groups of victims also qualitatively report experiencing the most severe forms of violence (Meyer 2010; Pezzella and Fetzer 2015; Waters et al. 2016). As such, previous studies of both frequency and severity are relevant to the current analysis. Across all studies, gay men and transwomen are at the greatest risk of victimization (Federal Bureau of Investigation 2013a; Grant et al. 2010; Grant et al. 2011a; Grant et al. 2011b; Grant et al. 2012; Harlow 2005; Huebner et al. 2004; Kuehnle and Sullivan 2001; Waters et al. 2016). Additionally, both the National Coalition of Anti-Violence Programs (NCAVP) reports and National Transgender Discrimination Survey (NTDS) find that living in poverty is associated with increased risk of victimization, though they are the only studies that address this issue (Grant et al. 2011a; Grant et al. 2011b; Grant et al. 2012; Waters et al. 2016).

In regard to race, the NCVS finds that victims are most often non-Hispanic Whites; however, these are merely raw counts, so it is unclear if this is a statistically significant finding

(Harlow 2005). Smaller studies find conflicting results regarding race; the NCAVP reports, NTDS, and Keuhnle and Sullivan, all find that White victims are underrepresented, while Hispanic victims were overrepresented (Grant et al. 2011b; Kuehnle and Sullivan 2001; Waters et al. 2016). However, Heubner (2004) found no significant differences in the incidence of violence based on the race of the victim. In regard to age, the NCVS finds that most victims are age 21 or older, though again statistical significance is not examined (Harlow 2005). However, NCAVP finds that those at greatest risk for violence are age 19-29, and Heubner et al. find that being under 21 is a risk factor (Huebner et al. 2004; Waters et al. 2016).

Unfortunately, there are very few studies that look specifically at the severity of crimes experienced by LGBT people. As a notable exception, the most recent report of NCAVP finds that the most severe instances of hate violence are directed at transgender victims and LGB people of color (Ahmed and Jindasurat 2015). Another smaller study also indicated that low-income people of color tend to experience more severe crimes than middle-class Whites; however given the qualitative nature of the study, it is difficult to disentangle how race and class individually contribute to the severity of these incidents (Meyer 2010).

Characteristics of Offenders

Lastly, it is important to recognize that offenders of hate crimes differ significantly from other criminals, and their unique characteristics may be integral to understanding anti-LGBT hate crime perpetration (Harlow 2005). Again, most studies of hate crime perpetration do not examine the severity of the offense, focusing on frequency of offenses instead. In terms of offender demographics both the UCR and NCVS find that men commit the majority of hate

crimes, both broadly and in regard to anti-LGBT hate crimes specifically (Federal Bureau of Investigation 2013a; Harlow 2005). The UCR and NCVS also find that Whites are more likely than other racial groups to commit hate crimes against LGB people; however these analyses do not test for statistical significance and neither analysis takes into account ethnicity (Federal Bureau of Investigation 2013a; Harlow 2005). In contrast, NCAVP found that Black and Hispanic men were disproportionately likely to be offenders of anti-LGB violence (Waters et al. 2016).

In examining the severity of anti-LGBT hate crimes and offender characteristics, there is little research, but it is important to note that one key reason that hate crimes differ from non-hate crimes is that they are more likely to be committed by multiple offenders (Federal Bureau of Investigation 2013a; Harlow 2005). The NCAVP reports that this often leads to hate crimes being more serious in terms of the crime committed and injuries to victims (Ahmed and Jindasurat 2015). In general, our knowledge of offender characteristics is limited by the fact that not all offenders are known to their victims, or for that matter, known to police (Harlow 2005; Wilson 2014). In particular, property crimes, which are inherently less serious than other categories of crime, are frequently committed by unknown offenders (Schmitt 2014).

Summary of the Literature and Hypotheses

These previous studies point to several characteristics that put LGB and trans people at increased risk of experiencing hate crimes, and also suggest there are individual characteristics that impact the seriousness of those crimes. The most consistent finding is that gay men and transwomen are at greatest risk for violence and also experience the most severe forms of

victimization. As previous studies have only examined this qualitatively, this study will test whether gay men and transwomen experience the most serious violence using nationally representative data (Grant et al. 2010; Waters et al. 2016). As for other identity categories, race and age are implicated as being important factors for victimization, but findings are inconsistent and have not been examined for statistically significant differences using nationally representative data. Analyses to assess whether these race and age impact the severity of anti-LGBT hate crimes will be conducted. Though living in poverty has been consistently shown to increase risk of hate crime victimization, these findings should also be examined as they relate seriousness of crime using nationally representative data.

Despite the limited data available on offenders of anti-LGBT hate crimes, inclusion of the data that is available is important to a comprehensive understanding of these crimes. First, it is important recognize that the number of offenders and the issue of unknown offenders are directly tied to hate crime perpetration and the type of hate crime committed, with multiple offenders implicated in more serious attacks and property crimes often having an unknown number of offenders. It is expected that those findings will be replicated here. Perhaps more importantly, this study examines whether race is an important predictor of the severity of anti-LGBT hate crimes using nationally representative data, as previous findings have yielded mixed results. Based on prior studies, it is expected that racial minorities would commit more serious anti-LGBT hate crimes.

Data and Methods

Data

The analysis of anti-LGB hate crime victimization utilizes pooled data from the 2003-2013 National Crime Victimization Survey (NCVS). The NCVS is a survey regarding the occurrence, characteristics and effects of criminal victimization in the United States (United States Department of Justice, Office of Justice Programs and Bureau of Justice Statistics 2012). The U.S. Census Bureau conducts the survey for the Bureau of Justice Statistics. Since 1973, this data has been released annually, with the most recent release in 2013. Beginning in 2003, the NCVS collected data regarding hate crimes committed on the basis of sexual orientation. Data is collected every 6 months from a nationally representative sample of U.S. households, and includes information on crime victimization for all household members age 12 and older, utilizing a rotating panel design. Sampled households are interviewed every six months for a period of three years, with new households rotating into the sample on an ongoing basis. This data attempts to provide a comprehensive look at the occurrence of and individual's experiences with criminal victimization in the United States (United States Department of Justice et al. 2012). To condense the detailed information collected in the NCVS, the NCVS further classifies crimes according to the seriousness hierarchy[19], which consists of 34 crimes in total; these are collapsed into broad nine categories, including violent, nonviolent, and property crimes (United States Department of Justice et al. 2012). While the NCVS does capture crimes not reported to the police, it still undercounts the total number of crimes committed (Harrell 2011; Maxfield 1999). Some classes of crime, such as rape and sexual assault are underreported, and the use of proxy

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[19] The use of the seriousness hierarchy to analyze the NCVS data and the hierarchy's applicability to UCR data is discussed in the section "Dependent Variables".

interviews also leads to undercounting of crimes (Harrell 2011; Maxfield 1999). Both of these issues could lead to underreporting of crimes based on sexual orientation or gender identity.

The analysis of anti-transgender hate crime victimization utilizes the Uniform Crime Report (UCR) Hate Crime Data, as it is the only nationally representative crime data that collects information on anti-transgender hate crimes. The UCR collects data on criminal incidents occurring within each state in the U.S. (Federal Bureau of Investigation 2005). UCR data is submitted monthly by participating law enforcement agencies in each state to the Federal Bureau of Investigation (FBI) and is intended to be a national representation of crime, with individual crimes as the basic unit of analysis. In 1996, the UCR began collecting and reporting data regarding bias motivated crimes (Federal Bureau of Investigation 2005). UCR is repeat cross-sectional data, and in 2012, 79.3% of the U.S. population was represented (Federal Bureau of Investigation 2013a). However, it was not until 2012 that anti-transgender violence was added as a bias motivation for offenses, allowing for analysis of only that single year of data (United States Department of Justice and Federal Bureau of Investigation 2012b). UCR data relies on crimes being reported to police, resulting in undercounting of the number of crimes committed against LGBT people, as over half of all anti-LGBT hate crimes are not reported to police (Sandholtz et al. 2013).

The NCVS and UCR both have limitations in terms of the data available. Perhaps the most serious limitation is that neither explicitly collects data on sexual orientation or gender identity apart from hate crime victimization; LGBT people can only be identified if their victimization was based on their sexual orientation or gender identity (and correctly reported as such). Thus, only LGB(T) victims of hate crimes are represented in these data sets, meaning that LGBT victims cannot be compared to a control group of LGBT people who have not

experienced hate crimes. Additionally, the NCVS does not collect data regarding hate crime

victimization based on gender identity, allowing only for analysis of hate crimes based on sexual

orientation. While the UCR does collect data on hate crimes motivated by gender identity, the

data available is more limited in regard to the variables of interest to this study than in the

NCVS. Specifically, while the NCVS contains data on both victims and offenders, UCR data is

limited to information about the perpetrators of these crimes. For the NCVS data, I examine both

victim and offender characteristics in relation to the seriousness of anti-LGB hate crimes from

2003 to 2013. For the UCR, differences among LGB and T victims and characteristics of

offenders of anti-LGBT hate crimes are examined in relation of the seriousness of those crimes.

Sample

A total of 167 hate crimes based on sexual orientation are reported in the NCVS data

from 2003 to 2013. One of these cases was not classifiable under the seriousness hierarchy[20] and

was excluded from the sample. Six cases with offenders of unknown races were also excluded

from the analysis, as this category was too small to be analytically useful.

In the 2012 UCR data, both anti-LGB and anti-transgender hate crimes were examined.

The 2012 UCR includes anti-transgender hate crimes in a composite category "Anti-LGBT or

mixed group," which necessitated separation of anti-transgender hate crimes from anti-LGB

crimes. In order to separate these groups, crimes that consisted of mixed groups, multiple

victims, or victims other than individuals (e.g. businesses) were excluded, leaving only single

victim incidents with LGBT victims. As the UCR simultaneously codes for "anti female

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[20] The seriousness hierarchy was utilized as the dependent variable and is described in the next section.

homosexual", "anti male homosexual", or "anti bisexual" bias motivation in addition to "anti-LGBT or mixed group" bias motivation, LGB victims were then able to be separated out, leaving only single transgender victims where no LGB-bias was simultaneously reported. Thirteen incidents contained crimes that were not classifiable in the seriousness hierarchy and were omitted from the analysis. This resulted in a final sample of 1,072 LGBT hate crime incidents, 270 of which were identified as anti-transgender bias.

Dependent Variables

In both analyses, the dependent variable is the seriousness of the hate crime. Seriousness of a hate crime incident crime was chosen to capture increased levels of victimization among different types of victims (Meyer 2010) and similarly, differing levels of perpetration. Structuring the dependent variable in this way also allows for an examination of findings from previous nonprobability samples, as greater aggression is often directed at particular types of LGBT victims or used by particular types of offenders (Glick et al. 2007; Waters et al. 2016).

For the NCVS, the seriousness of the hate crime is based upon the NCVS seriousness hierarchy, which collapses offenses into nine aggregate categories (United States Department of Justice et al. 2012). The UCR includes the reporting of homicides, which are not reported in the NCVS or covered by the seriousness hierarchy, but are treated as the most serious in the analysis of UCR data (Federal Bureau of Investigation 2005). The full seriousness hierarchy has been used in previous crime research, and this provides the greatest detail regarding the seriousness of offenses (Rennison and Melde 2009). However, in order to allow for a sufficient number of cases in each crime category, and to ensure an adequate number of cases for the number of

independent variables, the NCVS seriousness hierarchy was further collapsed into a three-level

ordinal variable for both analyses, as this provided the greatest amount of detail regarding these

incidents, while also providing adequate data coverage. The three categories (from least to most

serious) represent thefts and property crimes, threats and intimidation, and violent crimes. Table

1 presents the collapsing of the categories for each analysis and the original NCVS and UCR

crime categories included in each. The distinction between property crimes and violent crime is

common; additionally several publications using the NCVS address threats and intimidation as

distinct from other types of violent crime (Catalano 2012; Durose, Harlow, Langan et al. 2005;

Planty, Langton, Krebs et al. 2013).

Table 1. Modified Seriousness Hierarchy of Hate Crimes

Seriousness	NCVS Seriousness Hierarchy Category	NCVS Crimes Included	UCR Crimes Included	Collapsed Hierarchy Used in Analyses
Most Serious	Homicide	n/a	Murder	3- Violent Crimes
			Manslaughter	
			Justifiable Homicide	
	Rape and Sexual Assault	Rape	Forcible rape	
		Sexual Assault	Forcible sodomy	
		Unwanted Sexual Contact	Sex assault with object	
			Forcible Fondling	
	Robbery	Completed Robbery	Robbery	
		Attempted Robbery		
	Aggravated Assault	Aggravated Assault	Aggravated Assault	
	Assault	Simple Assault	Simple Assault	
	Threats and Intimidation	Threatened Assault with Weapon	Intimidation	2- Threats and Intimidation
		Verbal Threat of Rape		
		Verbal Threat of Sexual Assault		
		Verbal Threat of Assault		
	Purse-snatching and Pick-pocketing	Purse-Snatching	Purse snatching	1- Theft and Property Crimes
		Pocket-Picking	Pick-pocketing	
	Burglary	Burglary	Burglary	
		Attempted Forcible Entry	Breaking and Entering	
	Theft	Motor Vehicle Theft	Shoplifting	
		Theft	Theft	
			All other larceny	
			Motor vehicle theft	
Least Serious			Vandalism/ Destruction	

Note: a) Collapsed Crime Categories were created by author
b) Disctinctions among crimes committed with or without weapons, with or without injury, and attempted or completed are omitted for brevity
Sources:
United States Department of Justice, Office of Justice Programs and Bureau of Justice Statistics. 2012. National Crime Victimization Survey,
United States Department of Justice, & Federal Bureau of Investigation. 2012. Uniform Crime Reporting Program Data: Hate Crime Data, 2012.

Independent Variables

For the analysis of anti-LGB hate crimes using the NCVS, characteristics related to both victims and offenders are included, as the literature review indicates that both are related to hate crime incidents; specifically, victims' age, race, sex, and household income are included. For offenders, age, race, and sex, as well as number of offenders are included. Due to the small number of non-Black victims or offenders of color (which included multiracial, American Indian, and Asian offenders), race was coded as a dummy variable, White or non-White. Sex was coded as a dummy variable, with male or all men as one group and female or mixed sex as the other group, as there were too few mixed sex groups to analyze separately[21]. Age for victims was coded as under 30 or 30, while age for offenders was originally coded as a set of dummy variables representing under 21, over 21, or unknown age. Additionally, number of offenders was also represented by a set of dummy variables representing one, multiple, or an unknown number of offenders. In the final analysis of age and number of offenders, tests only compared offenders with known information, while a separate analysis of offenders with known vs. unknown information was conducted[22]. Finally, two dummy variables examining the relationship between victims and offenders were created, one variable for racial homogeneity, and the other for victims attacked by familiar persons.

Fewer variables are included in the analysis of anti-transgender hate crimes because the UCR contains a limited number of questions related to victims and offenders. As such, regarding victimization, dummy variables for bias motivation are used to compare lesbian, gay, and

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[21] Analysis excluding mixed sex groups and looking only at male vs. female perpetrators did not significantly alter the magnitude or direction of effect for the sex variable.
[22] See "Methods" section for additional details.

transgender victims[23], while data regarding the number and race of offenders are included for examining perpetration. Race was coded as a set of dummy variables consisting of Black, other races (which included American Indian and Asian), and unknown race, with White as the reference category. Number of offenders is again coded as a set of dummy variables, single offender, multiple offenders, or an unknown number. Though the UCR only contains these three variables, it is the only nationally representative data available to analyze differences between LG(B) and transgender victims. Further, the data on transgender hate crimes victims was not reported in the FBI's 2012 annual hate crime reports, so even a limited analysis here represents a significant development in our knowledge on anti-transgender hate crimes.

Methods

For analysis of anti-LGB hate crimes using the NCVS, regression techniques were not appropriate due the distribution of the data[24]; thus, Chi-square tests were utilized to examine the relationship between the seriousness of anti-LGBT hate crimes and several victim and offender characteristics. As the dependent variable is ordinal and is not normally distributed, a Chi-square test is preferable to the use of t-tests to examine the bivariate relationships between hate crime

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[23] Bisexual respondents were excluded from the analysis because as a group they were not large enough to be analyzed separately; however a separate analysis comparing LGB victims to transgender victims did not alter the magnitude or direction of effect.

[24] Originally a partial proportional odds model was fitted to the data, because seriousness of hate crime (the dependent variable) is ordinal and the assumption of parallel lines required for the use of an ordered logistic regression was violated by several variables. However, utilizing a partial proportional odds model produced extremely large coefficients for the variables related to age and number of offenders due to quasi-complete separation of the data. The small cells resulting from the distribution of the data could not be resolved by collapsing categories without removing categories of the dependent variable, which are substantively and theoretically important to this analysis. As such, bivariate relationships are examined through the use of Chi-square tests.

seriousness and other variables. The Chi-square test has several assumptions, such as independence of observations, having mutually exclusive categories for analysis, and perhaps most important to this analysis, a minimum of 5 expected observations in each cell for 80% of the cells is required (McHugh 2013). Though all other assumptions were met, the minimum expected cell count was violated for variables related to household income, age, number of offenders, and familiarity of victim and offender, requiring changes to the variables as they were originally constructed. For income, categories were collapsed into a binary variable, representing households over or under $25,000. For both age, number of offenders and familiarity of offender, "unknowns" caused data separation issues and empty cells, as unknown offenders often commit property crimes. In order to correct for these issues, a Chi-square test in which offender information about age and race was known, as compared to those in which this information was unknown was computed. Then, differences in age, number of offenders, and familiarity of offender were examined in relation to the severity of personal crimes for all hate crimes with known information about the offender(s), with property crimes being eliminated from these three analyses. In order to assess the strength of the association, Cramer's V was computed for all significant Chi-square tests (Healey 2014; McHugh 2013). Analysis of individual cell's contribution to the Chi-Square statistics was also performed for all significant findings (Sharpe 2015). Individual cells' contribution to the Chi-square statistic is based on how many more individual than would theoretically be expected experience a particular outcome (Sharpe 2015); thus interpretation of individual cells examines cells in which an outcome occurs more (or less) frequently than expected.

Finally, survey estimation techniques, which take into account the sampling design of the NCVS, were used to reduce bias in standard errors by accounting for selection into the NCVS

sample, with weights adjusted at the incident level, which allows for the generation of population estimates from the data (United States Department of Justice, Office of Justice Programs and Statistics 2014). Additionally, the Rao-Scott correction is applied to adjust for the survey design, yielding an F-statistic, which is slightly more conservative than the Pearson Chi-square value (Scott 2007).

For analysis of anti-transgender hate crimes using the UCR, initial diagnostics indicated no problems with multicollinearity among the variables, with all variance inflation factors under 10 (Pevalin and Karen 2009). Outliers were detected by fitting binary logistic regressions and identifying cases with high standardized Pearson residuals; however, exclusion of these cases did not alter the significance of findings or the magnitude and direction of results. As such, these cases were retained in the final model (Bollen and Jackman 1985).

For the analysis of anti-LGB and T hate crimes in the UCR, ordered logistic regression was fitted to the data because seriousness of hate crime (the dependent variable) is ordinal. This is preferable to the use of ordinary least squares (OLS) regression, as inclusion of an ordinal dependent variable violates the assumptions of OLS, which would result in incorrect estimates (Menard 2002). In order to ensure that ordered logistic regression is appropriate, data should adhere to the assumption of parallel lines; that every independent variable has the same effect across every level of the dependent variable (Williams 2006). The results of a brant test suggest that the proportional odds assumption is not met for offenders of unknown races ($\chi2$ (1) = 16.11, $p < .001$) or for multiple offenders ($\chi2$ (1) = 14.61, $p < .001$), but that the assumption does hold for all other variables. In order to correct for these violations, a partial proportional odds model was used, in which the variables unknown race and multiple offenders have separate coefficients

depending on the level of the dependent variable, while all other coefficients are constant across levels of the dependent variable (Williams 2006).

Results

The population estimates for the mean, standard deviation, and confidence intervals from the NCVS data on hate crimes motivated by sexual orientation are presented in Table 2. The seriousness hierarchy ranges from 1 (least serious) to 3 (most serious), with a modal category of 2, which represents moderate severity crimes, specifically, threats and intimidation. In terms of victims, men and women are roughly equally represented, the mean age is 44, and most victims are White. In terms of offenders, most offenders were non-White, over the age of 21, and the majority of anti-LGB hate crime incidents were committed by a single offender, of the same race as the victim, and known to victim.

Table 2. Descriptive Statistics for Hate Crimes based on Sexual Orientation in the 2003-2013 NCVS

Variable	Estimated Population Mean	Estimated Standard Error	95% Confidence Interval Lower Bound	95% Confidence Interval Upper Bound
Collapsed Seriouness Hierarchy	1.85	0.06	1.74	2.00
Victim's Sex				
Male	0.51	0.06	0.40	0.63
Female	0.49	0.06	0.37	0.60
Victim's Age	43.85	1.53	40.82	46.89
Victim's Race				
White	0.74	0.05	0.64	0.83
Non-white	0.26	0.05	0.17	0.36
Offender's Sex				
Male/ All Male	0.53	0.05	0.44	0.62
Female/ Mixed Group	0.15	0.04	0.07	0.22
Offender's Race				
White	0.41	0.05	0.30	0.51
Non-white	0.59	0.05	0.49	0.70
Offender's Age				
Under 21	0.13	0.03	0.08	0.19
Over 21	0.48	0.05	0.39	0.57
Unknown Age	0.39	0.04	0.31	0.47
Number of Offenders				
Single Offender	0.44	0.05	0.34	0.53
Multiple Offenders	0.24	0.05	0.14	0.34
Unknown Number of Offenders	0.32	0.04	0.24	0.40
Racial Homogamy	0.57	0.04	0.48	0.66
Offender Familiar to Victim	0.84	0.03	0.78	0.91

Note: Population estimates derived using NCVS incident weights

The mean, standard deviation, and number of respondents for each variable in the 2012 UCR analysis are located in Table 3. The seriousness hierarchy ranges from 1 (least serious crimes) to 3 (most serious crimes), with a modal category of 2, indicating that most individuals experienced moderately serious crimes, threats and intimidation. The largest racial group represented in the offender data is White (which serves as the reference group in subsequent analyses), followed by offenders of unknown races, Black offenders, and offender of other racial groups (including multiracial, American Indian, and Asian offenders). Additionally, single offenders committed the majority of anti-LGBT hate crimes.

Table 3. Descriptive Statistics for Anti-Lesbian, Gay, and Transgender Hate Crimes in the 2012 UCR

Variable	N	Mean	Standard Deviation
Seriouness Hierarchy	1072	1.99	0.64
Bias Motivation			
Anti-Transgender	1072	0.25	0.43
Anti-Gay	1072	0.58	0.49
Anti-Lesbian	1072	0.13	0.34
Offender's Race			
White	1072	0.38	0.49
Black	1072	0.24	0.42
Other	1072	0.05	0.21
Unknown	1072	0.33	0.47
Number of Offenders			
Single Offender	1072	0.58	0.49
Multiple Offenders	1072	0.18	0.38
Unknown Number	1072	0.24	0.43

Chi-square tests of independence were conducted on the NCVS data regarding victim characteristics, including sex, race, age, and household income. Based on these Chi-square tests, there are significant differences in the severity of anti-LGB hate crimes based on victim sex ($F(2, 171) = 5.57$, $p < 0.01$) and also victim race ($F(2, 168) = 5.03$, $p < 0.01$); the results of these analyses are presented in table 4. There was no significant relationship between victim's age or household income and the severity of hate crime. For victim's sex Cramer's V = .30, indicating that there is a strong relationship between victim sex and the severity of a hate crime. In

examining individual cells, women experienced the most severe crimes more often than expected; while men experienced the most severe crimes less often than expected. This pattern was reversed for moderate severity crimes, men experienced more threats and intimidation than expected, while women received less. Regarding victim race, there is a moderate relationship with the seriousness of a hate crime incident, as Cramer's V = .27. Non-White victims experienced the most serious violence more than twice as often as expected. Relatedly, White victims experienced the most serious violence less often than expected, though this effect was less pronounced.

Table 4. Chi Square Tests of Association on Victim Sex and Victim Race with Severity of Anti-LGB Hate Crime

Severity of Anti-LGB Hate Crime	Victim Sex		Victim Race	
	Female	Male	White	Non-white
Lowest Severity	0.3708	0.2283	0.2989	0.298
	(-0.0552)	(-0.0592)	(-0.0479)	(-0.0797)
Moderate Severity	0.4007	0.6898	0.6008	0.3888
	(-0.0525)	(-0.0638)	(-0.0495)	(-0.073)
Highest Severity	0.2284	0.082	0.1003	0.3132
	(-0.0496)	(-0.0352)	(-0.029)	(-0.0786)
Total	1	1	1	1
	$F(2, 171) = 5.57$, p <0.01		$F(2, 168) = 5.03$, p <0.01	
	Cramer's V = .30		Cramer's V= .27	

Notes: a) Column proportions are presented
b) Standard errors appear in parentheses
c) Proportions and standard errors are derived from NCVS incident level weights

Chi-square tests of independence were also conducted using NCVS data on offender characteristics, including sex and race. Based on these Chi-square tests, there are significant differences in the severity of anti-LGB hate crimes based on offender(s) sex ($F(2, 168) = 5.03$, p <0.01) and offender(s) race ($F(2, 167) = 13.80$, p <0.001) were found; the results of these analyses are presented in table 5. For offender sex, Cramer's V = .27, indicating that there is a moderate relationship between offender sex and the severity of a hate crime. In examining individual cells, hate crimes involving female offenders were property crimes less often than

expected, while the most serious hate crimes involved female offenders more frequently than expected. This pattern held true regardless of whether incidents only involved female offenders or in looking at multiple offenders in a mixed sex group. Regarding offender's race, there is a strong relationship with the seriousness of a hate crime incident, as Cramer's V = .50. Non-White offenders committed property crimes more often than expected and crimes of moderate seriousness less often than expected. For White offenders, this pattern was reversed, property crimes were committed less frequently than expected, while hate crime of moderate seriousness were committed more frequently than expected.

Table 5. Chi Square Tests of Association on Offender Sex and Offender Race with Severity of Anti-LGB Hate Crime

Severity of Anti-LGB Hate Crime	Offender Sex			Offender Race	
	Female/ Mixed Group	Male		White	Non-white
Lowest Severity	0.0848	0.3353		0.0434	0.4738
	(-0.081)	(-0.0456)		(-0.0329)	(-0.0607)
Moderate Severity	0.6372	0.5316		0.8238	0.3571
	(-0.1156)	(-0.046)		(-0.0571)	(-0.051)
Highest Severity	0.2781	0.1331		0.1328	0.1691
	(-0.1057)	(-0.0306)		(-0.049)	(-0.0396)
Total	1	1		1	1
		$F(2, 168) = 5.03$, p <0.01			$F(2, 167) = 13.80$, p <0.001
		Cramer's V = .27			Cramer's V= .50

Notes: a) Column proportions are presented
b) Standard errors appear in parentheses
c) Proportions and standard errors are derived from NCVS incident level weights

Additionally, the association of property crimes with unknown information about offenders necessitated testing "unknown" offenders as a separate analytic category prior to examining age or number of offenders. The results of this analysis are presented in table 6. Elimination of cases where this information was unknown resulted the elimination of property crimes as an analytic category; thus, the seriousness of personal crimes, threats or intimidation versus violent crimes, are examined in relation to these two variables. The presence of "unknown" offender(s) is statistically significant ($F(2, 168) = 31.87$, p <0.001). The extremely

high Cramer's V value of .75 suggests that these variables are measuring a similar concept, the anonymous nature of many property crimes. When examining individual cells, this pattern holds; information about offenders is usually unknown in property crimes and usually known in the case of personal crimes. Examination of number of offenders ($F(1, 57) = 3.86$, $p = .05$) was also significant in relation to the seriousness of hate crime. This was a moderate effect (Cramer's V=.23), with single offenders committing the most serious crimes less often than expected and multiple offenders committing the most serious crimes more often than expected. These results are also presented in table 6. There was no significant relationship between offender age and the severity of hate crime.

Table 6. Chi Square Tests of Association on Known Offender Details and Number of Offenders with Severity of Anti-LGB Hate Crime

Severity of Anti-LGB Hate Crime	Offender Details		Number of Offenders	
	Known	Unknown	One	Multiple
Lowest Severity	0.029	0.7179	–	–
	(-0.0221)	(-0.0646)	–	–
Moderate Severity	0.7962	0.1597	0.8806	0.6959
	(-0.0465)	(-0.0496)	(-0.0418)	(-0.1)
Highest Severity	0.1748	0.1224	0.1194	0.3041
	(-0.0429)	(-0.0481)	(-0.0418)	(-0.1)
Total	1	1	1	1
	$F(2, 168) = 31.87$, p <0.001		$F(1, 57) = 3.86$, p = .05	
	Cramer's V= .75		Cramer's V= .23	

Notes: a) Column proportions are presented
b) Standard errors appear in parentheses
c) Proportions and standard errors are derived from NCVS incident level weights
d) Unknown offender details resulted in the omission of property crimes (lowest severity) from analysis of number of offenders

Finally, victim-offender relationship was explored through examination of differences in the severity of anti-LGB hate crimes in regard to racial homogeneity and whether the victim knew their attacker. The presence of racial homogeneity between victim and offender is statistically significant ($F(2, 171) = 11.65$, p <0.001) and is presented in table 7. This is a strong relationship, as Cramer's V= .42. Examination of individual cells indicates that incidents in which the victim and offender are the same race are property crimes less frequently than

expected and of moderate severity more often than expected. Likewise, incidents in which the victim and offender are different race are property crimes more frequently than expected and of moderate severity less often than expected. Thus, more serious crimes typically involve offenders of the same race as the victim. There was no significant relationship between the severity of hate crime and whether the victim knew the offender.

Table 7. Association of Racial Homogeneity of Victim and Offender with Severity of Anti-LGB Hate Crime

Severity of Anti-LGB Hate Crime	Racial Homogamy	
	Same Race	Different Races
Lowest Severity	0.1241	0.5132
	(-0.0364)	(-0.0675)
Moderate Severity	0.6955	0.3646
	(-0.0552)	(-0.0639)
Highest Severity	0.1804	0.1222
	(-0.0475)	(-0.0408)
Total	1	1
		$F(2, 171) = 11.65$, p <0.001
		Cramer's V= .42

Notes: a) Column proportions are presented
b) Standard errors appear in parentheses
c) Proportions and standard errors are derived

Moving on to the analysis of the UCR data, which includes anti-transgender hate crimes, the partial proportional odds model for anti-LGBT hate crime incidents is presented in table 8. According to the likelihood ratio test statistic, the full model is significant at the .001 level. For all significant results, odds ratios are presented (Torres-Reyna n.d.). The variable Black offender was statistically significant (β=.58, $p >$. 001), such that a one unit change (going from 0= White to 1=Black) indicates that the highest level of seriousness is 1.85 times as likely as the middle or lowest category of seriousness, given that all other variables in the model are held constant. Similarly, the highest level and middle level of seriousness are 1.85 times as likely as lowest category of seriousness. Accordingly, incidents involving Black offenders are more serious across all levels of the dependent variable. For offenders of unknown races, a one unit change in

the variable multiple offenders (going from 0= White offender to 1= unknown race) is only significant when comparing the highest level and middle level of seriousness as compared to lowest category of seriousness (β=-1.85, p >. 001). In this case, incidents involving multiple offenders are 3.25 times as likely to be high or middle categories as opposed to the lowest category of seriousness. For number of offenders, a one unit change in the variable multiple offenders (going from 0= single offender to 1= multiple offenders) is only significant when comparing the highest level and middle level of seriousness as compared to lowest category of seriousness (β=1.18, p >. 001). In this case, incidents involving offenders of unknown races are .15 times as likely to be high or middle categories as opposed to the lowest category of seriousness. Additionally, the findings for multiple offenders were significant when comparing the most serious crimes to less serious crimes (β=1.18, p >. 001), while the findings for an unknown number of offenders were significant when comparing the least serious crimes to higher levels (β=-.86, p >. 001). Accordingly, a one unit change (going from 0= single offender to 1= multiple offenders) indicates the highest level of seriousness is 3.25 times as likely as the middle or lowest category of seriousness; while one unit change (going from 0= single offender to 1= unknown number) indicates the lowest level of seriousness is 0.42 times as likely as the middle or highest category of seriousness. Thus, when more than one offender present, the seriousness of the crime is greater except for property crimes and theft. In contrast, crimes with an unknown number of offenders are less violent than single offender crimes. However, there are no statistically significant differences in the seriousness of anti-transgender versus anti-LG(B) crime in this model, which was one of the main effects being considered in this analysis.

Table 8. Partial proportional odds model of gender identity, sexual orientation, race and number of offenders on seriousness of hate crime from the 2012 UCR

Variable (reference group)	Coefficient	Standard Error	Odds Ratio	p
Bias Motivation (Anti-Gay)				
Anti-Transgender	0.09	0.15	1.09	0.57
Anti-Lesbian	-0.38	0.20	0.68	0.06
Offender's Race (White)				
Black	0.58	0.18	1.79	0.00*
Other	0.28	0.32	1.32	0.38
Unknown Race	-1.85 (a)	0.26	0.15	0.00*
	-0.14 (b)	0.26	0.87	0.59
Number of Offenders (Single Offender)				
Multiple Offenders	0.13 (a)	0.31	1.14	0.68
	1.18 (b)	0.19	3.25	0.00*
Unknown Number	-0.86	0.23	0.42	0.00*
Number of obs	1072			
LR chi2(9)	358.15			
p	0.000*			
Log likelihood	-851.51			
Pseudo R2	0.1738			

* $p > .01$

Note: For the variables "Unknown Race" and "Multiple Offenders" two coefficients are presented, as these are the variables that violate the assumption of parallel lines for ordered logit models. The partial proportional odds model produces two coefficients for these variables, the first coefficient (a) compares the lowest level of victimization to higher levels and the second coefficient (b) compares the higest level to lower levels.

Discussion

These analyses highlight some interesting patterns, but perhaps the most unexpected finding has to do with the lack of differences between anti-transgender and anti-gay/lesbian/bisexual hate crimes in the Uniform Crime Report (UCR) data. Based on previous studies, we would expect to find the following: 1) a significant difference in severity between anti-transgender hate crimes and anti-LGB hate crimes; and 2) a significant difference in severity between anti-gay hate crimes and anti-lesbian hate crimes; such that if we were ranking the seriousness or severity of such crimes from least to highest it would be anti-lesbian, than anti-gay, and finally anti-transgender (Grant et al. 2011b; Waters et al. 2016). Indeed, those who work with the victims of anti-transgender and anti-LGB hate crimes often discuss them as qualitatively different (Waters et al. 2016). However, using UCR data, a nationally representative probability sample, we find no such differences. Theoretically, this is important, as it would be

expected that greater levels of violence would be used against those who pose a greater threat to the heteronormative social order—specifically transgender individuals (Serano 2009). This is not to say that there are no differences in the severity of an individual crime within each offense category—for example, the injuries of one victim of simple assault may differ from the injuries of another victim of the same crime—this finding does indicate that, overall, LG(B) and transgender individuals experience similar patterns of hate crime victimization.

The significance of the partial proportional odds model, but lack of significance of individual predictors in the model, suggests that the sample size of people experiencing anti-transgender hate crimes in the UCR data could be obscuring possible significant effects (Black, Gates, Sanders et al. 2000). This is a hazard when examining small populations, but especially true in cases in which sexual orientation (or gender identity) is not directly assessed by the measurement instrument itself (Black et al. 2000)—which is the case for both NCVS and UCR data. Both UCR and NCVS data could be improved with additional information about crime victims, including their self-identification as LGB(T), rather than having LGB(T) people only identifiable through bias motivation (which may be more closely related to offender's perceptions of the victim or police classification). Moreover, the inclusion of gender for transgender individuals, rather than a composite category containing both transmen and transwomen would benefit future research. It is also possible that the null finding is partially due to the fact that hate crimes are based to a great degree on offender perceptions, and conflation of gender identity and sexual orientation is fairly common (for example, often transgender women may be mistaken for homosexual men by perpetrators and other individuals (Schilt and Westbrook 2009)). A final possibility is that police have misclassified these crimes, either due to homophobia or transphobia (Waters et al. 2016), or due to lack of training about LGBT issues

and classification of anti-LGBT hate crimes (United States Department of Justice and Federal Bureau of Investigation 2012a).

It is also interesting that there are differences in significance of variables across these data sets, such as the importance of victim sex and offender race, which should be further explored. These differences likely result from the fact that UCR data only contains crimes known to and reported by police, while NCVS data is a household survey that involves self-reporting. Specifically, the NCVS analysis shows differences in the seriousness of anti-LGB hate crimes committed against men and women; however, these differences do not appear in the NCVS, as the comparison of gay men to lesbians was not significant. Likewise, the NCVS indicates that anti-LGB hate crimes committed by non-White offenders are less serious than those committed by Whites, while the UCR data shows the opposite, that they are more serious. This suggests that there is a discrepancy between the importance of characteristics in all anti-LGBT hate crimes as compared to those reported to the police. Police underreporting is a known problem and has previously been discussed in terms of victim characteristics that lead to non-reporting (Waters et al. 2016), but future research should also explore how characteristics of a hate crime incident contribute to non-reporting.

Importantly, this is the first analysis using nationally representative data and hypothesis testing to investigate the impact of the number of offenders in the seriousness of anti-LGBT hate crime perpetration. As was expected, the number of offenders is a significant predictor of the seriousness of the offense: the greater the number of offenders present, the more serious the offense. This is something that has been noted in other studies regarding anti-LGBT hate crimes; violent hate crimes generally involve a greater number of perpetrators and result in more injuries than other crimes (Federal Bureau of Investigation 2013b; Harlow 2005).

Finally, both UCR and NCVS data indicate that crime seriousness is lower when there are an unknown number of offenders, and that the seriousness of the crimes is lower for offenders of unknown race(s) than those where the race(s) were known, which is to be expected given the anonymous nature of many property crimes (the least serious crime category in this analysis). For example, in cases of the least serious crimes, such as vandalism, perpetrators of crimes—including if there was one or multiple perpetrators and the racial/ethnic makeup of that individual/group—are often unknown to the victims, because the victims were not present at the time the offense happened (Schmitt 2014). Indeed, as crimes become more serious, there are fewer cases where the number of perpetrators, or other perpetrator characteristics, such as race, are unknown to the victim.

Conclusion

This project seeks to make a unique contribution to the study of hate violence by examining the individual level factors that impact the seriousness of anti-LGBT hate crime victimization and perpetration. Though anti-LGBT hate crimes represent a significant proportion of all hate crimes in the United States, most research has been focused on other forms of hate violence, marginalizing (and perhaps minimizing) violence against lesbian, gay, bisexual, and transgender individuals (Perry 2001; Perry 2009). And while data on transgender violence is collected through the Uniform Crime Report (UCR), that data isn't currently analyzed in annual hate crimes statistics (United States Department of Justice and Federal Bureau of Investigation 2012b), and as such there is a significant gap in our knowledge on national patterns and trends of anti-transgender hate crimes.

Moreover, despite growing legal recognition that anti-LGBT violence is a problem, there is little being done to understand the characteristics that impact the seriousness of this particular type of violence. Indeed, despite 18 years of data collection and research on anti-LGB hate crimes, as well as more recent attention to anti-transgender hate crimes, there have been few studies that utilize national probability samples along with regression analyses and other hypothesis testing to examine these issues (Perry 2012). This project fills a key gap in the literature, analyzing patterns of seriousness in anti-LGBT hate crimes using nationally representative data and inferential statistical models.

A key finding of this project is the continued and urgent need for better data collection on LGBT men and women and anti-LGBT hate violence at the national level. This need is also echoed by activists and those working in public policy concerned with LGBT issues (Gates 2011). As evidenced in the literature review, comprehensive national data on anti-LGBT hate crimes is severely limited. Ensuring adequate representation of lesbian, gay, bisexual, and transgender people in national data would vastly improve our ability to understand and theorize motivations for perpetration of anti-LGBT hate violence and the unique characteristics that put some people at higher risk of victimization. Recording information specific to hate violence and hate crimes would also dramatically improve our ability to provide services to victims and survivors.

For instance, future data collection on perpetrators should include Hispanic ethnicity (in addition to race) and other demographic characteristics, such as actual age (rather than age range), for both victims and offenders whenever possible. Perhaps most importantly, allowing LGBT people to self-identify as such might allow for more accurate reporting of anti-LGBT hate crimes, but would also allow for exploration of differences between LGBT victims and non-

victims. Addressing these gaps is critical to developing a more comprehensive understanding of those crimes, allowing for development of prevention strategies and more effective engagement with victims and survivors of that violence. For example, more accurate information about victimization could allow local service providers to tailor programs for survivors that took into account cultural issues, language barriers, or other important differences that might otherwise go unaccounted for.

Future data collection must also take into account issues of police misclassification and non-reporting by victims. A more nuanced analysis of police non-reporting could lead to a greater understanding of when and why victims choose not to report anti-LGBT hate violence to police and could suggest biases in our current understanding of anti-LGBT hate violence, due to reliance on police report data.

Lastly, while this paper and previous studies have aimed to assess characteristics of perpetration and victimization, more should be done to assess additional hate crime outcomes (such as injuries from victimization and health care/service provider utilization). While this study suggests similarities among LGBT people in the types of hate crimes experienced, post-victimization outcomes are another important issue to consider, especially given the barriers that LGBT people face in accessing healthcare (Ard and Makadon 2012).

Chapter 4: Exploring the Help-Seeking Behaviors of Victims of Anti-LGB Hate Crimes

Though approximately 1,500 anti-lesbian, gay, and bisexual (LGB[25]) hate crimes are reported to police each year, studies consistently find that police non-reporting is a major issue, with over half of all incidents of anti-LGB(T) hate crimes going unreported every year (Federal Bureau of Investigation 2013a; Grant et al. 2011b; Langton and Planty 2011; Waters et al. 2016). In fact, crimes motivated by the victim's sexual orientation were less likely than most other bias related crimes to be reported to the police, with only 43% being reported during the 2003-2009 time period (Langton and Planty 2011). Moreover, even when victims do go to the police, some victims find that police refuse to file a report or experience outright hostility from the police while attempting to file a report (Waters et al. 2016). Given that police report data is generally considered the most comprehensive data available in understanding anti-LGB hate crimes (Perry 2012), it is important to assess how underreporting impacts police report data; thus shaping our understanding of anti-LGB hate crimes and anti-LGB hate crime victimization

Given that so many anti-LGB hate crimes go unreported, this paper also considers whether there are alternate locations that victims of these crimes are seeking help. Some of the most frequently acknowledged consequences of hate crime victimization are negative physical and mental health outcomes (Herek et al. 2008). Accordingly, this paper considers whether the health care system could serve an alternate location for identifying victims of anti-LGB hate crimes. While there is little research on the rate of health care seeking of victims of anti-LGB hate crimes, identifying victims through the health care system has improved the detection and

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[25] Here, only LGB hate crimes are referenced, as anti-transgender hate crimes are not captured by the data used in this study. Throughout this proposal, LGB and LGBT are utilized distinctly to recognize instances in which transgender individuals are either excluded or included from the data or theory being discussed.

provision of services for other victims of other violent crimes, such as intimate partner violence (Nelson et al. 2012).

This paper examines two separate outcomes: first, whether victims of anti-LGB hate crimes report the incident to police, and second, whether they seek healthcare post-victimization using data from the 2003-2013 National Crime Victimization Survey (NCVS). In each analysis, victim and incident characteristics that impact reporting are included to determine if different types of victims are seeking help in different locations, and how characteristics of the incident itself shapes victim's help-seeking behaviors. The NCVS data is uniquely capable of addressing these questions, in that it includes data on hate crime incidents that are not reported to the police, a central component of this analysis.

Review of the Literature

Police Non-Reporting

There are two main sources of data for examining large-scale issues of non-reporting in relation to anti-LGB(T) hate crimes; national statistics based on self-reported experiences of victimization, and data collected by organizations that work with the victims of anti-LGB hate violence (United States Department of Justice et al. 2014; Waters et al. 2016). Additionally, some smaller studies have examined specific victim or incident characteristics that contribute to police non-reporting, though few studies examine the simultaneous impact of these factors (Goudriaan 2006; Kuehnle and Sullivan 2001; Kuehnle and Sullivan 2003).

There are two main sources of nationally representative data on bias crimes, the National

Crime Victimization Survey (NCVS) and the Uniform Crime Report (UCR). The UCR data

consists of all crime reports collected by police. The NCVS is a survey of individuals and

captures self-report data on criminal victimization in the US, including incidents not reported to

the police, thus capturing a greater number of crimes than the UCR (Federal Bureau of

Investigation 2005; James and Council 2008). For the period of 2003-2009, this means that

nearly 27,000 hate crimes motivated by sexual orientation were captured by the NCVS, while

just over 6,000 were reported by the UCR data for the same time period (Langton and Planty

2011). Comparison of the 2003-2006 and the 2007-2011 time periods shows an increase in hate

crimes motivated by sexual orientation in both the NCVS and the UCR data (Sandholtz et al.

2013). According to the NCVS, crimes motivated by the victims' sexual orientation were even

less likely to be reported to police than other bias crimes, such as racially or religiously

motivated hate crimes (Langton and Planty 2011). Further, while decreases for the total number

of hate crimes were recorded by the UCR in the 2008-2012 time period, hate crimes captured by

the NCVS did not decline (Wilson 2014). Thus, the NCVS paints a much different picture of

hate crime victimization; specifically, the UCR drastically undercounts the amount of hate

violence experienced by LGB individuals, because this type of violence is less likely to be

reported to the police in the first place. This is especially problematic, given both the violent

nature of these attacks and increase in anti-LGB violence recorded by the NCVS.

The National Coalition of Anti-Violence Programs (NCAVP) collects data from across

the US from individuals who report their experiences of violence to local NCAVP member

organizations, and produce an annual report from this information (Waters et al. 2016). The

NCAVP data involves hate crimes both reported to and not reported to the police, as well as data

regarding non-criminal acts of hate violence, such as verbal abuse and bullying, and discrimination. In the most recent report, more incidents were reported to NCAVP than reported to law enforcement, though there were still fewer incidents reported than provided by NCVS estimates. While some of this may be due to the broadened definition of violence, NCAVP has only 15 member organizations, which report data for 18 states, while the UCR data covers a majority of the US. Similar to the NCVS survey, the NCAPV data indicates that only 56% of incidents were reported to the police; however, only 77% of these reports were actually taken by police- in 23% of cases, the person attempting to report the crime was turned away by the police with no official report filed (Waters et al. 2016). And in almost 27% of the cases reported to police, the police were hostile to the person reporting the incident (Waters et al. 2016). This would support the idea that UCR data does not represent all anti-LGB hate crimes.

In terms of victim characteristics that impact police reporting, the NCVS points to several characteristics that impact police reporting generally; however, analyses have not examined the factors that influence non-reporting for anti-LGB hate crimes specifically (Baumer and Lauritsen 2010; Hart and Rennison 2003). For example the NCVS indicates, that generally, Black victims are more likely to report being the victim of a crime than victims of other races (Baumer and Lauritsen 2010; Hart and Rennison 2003) However, in relation to anti-LGB hate crimes specifically, Kuehnle (Kuehnle and Sullivan 2001) found that victims of racial and ethnic minorities were less likely to report the incident; however, this study utilized a convenience sample, not nationally representative data. Additionally, sex significantly impacts reporting of crime generally, such that women are more likely to report crimes to police than men (Hart and Rennison 2003). This pattern of sex differences in reporting has also been found in examining small samples of anti-LGB(T) hate crimes (Kuehnle and Sullivan 2003).

In terms of general trends in police non-reporting and non-reporting of anti-LGB hate crimes, the severity of the crime itself is a major determinant of whether an incident is reported to police, with more serious incidents more likely to be reported than less serious incidents (Hart and Rennison 2003; Kuehnle and Sullivan 2001; Kuehnle and Sullivan 2003). It is important to note that one key reason that hate crimes differ from non-hate crimes is that they are more likely to be committed by multiple offenders (Federal Bureau of Investigation 2013a; Harlow 2005), which can lead to an escalation in the severity of these incidents as well (Ahmed and Jindasurat 2015). Finally, the race of the offender impacts the reporting of some types of crime, such that crimes committed by racial minorities are more likely to be reported to police (Hart and Rennison 2003). This is important to examine in relation to anti-LGB hate crimes given that previous studies have resulted in conflicting findings regarding the race of perpetrators of these crimes (see chapter 3) (Ahmed and Jindasurat 2015; Waters et al. 2016). Specifically, previous work using small, non-representative samples has produced conflicting findings regarding race of perpetrators (Ahmed and Jindasurat 2015; Waters et al. 2016). However, chapter 3 of this dissertation suggests that racial differences in the perpetration of anti-LGB crimes may be attributed to the increased likelihood that crimes committed by nonwhite offenders are reported to police (see chapter 3).

Though methodological differences result in varying accounts of the number of hate crimes annually, what is consistent across these studies is that LGB(T) people underreport experiences of criminal violence to police, often due to negative expectations of or interactions with the police (Ahmed and Jindasurat 2015; Waters et al. 2016). However, few studies have considered the individual victim or incident characteristics that impact victim's non-reporting. This study examines how these factors simultaneously impact non-reporting, allowing for a

greater understanding of how reliance on police report data has shaped, and perhaps skewed, current conceptions of anti-LGB hate crimes and victimization. This is important because it not only gives us a more comprehensive understanding of anti-LGB hate crimes, but may also point to areas of intervention for victims who are currently underserved by the justice system.

Health Care Utilization

The most frequently acknowledged consequences of hate crime victimization are the negative physical and mental health outcomes of violence (Herek et al. 2008). Though the physical impacts of violent victimization are the most easily discernable, the mental toll on victims can last long after their physical injuries have healed (Garnets et al. 1990). The long-term impact to victims is one of the reasons that the mental health effects of anti-LGBT hate violence are the most studied consequence of victimization (Herek et al. 2008).

While being the victim of any type of violent crime can be psychologically damaging, that damage is often amplified for victims of anti-LGBT hate crimes (Herek et al. 2008). For LGBT individuals, their victimization is tied to a central aspect of their personal identity, but also victimizes them as members of the larger LGBT community, so the attack on their identity is two-fold (Herek et al. 2008). In this way, being the victim of anti-LGB hate violence creates vulnerabilities surrounding one's sense of sexual identity that are unique to victims of these bias crimes (Garnets et al. 1990). Additionally, for some victims, victimization does not end when the incident is over; they may experience secondary victimization by having to disclose their sexual orientation after the attack, leading to additional negative mental health outcomes (Berrill and Herek 1990).

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In terms of specific mental health consequences, victims of anti-LGBT hate crimes often experience anxiety, depression and post-traumatic stress disorder (Herek et al. 2008). The prevalence of these mental health concerns is higher among victims of LGBT hate crimes than for victims of non-hate motivated violence (Cramer et al. 2012). Other mental health indicators associated with victimization include increased fear, low self-esteem, anger, and suicidal ideation (Clements-Nolle et al. 2006; Cramer et al. 2012; Herek et al. 2008).

In regard to physical injuries, the NCVS reports that hate crimes are generally becoming more violent, with the rate of violent victimization rising from 78% in 2004 to 90% in 2012 and in approximately 20% of these incidents, the victim sustained some type of injury during the attack (Harlow, 2005). It is important to note that these findings from the NCVS represent all hate crimes, not just those based on sexual orientation bias (Harlow 2005). NCAVP data, on the other hand, indicates that LGB people are almost 1.5 times more likely to experience injuries from hate violence victimization and that they were 1.68 times more likely to require medical attention for their injuries than non-LGB people (Waters et al. 2016). Moreover, researchers have noted that when injuries are sustained during these crimes, the injuries are typically severe (Dean et al. 2000; Herek et al. 2008; Reasons and Hughson 2000). Thus, consideration of the physical health consequences of anti-LGB hate crimes--as distinct from other hates crimes--is necessary.

Better understanding the consequences of victimization is important not only because of the detrimental physical and mental health outcomes, but also because many victims do not seek help from the police. Though the rate of health care seeking of the victims of anti-LGBT hate crimes has not been extensively examined, the health care system has improved detection of and response to other types of violent victimization, for instance following intimate partner violence (Schornstein 1997). In 1989, the American Medical Association first launched its campaign to

promote awareness of the issue of violence against women, and by 1991, guidelines were in place for routine screenings in emergency rooms and primary care settings (Schornstein 1997). This campaign allowed victims non-criminal justice based options for prevention, support, and treatment (Nelson et al. 2012). Not surprisingly, these efforts regarding IPV prevention have most benefitted heterosexual women, largely leaving out those who are non-heterosexual, transgender, abused by a same-sex partner, and/or male victims (Blosnich and Bossarte 2009; Coston 2011).

But despite these barriers, LGBT victims of intimate partner violence are still more likely to seek help from a health care provider than from the police (St Pierre and Senn 2010). The knowledge that victimization often ends with mental and physical health consequences, coupled with the fact that the health care system has been a site of contact for LGBT victims of intimate partner violence--despite the presence of homophobia and transphobia--suggests that the health care system may be an important site of intervention for LGBT victims of other forms of violence, including anti-LGBT hate violence. Although LGBT people face multiple barriers in accessing and utilizing health care services, ultimately leading them to seek out health care less often than their heterosexual, cisgender counterparts (Diamant, Wold, Spritzer et al. 2000; Mayer et al. 2008; Wong 2013), the violent nature of hate crimes, combined with the numerous negative mental health consequences experienced by victims, suggest that the health care system may be an alternate location in which victims of violence do seek help. Better understanding of the ways that victims of anti-LGBT hate crimes seek healthcare services may improve our ability to identify victims of those crimes. Ultimately identifying these victims could lead to a more comprehensive understanding of victimization and lead to improved detection, as well as improved provision of services to victims.

Data and Methods

Data

The analysis of anti-LGB hate crime victimization utilizes pooled data from the 2003-2013 National Crime Victimization Survey (NCVS). The NCVS is a survey regarding the occurrence, characteristics and effects of criminal victimization in the United States (United States Department of Justice et al. 2012). The U.S. Census Bureau conducts the survey for the Bureau of Justice Statistics. Since 1973, this data has been released annually, with the most recent release in 2013. Beginning in 2003, the NCVS collected data regarding hate crimes committed on the basis of sexual orientation. Data is collected every 6 months from a nationally representative sample of U.S. households, and includes information on crime victimization for all household members age 12 and older, utilizing a rotating panel design. Sampled households are interviewed every six months for a period of three years, with new households rotating into the sample on an ongoing basis. This data attempts to provide a comprehensive look at the occurrence of and individual's experiences with criminal victimization in the United States (United States Department of Justice et al. 2012). To condense the detailed information collected in the NCVS, the NCVS further classifies crimes according to the seriousness hierarchy, which consists of 34 crimes in total; these are collapsed into broad nine categories, including violent, nonviolent, and property crimes (United States Department of Justice et al. 2012). While the NCVS does capture crimes not reported to the police, it still undercounts the total number of crimes committed (Harrell 2011; Maxfield 1999). Some classes of crime, such as rape and sexual assault are underreported, and the use of proxy interviews also leads to undercounting of crimes (Harrell 2011; Maxfield 1999). Both of these issues could lead to underreporting of crimes based on sexual orientation.

Sample

A total of 167 hate crimes based on sexual orientation are reported in the NCVS data from 2003 to 2013. One of these cases was not classifiable under the seriousness hierarchy[26], which is used as a control variable in all analyses, and was excluded from the sample.

Dependent Variables

In the first analysis, the dependent variable is whether the anti-LGB hate crime was reported to police. This is a binary variable, coded as yes/no. The second analysis examines utilization of health care services after victimization, which is also a binary outcome. Finally, a third outcome, whether the victim sought either form of help, is also included.

Independent Variables

Characteristics of victims that are central to both analyses are race, coded as white or nonwhite; and sex, coded as male or female. Victim's household income, as captured by a set of dummy variables (under $25,000, $25,000-$49,999, over $50,000, or income not reported) is also included in the models, as ability to pay for healthcare services can impact their utilization.

In each analysis, the severity of the crime as ranked by the NCVS seriousness hierarchy is included as a control. The seriousness hierarchy collapses offenses into nine aggregate categories (United States Department of Justice et al. 2012). However, in order to allow for a

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[26] The seriousness hierarchy was utilized as a control variable in all analyses and is described in the section on independent variables.

sufficient number of cases in each crime category, and to ensure an adequate number of cases for the number of independent variables, the NCVS seriousness hierarchy was further collapsed into a three-level ordinal variable for all analyses, as this provided the greatest amount of detail regarding these incidents, while also providing adequate data coverage. The three categories (from least to most serious) represent thefts and property crimes, threats and intimidation, and violent crimes. Additionally, number of offenders is included as a control, as both the severity of an incident and number of offenders present make an incident more likely to be reported to police and more likely to require medical attention.

The analysis of health care utilization will include reporting to police, to ascertain whether individuals are more or less likely to have reported to police if they are seeking health care services. In the police reporting model and model assessing seeking either form of help, race of the offender (white or nonwhite) was also included, as the previous chapter suggested that offender race was a significant factor in crimes that have been reported to police. Finally, because this is panel data, year of reporting was included to control for possible time trends in the data.

Methods

For analysis of both police reporting and health care utilization, binary logistic regression is utilized. In each analysis, the outcome is a yes or no, either the crime was or wasn't reported to police, the victim sought healthcare or did not, and finally, whether the victim sought either form of help. The use of binary logistic regression overcomes these violations by accounting for the unique nature of a dichotomous dependent variable. For all models, the ratio of cases to

independent variables is sufficient for the use of binary logistic regression (Tabchnick and Fidell 2006).

For analysis of all models, initial diagnostics indicated no problems with multicollinearity among the variables, with all variance inflation factors under 2.5 (Allison 1999). Outliers were detected by the fitting each binary logistic regression and identifying cases with studentized residuals greater than 3 (Williams 2016). Influential cases were identified by fitting each binary logistic regression model and examining cases in which the hat value was two times greater than the average hat value for that particular model. Cases identified as potentially outlying or influential were excluded from the model to assess whether their inclusion impacted the findings. As excluding these cases did not impact the direction, magnitude, or significance of results, these cases were retained in the final model (Bollen and Jackman 1985).

Finally, survey estimation techniques, which take into account the sampling design of the NCVS, were used. This reduces bias in standard errors by adjusting for the unequal probabilities of respondent's selection into the NCVS sample. As the unit of analysis is a particular incident, incident level weights are used. This also allows for the generation of population estimates from the data (United States Department of Justice et al. 2014).

In the model for healthcare seeking, the distribution of victims who did or did not seek out healthcare caused data separation, resulting in empty cells for two of the variables of interest. Specifically, no victims sought healthcare that experienced hate crimes of the lowest seriousness, which consist of property crimes. As such, this model compares only crimes of moderate severity to crimes of the highest severity. Additionally, no victims in the highest income category sought

healthcare after the incident; accordingly, comparisons are made between remaining income groups.

Results

The population estimates for the mean, standard deviation, and confidence intervals from the NCVS data on hate crimes motivated by sexual orientation are presented in Table 1. In terms of police reporting, an estimated 44% of all hate crimes motivated by sexual orientation are reported to the police, while an estimated 14% of victims seek medical care. Victims are most often female, nonwhite, and have household incomes between $25,000 and $49,999. The seriousness of crimes ranges from 1 (least serious) to 3 (most serious), with a modal category of 2, which represents moderate severity crimes. In terms of offenders, single, nonwhite offenders most often commit these crimes.

The results of the binary logistic regression on police reporting are presented in table 2, the full model is statistically significant $F(5, 86) = 2.41$, p =.015). For all significant results, odds ratios are presented (Torres-Reyna n.d.). Offender race is statistically significant ($\beta=1.25$, $p >.01$), such that the presence of a nonwhite offender indicates that the incident is 3.48 times as likely to be reported to the police, given that all other variables in the model are held constant.

Table 1. Descriptive Statistics for Hate Crimes based on Sexual Orientation in the 2003-2013 NCVS

Variable	N	Estimated Population Mean	Estimated Standard Error	95% Confidence Interval Lower Bound	95% Confidence Interval Upper Bound
Incident Reported to Police (0 = no)	166	0.44	0.05	0.34	0.54
Medical Care Sought (0 = no)	166	0.14	0.03	0.08	0.20
Medical or Police Help Sought (0 = no)	166	0.46	0.05	0.36	0.56
Victim's Sex (0 = male)	166	0.48	0.05	0.37	0.58
Victim's Race (0 = white)	166	0.25	0.05	0.16	0.34
Income					
Under $25,000	166	0.29	0.05	0.20	0.38
$25,000 - $49,999	166	0.35	0.05	0.25	0.44
Over $50,000	166	0.10	0.03	0.04	0.15
Not Reported	166	0.27	0.05	0.17	0.36
Seriousness of Crime					
Low	166	0.29	0.04	0.21	0.37
Moderate	166	0.55	0.04	0.46	0.63
High	166	0.16	0.03	0.10	0.22
Multiple Offenders Present (0 = no)	166	0.26	0.05	0.16	0.36
Offender Race (0 = white)	166	0.57	0.05	0.47	0.67

Note: Population estimates derived using NCVS incident weights

Table 2. Binary Logistic Regression Estimates of Police Reporting for Hate Crimes Motivated by Sexual Orientation from the 2003-2013 NCVS

Variable (reference group)	Coefficient	Standard Error	Odds Ratio	p
Victim's Sex (Male)	0.11	0.42	1.11	0.80
Victim's Race (White)	0.72	0.53	2.06	0.17
Victim Income (Under $25,000)				
$25,000-$49,999	-0.52	0.56	0.59	0.36
Over $50,000	-0.17	0.58	0.84	0.77
Not Reported	0.60	0.55	1.83	0.28
Seriousness of Crime (Low)				
Moderate	0.35	0.43	1.43	0.41
High	0.96	0.62	2.61	0.13
Multiple Offenders Present	-0.34	0.52	0.71	0.52
Offender Race (White)	1.25	0.46	3.48	0.01**
Year	-0.03	0.06	0.98	0.68
_cons	49.29	124.42	2.54E+21	0.69
N	166			
df	90			
$F(5,86)$	2.41			
p	.015*			

* p ≥ .05; ** p ≥ 01
Note: Coefficients based on population estimates derived from NCVS incident level weights

The results of the binary logistic regression on health care seeking are presented in table 3, the full model is statistically significant $F(8, 56) = 2.97$, p <.01). Again, for all significant results, odds ratios are presented (Torres-Reyna n.d.). As expected, the control variable for seriousness of crime is statistically significant ($\beta=3.60$, $p >. 01$), such that compared to crimes of moderate severity, victims of the most serious crimes are 16.43 times more likely to seek health care following the incident, given that all other variables in the model are held constant. There is also a significant time trend in the data ($\beta=-0.27$, $p =.02$), such that the odds of seeking healthcare have decreased over time, given that all other variables in the model are held constant. Whether the incident was reported to the police is marginally significant ($\beta=1.51$, $p =.10$), such that the odds of seeking healthcare are greater when a crime is reported to the police.

Table 3. Binary Logistic Regression Estimates of Health Care Seeking of Victim's for Hate Crimes Motivated by Sexual Orientation from the 2003-2013 NCVS

Variable (reference group)	Coefficient	Standard Error	Odds Ratio	p
Incident Reported to Police	1.51	0.90	4.51	0.10
Victim's Sex (Male)	-0.85	1.05	0.43	0.42
Victim's Race (White)	1.02	1.05	2.76	0.34
Victim Income (Under $25,000)				
$25,000-$49,999	-1.13	0.96	0.32	0.24
Over $50,000	-	-	-	-
Not Reported	-0.48	0.98	0.62	0.63
Seriousness of Crime (Moderate)				
Low	-	-	-	-
High	2.80	0.91	16.43	0.01**
Multiple Offenders Present	0.13	0.83	1.14	0.88
Year	-0.27	0.11	0.76	0.02*
_cons	541.95	222.57	2.3E+235	0.02
N	99			
df	63			
$F(8, 56)$	2.97			
p	.01**			

* p ≥ .05; ** p ≥ 01

Notes: Coefficients based on population estimates derived from NCVS incident level weights. The lowest category of seriousness and income over $50,000 omitted because no victims in these categories sought medical care.

Finally, the results of the binary logistic regression on seeking either form of help (police or medical) are presented in table 4. The full model is statistically significant $F(5,86) = 2.79$, p <.01). Again, for all significant results, odds ratios are presented (Torres-Reyna n.d.). As expected, the variable for most serious crimes is statistically significant ($\beta=1.36$, $p >. 05$). Specifically, compared to crimes of low severity, victims of the most serious crimes are 3.91 times more likely to seek health care following the incident, given that all other variables in the model are held constant. Victim's race is statistically significant ($\beta=1.28$, $p >. 01$), such that the presence of a nonwhite victim indicates that the victim is 3.58 times as likely to seek help from either police or the healthcare system. Offender race is also statistically significant ($\beta=1.03$, $p =.03$), such that the presence of a nonwhite offender indicates that the victim is 2.81 times as likely to seek help following the incident.

Table 4. Binary Logistic Regression Estimates of Seeking Either Medical or Police Help for Hate Crimes Motivated by Sexual Orientation from the 2003-2013 NCVS

Variable (reference group)	Coefficient	Standard Error	Odds Ratio	p
Victim's Sex (Male)	-0.19	0.44	0.83	0.66
Victim's Race (White)	1.28	0.53	3.58	0.02*
Victim Income (Under $25,000)				
$25,000-$49,999	-0.29	0.57	0.75	0.61
Over $50,000	-0.07	0.58	0.93	0.90
Not Reported	0.77	0.56	2.16	0.17
Seriousness of Crime (Low)				
Moderate	0.30	0.45	1.35	0.51
High	1.36	0.68	3.91	0.05*
Multiple Offenders Present	-0.50	0.52	0.61	0.34
Offender Race (White)	1.03	0.46	2.81	0.03*
Year	-0.04	0.06	0.96	0.56
_cons	73.26	126.90	6.53E+31	0.57
N	166			
df	90			
F(5,86)	2.79			
p	.01**			

* p ≥ .05; ** p ≥ 01
Note: Coefficients based on population estimates derived from NCVS incident level weights

Discussion

These analyses highlight some important problems in our current conceptual understanding of anti-LGB hate crimes. Previous studies of offenders using small, non-representative samples of anti-LGB hate crimes have often suggested that non-white offenders are more likely to commit these crimes. Even using two comprehensive national data sets, the NCVS and the UCR, conflicting findings emerge regarding race of offenders. Chapter 3 of this dissertation found no racial differences in anti-LGB hate crimes when analyzing NCVS data, but significant racial differences using UCR data. However, this analysis suggests that those previous findings may be explained by the fact that anti-LGB hate crimes committed by white offenders are less likely to be reported to the police. In this way, reliance on police data to discuss anti-LGB hate crimes has reinforced the stereotypical notion that racial (and ethnic) minorities are more likely engage in criminal behavior. Specifically, in relation to anti-LGB hate crimes, this also perpetuates the stereotype that racial and ethnic minorities are more homophobic than their white counterparts (Bronski et al. 2013). Thus, this analysis highlights how heavy reliance on police report data has resulted in a distorted and racialized understanding of perpetrators of anti-LGB hate violence.

In fact, when examining multiple factors that could simultaneously impact whether an anti-LGB hate crime incident is reported to the police, race is the only significant factor identified in this analysis. Even seriousness of crime, which impacts police non-reporting for crime generally, is not a significant factor when both victim, perpetrator, and incidents characteristics are included in the same model.

In terms of healthcare seeking behaviors, this analysis suggests that often, victims who are seeking healthcare have also reported the incident to police. Unfortunately, the data at hand does not allow us to disentangle whether healthcare providers encouraged victims to report the incident to police, whether the police encouraged victims to seek medical care, or whether there are individual level factors that similarly influence both outcomes. Future research should aim to disentangle these effects. Theoretically, this relationship could work in either direction or both directions depending on the victim's first point of contact. For example, many states have laws requiring health care providers to report crimes to police when there has been a physical injury to the victim (Houry, Sachs, Feldhaus et al. 2002). Additionally, some police departments refer all victims of particular classes of crime (for example sexual assault) to health care providers (Human Rights Watch 2013), though there is no specific data regarding anti-LGB hate crimes. This makes it likely that some, but not all, victims of anti-LGB hate crimes are referred to health care providers by police due to the nature of the crime that was committed against them.

This analysis also affirms findings from previous studies on health care utilization. Specifically, more serious crimes are more likely to result in victims coming into contact with the healthcare system. The fact that more serious crimes result in the necessity of seeking out medical care highlights the need for culturally competent health care providers, as up to 7% of LGBT people report experiencing victimization at the hands of a service provider (Waters et al. 2016). This analysis also finds that healthcare utilization has decreased over time. This is especially troubling, as anti-LGB hate crimes have actually increased over the time period under investigation (Langton and Planty 2011). Future research should aim to understand the factors that impact victim's decisions to seek healthcare post-victimization, specifically as they relate to anti-LGB hate crimes.

The differences that emerged in the model regarding utilization of either service are interesting to consider. Though victim race isn't significant in the individual models, it is significant in the model that considers either outcome. While nonwhite victims are have previously been shown to be more likely to report crime to police, that trend was not significant here (Hart and Rennison 2003). Moreover, healthcare seeking is generally less common among nonwhite victims (Betancourt, Green, Carrillo et al. 2003), making it counterintuitive that there would be a positive additive effect when consider both outcomes simultaneously.

Finally, the fact that race of offender is significant in the model that assesses both healthcare seeking and police reporting may suggest that victim perception plays a role in help seeking behaviors. The race of the offender is significant even when controlling for the severity of the incident; however, victims may have internalized biases that result in incidents committed by nonwhite offenders as being perceived as inherently more serious. Again, additional work should aim to uncover the mechanisms that underlie these reporting differences.

Conclusion

This project illuminates a key problem in understanding and conceptualizing victims of anti-LGB hate crimes. Specifically, that current understandings are largely based on police report data, which distorts our understanding of both victims and perpetrators of these crimes. Unfortunately, rather than revealing other areas in which we might be able to identify and provide services to victims, this analysis suggests that most victims are not seeking help through the traditional institutions that serve the victims of other types of crimes. Thus, it is important to

explore other avenues to support victims of these crimes, such as community service providers that work with victims of anti-LGB hate crimes.

This project also highlights the urgent need for both police and healthcare providers to improve provision of services to LGB(T) people and communities. We know from prior research that LGBT people forgo reporting to the police because they fear that will not be taken seriously, might be further victimized through their interactions with police, or could be turned away in trying to report. Though this analysis cannot pinpoint the reasons that the majority of LGB victims of hate crimes forgo medical treatment, similar barriers to seeking out healthcare services exist for LGBT generally. A concerted effort to make these institutions more accessible and approachable for LGB(T) people would be an important first step in trying to improve service provision in both of these systems.

Being able to locate victims of anti-LGB(T) hate crimes, through either these social institutions or in other ways is essential in being able to fully understand, conceptualize, and theorize about these crimes. Though the NCVS is one important tool for understanding crime, including anti-LGB hate crimes, the relatively small sample of victims of anti-LGB hate crimes limits its utility. Given the high rates of victimization in the LGB(T) community, it essential to improve our understanding of these crimes, which necessitates better national data collection on this problem either through existing channels or through identification of other opportunities to reach and serve these victims.

Chapter 5: Conclusion

This project provides a systematic account of anti-LGBT hate crimes in the US, while attempting to address three main shortcomings of previous work on these crimes. First, it integrates two currently disparate bodies of literature on anti-LGBT hate crimes, the theoretical and the empirical. It is important to develop theoretically informed and also empirically sound accounts of these crimes in order to fully understand the social and individual dynamics that contribute to their occurrence. Second, this project also provides a more advanced and nuanced statistical account of anti-LGBT hate crimes than previous studies have provided. Current analyses are often descriptive rather than explanatory in nature, and explanatory accounts are often limited to small, nonprobability samples. Explanatory accounts that are representative at the national level, such as the ones provided in this project, are necessary to understanding how and why anti-LGBT hate crimes occur. Finally, this project also substantively advances our understanding of anti-LGBT hate crimes, insomuch that it examines how social policy can impact rates of victimization and explores post-victimization outcomes, which have not widely been examined in prior research. A greater understanding of anti-LGBT hate crimes creates opportunities for future research to address the needs of victims and survivors of these crimes. Those opportunities will be explored in greater detail in this chapter, but first, I will highlight the key findings that inform these recommendations.

As a reminder, in order to address the goals of this project, three distinct, but interrelated research questions were examined.

1. *Is the enactment of state civil rights legislation related to the incidence of anti-LGB hate crimes?*

2. *Are anti-LGBT hate crimes tied to demographic and other characteristics of victims and*

   perpetrators?

3. *Where are victims seeking help post-victimization?*

By examining these questions, it becomes clear that anti-LGBT hate crimes are unique and specific forms of hate violence that have complex roots in social factors. One of the major contributions of this research was exploring how LGBT legal visibility is related to hate crimes against LGBT individuals; specifically examining how macro level changes in social policy can have individual level impacts. This project also examined the importance of individual characteristics on risk of hate crime victimization and perpetration, as previous studies have generated conflicting results. Moreover, this project looked at victimization and perpetration in conjunction with one another, keeping in mind that there are a number of social dynamics that may be at work in any particular incident. Finally, the consequences of victimization are explored as they relate to the help-seeking behaviors of victims, which is critical because understanding which victims are or are not receiving help is essential to addressing the needs of all victims.

Key Findings

Question 1: Impact of Civil Rights Legislation

Chapter two specifically connects theory to data, by examining the backlash hypothesis: the premise that LGBT visibility results in violence against LGBT people. This is rooted in the theory that hate crimes are used as a means of social control, and that violence is directed against

particular groups to maintain existing the social order (Perry 2001; Perry 2009). Both activists and scholars have connected these idea about social control directly to instances of anti-LGBT violence, arguing that the visibility of LGBT people in public life (whether positive or negative) often results in a violent backlash against them (Boxall 1993; Bronski 2007; Califia 1981; D'Addario 2013; Griffin 1992; Karim 2011; Kimmel 1995; Waters et al. 2016). In the last several decades, LGBT visibility has dramatically increased in both positive and negative ways. In regard to legal visibility, this ranges from increased protections in hate crimes legislation, to the changes in the status of same-sex marriage. Theoretically, this would suggest that LGBT people are increasingly at risk for hate crime victimization.

However, the findings of this study contradict the theory that all forms of LGBT visibility result in a violent backlash against LGB(T) people. While negative LGBT legal visibility, in the form of state-constitutional bans to same-sex marriage, is associated with increased rates of hate crimes against LGB people, positive visibility is not. In fact, some forms of positive visibility, such as the passage of same-sex marriage legislation are associated with a decreased incidence of hate crimes at the state level. In some cases, legislation has been due to passage of same-sex marriage legislation by voters, which could indicate that attitudes were changing before policy. However, most recent changes to same-sex marriage legislation have been due to court rulings. We still see overall decreases rates of anti-LGB hate crimes even in these years, which suggests that even when policy change occurs first or possibly against public opinion, there is still a positive effect.

Thus, it is necessary to reconsider the role of policy in either exacerbating or improving the conditions of LGBT people, as these findings directly contradict common arguments that increasing rights or seeking protections for LGBT people might have unintended negative

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consequences. Though this research cannot speak to every specific type of legislation, lobbyists, politicians, and organizations seeking to improve the conditions of LGBT people at the state level should advocate for legislation that confers rights or protections upon LGBT people while strongly considering the potential harms of any legislation that seeks to limit or restrict the rights of LGBT people.

Moreover, the results of the examination of the impacts of LGBT civil rights legislation on annual, state-level rates of anti-LGBT hate crimes demonstrates that there are other important factors at work and these could help us build and develop theory in future research. Specifically, this analysis finds that the rate of crimes is decreasing over time, and that prior year rates of state-level hate crimes are an important predictor of current rates. This also runs counter to the backlash theory; as LGBT issues have become increasingly visible in recent years, it is clear that not all forms of visibility lead to negative outcomes. Despite these decreasing rates, the fact that rates of hate crimes within states are relatively stable across years may suggest that the underlying ideologies that motivate anti-LGBT hate crimes are much slower to change, particularly within smaller geographic areas, such as states. Considering other geographically localized factors, such as areas that are more religious or politically conservative, that could contribute to increases or declines within states would be an important future project.

Question 2: Impact of Victim/Perpetrator Characteristics

Several important findings emerged from the examination of patterns of victimization and perpetration in anti-LGBT hate crimes in chapter three, challenging previous findings. This chapter examined the seriousness of crime as measured by the NCVS seriousness hierarchy that

ranks specific criminal acts in terms of severity, for example, violent crimes are more serious than property crimes. First, qualitative work previously suggested that hate crimes against transgender victims are more serious than those committed against lesbian, gay, or bisexual individuals (Grant et al. 2011b; Waters et al. 2016). Theoretically, we would also expect that greater levels of violence would be used against those who pose a greater threat to the heteronormative social order—arguably, as transgender individuals do (Serano 2009). Moreover, theory also suggests that as masculinity is rooted in homophobia (and transphobia), that violence against transgender people and gay men would be more serious than violence against lesbians, as these pose more serious threats to masculinity (Buijs et al. 2011; Tomsen 2001). However, no significant differences emerged in comparing the severity of anti-transgender and anti-gay/lesbian/bisexual hate crimes in the Uniform Crime Report (UCR) data. There are some important caveats to consider when examining the null findings. First, the same crime may result in more serious outcomes, for example, some victims of assault require hospitalization, while others experience more minor injuries. Unfortunately, this is not discernable in the UCR data, as incidents can only be ranked in terms of the crime committed. Additionally, it is important to note that the use of police report data for this analysis does have limitations. Specifically, misclassification or non-reporting of anti-transgender hate crimes likely leads to undercounting of these incidents. This results in a much smaller sample of anti-transgender hate crimes, which may obscure real differences between anti-LGB and anti-transgender hate crimes.

Additionally, when examining the severity of these crimes, differences emerged in analyses when comparing the models using UCR data with models using NCVS data. In particular, the significance of victim sex and offender race differed across these data sets. Specifically, the UCR analysis shows differences in the seriousness of anti-LGB hate crimes

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committed against men and women; however, these differences do not appear in the NCVS. Additionally, race of offender was significant in analysis of the UCR data, such that non-white offender committed more serious crimes than white offenders; however, no differences in race of offender were found using the NCVS data. Again, theories of masculinity tell us that violence perpetrated by non-white men should be more serious, as it would serve to bolster their already threatened masculine identities (Tomsen 2001).

Question 3: Help-seeking Behaviors of Victims

Interestingly, we find in the following chapter that these differences can be attributed to the fact that UCR data only contains crimes known to and reported by police, while NCVS data is self-reported. In chapter four it becomes clear that the contradictory findings regarding race of offender are explained by the fact that anti-LGB hate crimes committed by non-white offenders are more likely to be reported to the police than those committed by white offenders. Thus, the NCVS findings that racial (and ethnic) minorities do not use greater violence against LGBT people are incredibly important. Stereotypes often suggest that racial and ethnic minorities are more homophobic than their white counterparts (Bronski et al. 2013). Likewise, theories of masculinity indicate we would find that these offenders commit more serious crimes (Tomsen 2001); however, this is not the case. Similarly, in considering help seeking behaviors of victims, in incidents where the offender was non-white, victims were more likely to seek medical care. This disparity exists even when controlling for the severity of the incident. When considering these findings in conjunction, it highlights the importance of victim perception: victims perceive

crimes committed by non-white offenders to be more serious, thus seeking all forms of help more often.

It is also interesting to note that victim characteristics have little to do with their help-seeking behaviors. Though differences in police reporting or health care seeking would be expected between victims of different social classes or races, these differences do not emerge in either the health care seeking or police reporting models when looking at these as individual outcomes. In fact, what is evident from the data are that most LBG victims are not reporting, even those who are white or upper class- victims that are more likely to report other types of crimes. This suggests that sexual orientation is perhaps a more important predictor of non-reporting than these other factors, and that LGB victims generally are not seeking help post-victimization.

Finally, while this project initially conceptualized the health care system as an alternate location where victims may seek help, given the fact that other LGBT victims of violence have turned to the healthcare system post-victimization and the large numbers of victims who do not report the incident to police. Unfortunately, these analyses showed that most victims are not seeking out medical care; and when we consider the overlap between victims who report to police and those who seek out health care, many victims who seek out help post-victimization seek that help from multiple sources, reporting the incident to police and utilizing health care services. Unfortunately, this means that while there are a small number of victims who benefit from these services, most victims are not being served by the current systems in place. These findings are especially concerning, given the numerous negative physical and mental health consequences of these crimes. Thus, improving access to services and care for LGBT victims of

hate crimes is critical in combatting the long-term negative effects associated with victimization (Cramer et al. 2012; Garnets et al. 1990).

Limitations

Though this study represents a major advance in terms of the statistical analysis of national level data on anti-LGBT hate crimes, the largest limitations of this study are specifically related to the data available. Neither the UCR nor the NCVS specifically asks for the sexual orientation or gender identity of the victim, rather they are classified as whether the incident was motivated by bias related to sexual orientation or gender identity. This creates several problems in the classification of these crimes. First, hate crime victimization is typically classified based on offender perception and actions during the incident that show evidence of bias, not the victim's personal identity. This means that not all victims of anti-LGBT hate crimes actually identify as LGBT, as a perpetrator can wrongly perceive someone who is heterosexual to be gay and target them for a hate crime. Additionally, many crimes involving transgender victims may be misclassified as crimes based on sexual orientation. Offender's perceptions may be incorrect, as gender identity and sexual orientation are often conflated (Serano 2009). Specifically, transwomen are often incorrectly perceived to be gay men (Serano 2009; Witten and Eyler 1999). What's more, police must classify these crimes as hate crimes. Police may not have enough evidence to classify a crime as a bias crime, they may lack the training to differentiate anti-transgender from anti-gay hate crimes, or they may be hostile to the person reporting, even turning victims away without ever filing a report of the incident (Chestnut et al. 2013). As differences in police reporting and self-reports indicate, many incidents that victims say are

based on bias are not classified as bias crimes in police reports, so undercounting remains a major issue.

The exclusion of transgender individuals is a major limitation of both data sets. Though the UCR does include transgender people in the most recent year of data released, the lack of prior data collection means that longitudinal trends in the data cannot be assessed. Moreover, the UCR reports a relatively small number of anti-transgender hate crimes occurring in this single year of data. Given that organizations that serve victims report trans people being victimized more frequently than LGB people, this data is likely undercounted (Chestnut et al. 2013). It is also possible that anti-transgender hate crimes were misclassified by police or that transgender individuals are reporting these incidents to police less often than LGB people. Having more detailed information about anti-transgender hate crimes would allow future researchers to disentangle these issues.

Future Research and Policy Recommendations

This project highlights the urgent need for better data collection on anti-LGBT hate crimes at the national level. Ensuring adequate representation of LGBT people in national data would vastly improve our ability to understand and theorize motivations for perpetration of anti-LGBT hate violence. Perhaps most importantly, this would include self-identification as lesbian, gay, bisexual, or transgender. Allowing victims to self-identify would improve some of the data collection issues, though it would not completely eliminate problems of undercounting. Self-identification would be particularly useful in regard to the NCVS, which is self-reported at the household level. While this would certainly improve the data, undercounting would remain an

issue due to the fact that not all LGBT people disclose their sexual orientation or gender identity

to the people in their household, and not all will disclose these identities to researchers.

Moreover, even if they have disclosed their sexual orientation or gender identity, feelings of

shame and stigma surrounding the incident itself may prevent them from disclosing to others that

they were a victim of a hate crime. Despite these limitations, self identification would still

greatly improve the data we have, and it would allow for comparisons to be made between

LGBT people who are victims of hate crimes and those who are not. Self-reporting of sexual

orientation and gender identity would also benefit the UCR data, especially in relation to police

misclassification of incidents. However, the fact that many victims choose not to go to the police

due to the fact that police may be biased against them also means it is likely that victims would

not disclose this information to police.

Future data collection on incidents and offenders could also be improved. Though the

NCVS collects relatively detailed information about incidents, that data is somewhat limited in

terms of offenders. For example, data should include Hispanic ethnicity (in addition to race)

whenever possible. Because this is data reported by victims or other household members,

information about offenders will remain somewhat limited. UCR data is limited in terms of detail

about the incident, but UCR data collection could address gaps in offender data, including

offender's ethnicity in addition to race, and could also include other demographic characteristics,

such as actual age (rather than age range), of offenders whenever possible. These would allow

for a more nuanced analysis than can be provided by the data available today. For example,

NCAVP finds that Hispanic offenders are overrepresented in the commission of anti-LGBT hate

crimes (Chestnut et al. 2013); but those results cannot be replicated because UCR does not

contain offender ethnicity. The NCVS began collecting this data in 2012; however, the sample of

Hispanic offenders who commit anti-LGB hate crimes was too small to analyze in these models. Addressing these gaps is critical to developing a more comprehensive understanding of anti-LGBT hate crimes.

Future data collection must also take into account issues of misclassification and the reluctance of LGBT victims to report these crimes to police or health care providers. These analyses highlight the problems of relying on police report data, but it is also clear that the health care system is not an ideal alternative for locating victims. Thus, it is imperative that future research addresses the question of how victims of anti-LGBT hate crimes can be identified and served. While community organizations may be one place to identify victims who are mistrustful of police or health care providers, utilization of services depends on victims having pre-existing knowledge of those services. Therefore, many community organizations have a limited reach. Likewise, not all areas have organizations that provide support directly to LGBT victims—this is especially true in rural areas. As such, future research should aim to understand the how victims of anti-LGBT hate crimes seek help or attempt to cope with victimization. If they are seeking help, it is not from traditional institutions, so are they seeking help elsewhere? Understanding this would allow us to develop more comprehensive methods for gathering data about these crimes.

This project also emphasizes the critical need for both police and healthcare providers to improve provision of services to LGBT people and communities. These analyses tell us that roughly half of all anti-LGBT hate crimes are not reported to the police and that even fewer victims seek out medical care post-victimization. Unfortunately, this analysis cannot pinpoint the reasons that the majority of LGB victims of hate crimes choose not to seek help, but previous research suggests that homophobia, transphobia, and other negative experiences with these

institutions is a major barrier to utilizing services for many LGBT people (Fish 2006; Grant et al. 2011b). A concerted effort to make these institutions more accessible and approachable for LGBT people is a necessary first step in increasing service provision to LGBT victims. Given the negative physical and mental health consequences of anti-LGBT hate crimes, an important first step would be integrative culturally competent healthcare. Receiving culturally competent help post-victimization is critical in ensuring that individuals are not revictimized when seeking help, as this can exacerbate the negative outcomes of victimization. Improving cultural competency could allow for multiple avenues for victims seek help post-victimization. For example, having intake forms that ask appropriate questions for LGBT people or health care providers being knowledgeable about the specific health risks that LGBT people face, such as anti-LGBT hate violence (Institute of Medicine 2011).

The finding that many victims seek help from not just one, but multiple sources also suggests there are opportunities for cooperation between agencies. Community organizations that serve LGBT victims could also be important collaborators in these partnerships. These types of partnerships would allow for the development of prevention strategies or more effective engagement with victims and survivors of anti-LGBT hate violence. For example, in developing cultural competencies for healthcare providers, local service providers could tailor programs for survivors that took into account sexual orientation and gender identity-specific experiences and needs.

Future research examining whether national and local policy changes have similar impacts on national and local rates of anti-LGB hate crimes would serve to bolster the analyses presented here. While the impact of legal visibility on state-level rates of anti-LGB hate crimes is an important finding, it cannot account for all state-level characteristics that may impact hate

crimes. Future research should focus on uncovering other factors that contribute to anti-LGBT hate crimes specifically, such as how cultural homophobia contributes to a climate in which hate violence is accepted. For example, the political composition of a state legislation may make it more or less likely to pass LGBT rights legislation, but this composition may also reflect social attitudes that would contribute to a climate in which hate crimes occur. Examining these smaller scales and local effects would also allow for the inclusion of other types of legislation, such as antidiscrimination ordinances that are generally implemented at the local level.

Finally, this analysis is only able to account for legal visibility, though there are other types of visibility that could be examined. In controlling for yearly effects, social visibility more generally is also controlled for in these statistical models. Examining social visibility in more specific, measureable ways would be an important contribution in building a more comprehensive theory regarding the specific ways that visibility contributes to or prevents violence against LGBT people. For example, coding both positive and negative media coverage of LGBT issues and examining how changes in quantity and type of coverage impact violence against LGBT people would be another quantifiable indicator of social visibility. Likewise, visibility should also be considered at the individual level. For example, are gender non-conforming people more likely to be perceived as LGBT, thus more likely to be targeted for hate crimes? The fact that these crimes are based on offender perceptions of the victim means that gender-nonconforming people would be especially at risk because they visibly defy heteronormative social expectations. This question cannot be answered with the data at hand, as it would require much more detailed data than is available in either the NCVS or UCR; however, future research could address this question.

Conclusion

Despite 18 years of data collection and research on anti-LGB hate crimes, as well as more recent attention to anti-transgender hate crimes, there have been few studies that utilize empirical evidence while integrating theoretical accounts of anti-LGBT hate crimes (Perry 2012). Furthering our theoretical understanding of anti-LGBT violence is especially necessary, as the majority of theoretical accounts of hate violence fail to specifically address violence against LGBT people (Perry 2001; Perry 2009). Of the theoretical accounts that do directly address anti-LGBT violence, there has been little empirical research to support their propositions (Perry 2003). This project is a direct response to the need for integrated theoretical and empirical accounts of anti-LGB hate crimes, investigating the characteristics, complexities, and social dynamics of anti-LGBT hate crimes.

This project greatly enhances our understanding of anti-LGBT hate crimes in several key ways. First, it demonstrates that state-level policy decisions can have a direct impact on rates of violence against LGBT people and that these impacts can be either positive or negative. This directly links large-scale social change to the violence experienced by individual LGBT people. These analyses also demonstrate the dangers of relying solely on police report data to understand these incidents. While police data shows that non-white offenders commit more serious crimes than their white counterparts, examining non-reporting shows that this is an artifact of non-white offenders being reported to the police more often. In regard to victimization, we find very few differences among victims of anti-LGBT hate crimes in terms of the seriousness of the incident or their help-seeking post-victimization. In the end, this means that most victims of anti-LGBT hate crimes are being underserved by the systems currently in place. Moving forward, it is imperative that we collect data that can help us better understand anti-LGBT hate crimes, but

also improve responses to those crimes. Finally, it demonstrates how empirical evidence can help us build more nuanced and comprehensive theories that account for anti-LGBT hate crimes specifically.

References

The Bias-Related Crime Act of 1989, DC Code §§ 22-4001 to 22-4004, (1989).

Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act of 2009, 18 U.S.C. § 249, (2009).

Obergefell V. Hodges, 135 2071 (Supreme Court 2015).

Adam, Barry D. 2003. "The Defense of Marriage Act and American Exceptionalism: The" Gay Marriage" Panic in the United States." *Journal of the History of Sexuality* 12(2):259-76.

Ahmed, Osman and Chai Jindasurat. 2015. "Lesbian, Gay, Bisexual, Transgender, Queer, and Hiv-Affected Hate Violence in 2014." New York, NY: National Coalition of Anti-Violence Programs.

Alden, Helena L and Karen F Parker. 2005. "Gender Role Ideology, Homophobia and Hate Crime: Linking Attitudes to Macro-Level Anti-Gay and Lesbian Hate Crimes." *Deviant behavior* 26(4):321-43.

Allison, Paul. 1999. *Logistic Regression Using Sas®: Theory and Application*: SAS Publishing.

Allison, Paul David. 2009. *Fixed Effects Regression Models*: Sage Los Angeles.

Ard, Kevin L and Harvey J Makadon. 2011. "Addressing Intimate Partner Violence in Lesbian, Gay, Bisexual, and Transgender Patients." *Journal of general internal medicine* 26(8):930-33.

Ard, Kevin L and Harvey J Makadon. 2012. "Improving the Health Care of Lesbian, Gay Bisexual and Transgender (Lgbt) People: Understanding and Eliminating Health Disparities." Boston, MA: The Fenway Institute.

Ball, Carlos A. 2005. "Backlash Thesis and Same-Sex Marriage: Learning from Brown V. Board of Education and Its Aftermath, The." *Wm. & Mary Bill Rts. J.* 14:1493.

Ball, Carlos A. 2016. *After Marriage Equality: The Future of Lgbt Rights*: NYU Press.

Baumer, Eric P and Janet L Lauritsen. 2010. "Reporting Crime to the Police, 1973–2005: A Multivariate Analysis of Long-Term Trends in the National Crime Survey (Ncs) and National Crime Victimization Survey (Ncvs)." *Criminology* 48(1):131-85.

Berrill, Kevin T and Gregory M Herek. 1990. "Primary and Secondary Victimization in Anti-Gay Hate Crimes Official Response and Public Policy." *Journal of interpersonal violence* 5(3):401-13.

Betancourt, Joseph R, Alexander R Green, J Emilio Carrillo and Owusu Ananeh-Firempong. 2003. "Defining Cultural Competence: A Practical Framework for Addressing Racial/Ethnic Disparities in Health and Health Care." *Public health reports* 118(4):293-302.

Black, Dan, Gary Gates, Seth Sanders and Lowell Taylor. 2000. "Demographics of the Gay and Lesbian Population in the United States: Evidence from Available Systematic Data Sources." *Demography* 37(2):139-54.

Blosnich, John R and Robert M Bossarte. 2009. "Comparisons of Intimate Partner Violence among Partners in Same-Sex and Opposite-Sex Relationships in the United States." *American Journal of Public Health* 99(12):2182-84.

Bollen, Kenneth A and Robert W Jackman. 1985. "Regression Diagnostics an Expository Treatment of Outliers and Influential Cases." *Sociological Methods & Research* 13(4):510-42.

Boxall, Bettina. 1993. "Survey Shows 4% Rise in Anti-Gay Violence, Harassment in U.S." in *Los Angeles Times*. Los Angeles, CA: Los Angeles Times.

Bronski, Michael. 2000. *The Pleasure Principle: Sex, Backlash, and the Struggle for Gay Freedom*. New York, NY: Macmillan.

Bronski, Michael. 2007. "Confronting Anti-Gay Violence." in *Race, Class, and Gender in the United States*, edited by P. S. Rothenberg. New York, NY: Worth Publishers.

Bronski, Michael, Ann Pellegrini and Michael Amico. 2013. *"You Can Tell Just by Looking": And 20 Other Myths About Lgbt Life and People*. Boston, MA: Beacon Press.

Buijs, Laurens, Gert Hekma and Jan Willem Duyvendak. 2011. "'As Long as They Keep Away from Me': The Paradox of Antigay Violence in a Gay-Friendly Country." *Sexualities* 14(6):632-52.

Butler, Judith. 1999. *Gender Trouble*: routledge.

Califia, Pat. 1981. "Visibility Leads to Queer Bashing." *The Advocate*.

Cameron, A Colin. 2007. "Panel Data Methods for Microeconometrics Using Stata." in *West Coast Stata Users' Group Meetings 2007*, Vol. 13: Stata Users Group.

Catalano, Shannan. 2012. "Stalking Victims in the United States–Revised." Vol. 18 Washington, DC: US Department of Justice, Bureau of Justice Statistics.

Cheong, Jinseong. 2008. *Neighborhood Disorder, Dilapidated Housing, and Crime: Multilevel Analysis within a Midsized Midwestern City Context*: ProQuest.

Chestnut, S, E Dixon and C Jindasurat. 2013. "Lesbian, Gay, Bisexual, Transgender, Queer, and Hiv-Affected Hate Violence in 2012." New York: National Coalition of Anti-Violence Programs.

Clements-Nolle, Kristen, Rani Marx and Mitchell Katz. 2006. "Attempted Suicide among Transgender Persons: The Influence of Gender-Based Discrimination and Victimization." *Journal of Homosexuality* 51(3):53-69.

Comstock, Gary David. 1992. *Violence against Lesbians and Gay Men*. New York, NY: Columbia University Press.

Connell, Raewyn. 1987. *Gender and Power : Society, the Person, and Sexual Politics*. Stanford, CA: Stanford University Press.

Connell, Raewyn. 2005. *Masculinities*. Berkeley, CA: University of California Press.

Connell, RW and JW Messerschmidt. 2005. "Hegemonic Masculinity: Rethinking the Concept." *Gender & Society* 19(6):829.

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Coston, Bethany. 2011. "Issues in Intimate Violence: Heterosexism and Exclusion." in *Queering Paradigms Ii: Interrogating Agendas*, edited by B. Scherer and M. Ball. Oxford: Peter Lang Publishing.

Coulter, Robert WS, Karey S Kenst and Deborah J Bowen. 2014. "Research Funded by the National Institutes of Health on the Health of Lesbian, Gay, Bisexual, and Transgender Populations." *American Journal of Public Health* 104(2):e105-e12.

Craig, Kellina M. 2002. "Examining Hate-Motivated Aggression: A Review of the Social Psychological Literature on Hate Crimes as a Distinct Form of Aggression." *Aggression and Violent Behavior* 7(1):85-101.

Cramer, Robert J, Dale E McNiel, Sarah R Holley, Martha Shumway and Alicia Boccellari. 2012. "Mental Health in Violent Crime Victims: Does Sexual Orientation Matter?". *Law and human behavior* 36(2):87.

Currah, Paisley. 1996. "Defending Genders: Sex and Gender Non-Conformity in the Civil Rights Strategies of Sexual Minorities." *Hastings Law Journal* 48:1363.

D'Addario, Daniel. 2013. "Is the Anti-Gay Backlash On?" in *Salon.com*. New York, NY: Salon Media Group.

Dean, Laura, Ilan H Meyer, Kevin Robinson, Randall L Sell, Robert Sember, Vincent MB Silenzio, Deborah J Bowen, Judith Bradford, Esther Rothblum and Jocelyn White. 2000. "Lesbian, Gay, Bisexual, and Transgender Health: Findings and Concerns." *Journal of the Gay and Lesbian Medical Association* 4(3):102-51.

DeKeseredy, Walter S and Barbara Perry. 2006. *Advancing Critical Criminology: Theory and Application*. Lanham, MD: Lexington Books.

Diamant, Allison L, Cheryl Wold, Karen Spritzer and Lillian Gelberg. 2000. "Health Behaviors, Health Status, and Access to and Use of Health Care: A Population-Based Study of Lesbian, Bisexual, and Heterosexual Women." *Archives of Family Medicine* 9(10):1043.

Disha, Ilir, James C Cavendish and Ryan D King. 2011. "Historical Events and Spaces of Hate: Hate Crimes against Arabs and Muslims in Post-9/11 America." *Social Problems* 58(1):21-46.

Drukker, David M. 2003. "Testing for Serial Correlation in Linear Panel-Data Models." *Stata Journal* 3(2):168-77.

Duggan, Lisa. 2002. "The New Homonormativity: The Sexual Politics of Neoliberalism." *Materializing democracy: Toward a revitalized cultural politics*:175-94.

Dunbar, Edward. 2006. "Race, Gender, and Sexual Orientation in Hate Crime Victimization: Identity Politics or Identity Risk?". *Violence and victims* 21(3):323-37.

Durose, Matthew R, Caroline Wolf Harlow, Patrick A Langan, Mark Motivans, Ramona R Rantala and Erica L Smith. 2005. *Family Violence Statistics: Including Statistics on Strangers and Acquaintances*: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Ejeris Dixon, Chai Jindasurat and Victor Tobar. 2012. "Hate Violence against Lesbian, Gay, Bisexual, Transgender, Queer, and Hiv- Affected Communities in the United States in 2011." New York: National Coalition of Anti-Violence Programs.

Eskridge Jr, William N. 2013. "Backlash Politics: How Constitutional Litigation Has Advanced Marriage Equality in the United States." *BUL Rev.* 93:275.

Federal Bureau of Invesitgation. 2015. "Hate Crime Statistics 2014." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 1997. "Hate Crimes Statistics 1996." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 1998. "Hate Crimes Statistics 1997." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 2005. "Hate Crimes Statistics 2004." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 2010. "Hate Crimes Statistics 2009." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 2011. "Hate Crimes Statistics 2010." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 2013a. "Hate Crimes Statistics 2012." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Federal Bureau of Investigation. 2013b. "Hate Crimes Addendum 2012." Washington, DC: Federal Bureau of Investigation, US Department of Justice.

Fish, Julie. 2006. *Heterosexism in Health and Social Care*: Basingstoke: Palgrave.

Franklin, Karen. 2000. "Antigay Behaviors among Young Adults Prevalence, Patterns, and Motivators in a Noncriminal Population." *Journal of interpersonal violence* 15(4):339-62.

Frazer, Somjen. 2009. "Lgbt Health and Human Services Needs in New York State." New York, NY: Empire State Pride Agenda Foundation.

Freedom to Marry. 2014, "Marriage Litigation"*,* New York, NY: Freedom to Marry.

Gale, Lewis R, Will Carrington Heath and Rand W Ressler. 2002. "An Economic Analysis of Hate Crime." *Eastern Economic Journal*:203-16.

Garnets, Linda, Gregory M Herek and Barrie Levy. 1990. "Violence and Victimization of Lesbians and Gay Men Mental Health Consequences." *Journal of interpersonal violence* 5(3):366-83.

Gates, Gary and Taylor NT Brown. 2015. "Marriage and Same-Sex Couples after Obergefell." Los Angeles, CA: The Williams Institute.

Gates, Gary J. 2011. "How Many People Are Lesbian, Gay, Bisexual, and Transgender? ." Los Angeles, CA: The Williams Institute.

Gates, Gary J. and Frank Newport. 2013. "Lgbt Percentage Highest in D.C., Lowest in North Dakota." *State of the States.* Gallup.

Gerstenfeld, Phyllis B. 2013. *Hate Crimes: Causes, Controls, and Controversies*: Sage.

Gillespie, Wayne. 2008. "Thirty-Five Years after Stonewall: An Exploratory Study of Satisfaction with Police among Gay, Lesbian, and Bisexual Persons at the 34th Annual Atlanta Pride Festival." *Journal of Homosexuality* 55(4):619-47.

Glick, Peter, Candice Gangl, Samantha Gibb, Susan Klumpner and Emily Weinberg. 2007. "Defensive Reactions to Masculinity Threat: More Negative Affect toward Effeminate (but Not Masculine) Gay Men." *Sex Roles* 57(1-2):55-59.

Gold, Steven J. 2004. "From Jim Crow to Racial Hegemony: Evolving Explanations of Racial Hierarchy." *Ethnic and Racial Studies* 27(6):951-68.

Gonzales, Gilbert and Carrie Henning-Smith. 2017. "The Affordable Care Act and Health Insurance Coverage for Lesbian, Gay, and Bisexual Adults: Analysis of the Behavioral Risk Factor Surveillance System." *LGBT health* 4(1):62-67.

Goodlin, Wendi E and Christopher S Dunn. 2010. "Three Patterns of Domestic Violence in Households: Single Victimization, Repeat Victimization, and Co-Occurring Victimization." *Journal of family violence* 25(2):107-22.

Goudriaan, Heike. 2006. "Reporting Crime: Effects of Social Context on the Decision of Victims to Notify the Police." Netherlands Institute for the Study of Crime and Law Enforcement (NSCR), Faculty of Law, Leiden University.

Grant, Jaime M, Lisa A Mottet, Justin Tanis, JL Herman, J Harrison and M Keisling. 2010. "National Transgender Discrimination Survey Report on Health and Health Care." *National Center for Transgender Equality and National Gay and Lesbian Task Force. Washington, DC*:1-23.

Grant, Jaime M, Lisa Mottet, Justin Edward Tanis, Jack Harrison, Jody Herman and Mara Keisling. 2011a. *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey, a Look at Black Respondents*: National Center for Transgender Equality.

Grant, Jaime M, Lisa Mottet, Justin Edward Tanis, Jack Harrison, Jody Herman and Mara Keisling. 2011b. *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*: National Center for Transgender Equality.

Grant, Jaime M, Lisa Mottet, Justin Edward Tanis, Jack Harrison, Jody Herman and Mara Keisling. 2012. *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey, a Look at Latino/Latina Respondents*: National Center for Transgender Equality.

Green, Donald P, Jack Glaser and Andrew Rich. 1998a. "From Lynching to Gay Bashing: The Elusive Connection between Economic Conditions and Hate Crime." *Journal of Personality and Social Psychology* 75(1):82.

Green, Donald P, Laurence H McFalls and Jennifer K Smith. 2001a. "Hate Crime: An Emergent Research Agenda." *Annual Review of Sociology*:479-504.

Green, Donald P, Dara Z Strolovitch, Janelle S Wong and Robert W Bailey. 2001b. "Measuring Gay Populations and Antigay Hate Crime." *Social Science Quarterly* 82(2):281-96.

Green, Donald P., Dara Z. Strolovitch and Janelle S. Wong. 1998b. "Defended Neighborhoods, Integration, and Racially Motivated Crime." *American journal of sociology* 104(2):372-403.

Griffin, Jean Latz. 1992. "For `91, Chicago Group Lists 79 Anti-Gay Assaults." in *Chicago Tribune*. Chicago, Il: Chicago Tribune.

Harlow, Caroline Wolf. 2005. *Hate Crime Reported by Victims and Police*: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Harrell, Erika. 2011. *Crime against Persons with Disabilities, 2008-2010-Statistical Tables*: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Hart, Timothy C and Callie Marie Rennison. 2003. *Reporting Crime to the Police, 1992-2000*: US Department of Justice, Office of Justice Programs Washington, DC.

Healey, Joseph. 2014. *Statistics: A Tool for Social Research*: Cengage Learning.

Healy, Christopher. 2004. "Marriage's Bloody Backlash." *The Advocate*, pp. 38-39.

Herek, Gregory M. 1992. "The Social Context of Hate Crimes: Notes on Cultural Heterosexism." Pp. 89-104 in *Hate Crimes: Confronting Violence against Lesbians and Gay Men*. Thouand Oaks, CA: Sage.

Herek, Gregory M. 1995. "Psychological Heterosexism in the United States." Pp. 321-46 in *Lesbian, Gay, and Bisexual Identities over the Lifespan: Psychological Perspectives*: Oxford University Press.

Herek, Gregory M, Charles Sims, R Wolitski, R Stall and RO Valdiserri. 2008. "Sexual Orientation and Violent Victimization: Hate Crimes and Intimate Partner Violence among Gay and Bisexual Males in the United States." Pp. 35-71 in *Unequal Opportunity: Health Disparities among Gay and Bisexual Men in the United States*. New York, NY: Oxford University Press.

Herek, Gregory M. 2009. "Hate Crimes and Stigma-Related Experiences among Sexual Minority Adults in the United States Prevalence Estimates from a National Probability Sample." *Journal of interpersonal violence* 24(1):54-74.

Houry, Debra, Carolyn J Sachs, Kim M Feldhaus and Judith Linden. 2002. "Violence-Inflicted Injuries: Reporting Laws in the Fifty States." *Annals of emergency medicine* 39(1):56-60.

Huebner, Beth M. 2016. *The Handbook of Measurement Issues in Criminology and Criminal Justice*: John Wiley & Sons.

Huebner, David M, Gregory M Rebchook and Susan M Kegeles. 2004. "Experiences of Harassment, Discrimination, and Physical Violence among Young Gay and Bisexual Men." *American Journal of Public Health* 94(7):1200.

Human Rights Campaign. 2014a. "Marriage Equality and Other Relationship Recognition Laws." Washington, DC: Human Rights Campaign.

Human Rights Campaign. 2014b. "Tenth Circuit Rules Bans on Marriage Equality Unconstitutional." Washington, DC: Human Rights Campaign.

Human Rights Campaign. 2014c. "Statewide Marriage Prohibitions." Washington, DC: Human Rights Campaign.

Human Rights Campaign. 2016. "State Hate Crimes Laws." Washington, DC: Human Rights Campaign.

Human Rights Watch. 2013. "Improving Police Response to Sexual Assault." Washington, DC.

Iganski, Paul. 2001. "Hate Crimes Hurt More." *American Behavioral Scientist* 45(4):626-38.

Iganski, Paul and Spiridoula Lagou. 2015. "Hate Crimes Hurt Some More Than Others: Implications for the Just Sentencing of Offenders." *Journal of interpersonal violence* 30(10):1696-718.

Institute of Medicine. 2011. "The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding." National Academies Press Washington, DC.

Jackson, Stevi. 2006. "Gender, Sexuality and Heterosexuality: The Complexity (and Limits) of Heteronormativity." *Feminist theory* 7(1):105-21.

James, Nathan and Logan Rishard Council. 2008. "How Crime in the United States Is Measured." Washington, DC: Congressional Research Service.

Johnson, Carey V, Matthew J Mimiaga and Judith Bradford. 2008. "Health Care Issues among Lesbian, Gay, Bisexual, Transgender and Intersex (Lgbti) Populations in the United States: Introduction." *Journal of Homosexuality* 54(3):213-24.

Josephson, Jyl J. 2016. *Rethinking Sexual Citizenship*. Albany, NY: SUNY Press.

Karim, Reed. 2011. "Gay Rights: The Issues." *Global Researcher* 5(5):109-18.

Keck, Thomas M. 2009. "Beyond Backlash: Assessing the Impact of Judicial Decisions on Lgbt Rights." *Law & Society Review* 43(1):151-86.

Keele, Luke and Nathan J Kelly. 2006. "Dynamic Models for Dynamic Theories: The Ins and Outs of Lagged Dependent Variables." *Political analysis* 14(2):186-205.

Kenagy, Gretchen P. 2005. "The Health and Social Service Needs of Transgender People in Philadelphia." *International Journal of Transgenderism* 8(2-3):49-56.

Kepple, Nancy J and Bridget Freisthler. 2012. "Exploring the Ecological Association between Crime and Medical Marijuana Dispensaries." *Journal of studies on alcohol and drugs* 73(4):523-30.

Kimmel, Michael. 1995. "Assault on Gay America: Interview." edited by P. Frontline. Boston, MA: WGHB Educational Foundation.

Kimmel, Michael S. 1996. *Manhood in America : A Cultural History*. New York: Free Press.

King, Ryan D and Gretchen M Sutton. 2013. "High Times for Hate Crimes: Explaining the Temporal Clustering of Hate-Motivated Offending." *Criminology* 51(4):871-94.

Kovandzic, Tomislav V, Lynne M Vieraitis and Denise Paquette Boots. 2009. "Does the Death Penalty Save Lives?". *Criminology & Public Policy* 8(4):803-43.

Krieger, Linda Hamilton. 2000. "Socio-Legal Backlash." *Berkeley J. Emp. & Lab. L.* 21:476.

Kuehnle, Kristen and Anne Sullivan. 2001. "Patterns of Anti-Gay Violence an Analysis of Incident Characteristics and Victim Reporting." *Journal of interpersonal violence* 16(9):928-43.

Kuehnle, Kristen and Anne Sullivan. 2003. "Gay and Lesbian Victimization Reporting Factors in Domestic Violence and Bias Incidents." *Criminal Justice and Behavior* 30(1):85-96.

Langton, Lynn and Michael Planty. 2011. "Hate Crime, 2003-2009." Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Lears, TJ Jackson. 1985. "The Concept of Cultural Hegemony: Problems and Possibilities." *The American Historical Review*:567-93.

Levin, Brian. 2002. "From Slavery to Hate Crime Laws: The Emergence of Race and Status-Based Protection in American Criminal Law." *Journal of Social Issues* 58(2):227-45.

Lewis, Daniel C. 2013. *Direct Democracy and Minority Rights: A Critical Assessment of the Tyranny of the Majority in the American States*: Routledge.

Lombardi, Emilia and Talia Bettcher. 2006. "Lesbian, Gay, Bisexual, and Transgender/Transsexual Individuals." *Social Injustice and Public Health*:130.

Lombardi, Emilia L, Riki Anne Wilchins and Dana Priesing. 2001. "Gender Violence: Transgender Experiences with Violence and Discrimination." *Journal of Homosexuality* 42(1):89-101.

Lombardi, Emilia L, Riki Anne Wilchins, Dana Priesing and Diana Malouf. 2002. "Gender Violence: Transgender Experiences with Violence and Discrimination." *Journal of Homosexuality* 42(1):89-101.

Maxfield, Michael G. 1999. "The National Incident-Based Reporting System: Research and Policy Applications." *Journal of Quantitative Criminology* 15(2):119-49.

Mayer, Kenneth H, Judith B Bradford, Harvey J Makadon, Ron Stall, Hilary Goldhammer and Stewart Landers. 2008. "Sexual and Gender Minority Health: What We Know and What Needs to Be Done." *American Journal of Public Health* 98(6):989.

McDevitt, Jack, Jack Levin and Susan Bennett. 2002. "Hate Crime Offenders: An Expanded Typology." *Journal of Social Issues* 58(2):303-17.

McHugh, Mary L. 2013. "The Chi-Square Test of Independence." *Biochemia Medica* 23(2):143-49.

Menard, Scott. 2002. *Applied Logistic Regression Analysis*. Thousand Oaks, CA: Sage.

Meyer, Doug. 2010. "Evaluating the Severity of Hate-Motivated Violence: Intersectional Differences among Lgbt Hate Crime Victims." *Sociology* 44(5):980-95.

Minter, Shannon. 2000. "Do Transsexuals Dream of Gay Rights-Getting Real About Transgender Inclusion in the Gay Rights Movement." *NYL Sch. J. Hum. Rts.* 17:589.

Mollon, Lea. 2012. "The Forgotten Minorities: Health Disparities of the Lesbian, Gay, Bisexual, and Transgendered Communities." *Journal of health care for the poor and underserved* 23(1):1-6.

Moore, Ken. 1999. "Anti-Lesbian, Gay, Bisexual and Transgender Violence in 1998." New York: National Coalition of Anti-Violence Programs.

Morris, Robert G, Michael TenEyck, JC Barnes and Tomislav V Kovandzic. 2014. "The Effect of Medical Marijuana Laws on Crime: Evidence from State Panel Data, 1990-2006." *PloS one* 9(3):e92816.

Movement Advancement Project. 2017. "Hate Crime Laws." Denver, CO.

Myslik, Wayne D. 1996. "Gay Communities as Safe Havens or Sites of Resistance?". *BodySpace: destabilising geographies of gender and sexuality*:155.

Nelson, Heidi D, Christina Bougatsos and Ian Blazina. 2012. "Screening Women for Intimate Partner Violence: A Systematic Review to Update the Us Preventive Services Task Force Recommendation." *Annals of Internal Medicine* 156(11):796-808.

Nolan, James J, Yoshio Akiyama and Samuel Berhanu. 2002. "The Hate Crime Statistics Act of 1990 Developing a Method for Measuring the Occurrence of Hate Violence." *American Behavioral Scientist* 46(1):136-53.

Otis, Melanie D and William F Skinner. 1996. "The Prevalence of Victimization and Its Effect on Mental Well-Being among Lesbian and Gay People." *Journal of Homosexuality* 30(3):93-121.

Perry, Barbara. 2001. *In the Name of Hate: Understanding Hate Crimes*. New York, NY: Routledge.

Perry, Barbara. 2003. "Where Do We Go from Here? Researching Hate Crime." *Internet Journal of Criminology* 3:45-47.

Perry, Barbara. 2009. "The Sociology of Hate: Theoretical Approaches." *Hate Crimes Volume 1: Understanding and Defining Hate Crime*:55-76.

Perry, Barbara. 2012. *Hate and Bias Crime: A Reader*. New York, NY: Routledge.

Pevalin, David and Pevalin David J Robson Karen. 2009. *The Stata Survival Manual*: McGraw-Hill Education (UK).

Pezzella, Frank S and Matthew D Fetzer. 2015. "The Likelihood of Injury among Bias Crimes an Analysis of General and Specific Bias Types." *Journal of interpersonal violence*.

Planty, Michael, Lynn Langton, Christopher Krebs, Marcus Berzofsky and Hope Smiley-McDonald. 2013. "Female Victims of Sexual Violence, 1994-2010." *Special Report.(No. NCJ 240655). Washington, DC: Bureau of Justice Statistics. US Department of Justice*.

Poirier, Marc R. 2008. "Name Calling: Identifying Stigma in the Civil Union/Marriage Distinction." *Conn. L. Rev.* 41:1425.

Ramchand, Rajeev, John M MacDonald, Amelia Haviland and Andrew R Morral. 2009. "A Developmental Approach for Measuring the Severity of Crimes." *Journal of Quantitative Criminology* 25(2):129-53.

Reasons, Charles E and Quentin Hughson. 2000. "Violence against Gays and Lesbians." *Journal of Offender Rehabilitation* 30(1-2):137-59.

Rennison, Callie Marie and Chris Melde. 2009. "Exploring the Use of Victim Surveys to Study Gang Crime: Prospects and Possibilities." *Criminal justice review* 34(4).

Richardson, Diane. 2000. "Claiming Citizenship? Sexuality, Citizenship and Lesbian/Feminist Theory." *Sexualities* 3(2):255-72.

Roman, J. 2011. "How Do We Measure the Severity of Crime? New Estimates of the Cost of Criminal Victimization." *Measuring Crime and Criminality: Advances in Criminological Theory* 17:37-70.

Rose, Suzanna M. 2003. "Community Interventions Concerning Homophobic Violence and Partner Violence against Lesbians." *Journal of lesbian studies* 7(4):125-39.

Rubenstein, William B. 2003. "Real Story of Us Hate Crimes Statistics: An Empirical Analysis, The." *Tul. L. Rev.* 78:1213.

Sample, Lisa L. 2003. "Are Sex Offenders Dangerous." *Criminology & Pub. Pol'y* 3:59.

Sandholtz, Nathan, Lynn Langton and Michael Planty. 2013. "Hate Crime Victimization, 2003-2011." Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Schilt, Kristen and Laurel Westbrook. 2009. "Doing Gender, Doing Heteronormativity "Gender Normals," Transgender People, and the Social Maintenance of Heterosexuality." *Gender & Society* 23(4):440-64.

Schippers, Mimi. 2007. "Recovering the Feminine Other: Masculinity, Femininity, and Gender Hegemony." *Theory and society* 36(1):85-102.

Schmitt, Mary. 2014. "Hate Crime in New York State 2013 Annual Report." Albany, NY: Division of Criminal Justice Services; Office of Justice Research & Performance

Schornstein, Sherri L. 1997. *Domestic Violence and Health Care: What Every Professional Needs to Know*: Sage.

Scott, Alastair. 2007. "Rao-Scott Corrections and Their Impact." in *Proceedings of the 2007 Joint Statistical Meetings*. Salt Lake City, UT.

Seidman, Steven. 2001. "From Identity to Queer Politics: Shifts in Normative Heterosexuality and the Meaning of Citizenship." *Citizenship Studies* 5(3):321-28.

Serano, Julia. 2009. *Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity*: Seal Press.

Sharpe, Donald. 2015. "Your Chi-Square Test Is Statistically Significant: Now What?". *Practical Assessment, Research & Evaluation* 20.

Shively, Michael. 2005. "Study of Literature and Legislation on Hate Crime in America." Washington, DC: National Criminal Justice Reference Service.

Smith, Anna Marie. 2001. "The Politicization of Marriage in Contemporary American Public Policy: The Defense of Marriage Act and the Personal Responsibility Act." *Citizenship Studies* 5(3):303-20.

St Pierre, Melissa and Charlene Y Senn. 2010. "External Barriers to Help-Seeking Encountered by Canadian Gay and Lesbian Victims of Intimate Partner Abuse: An Application of the Barriers Model." *Violence and victims* 25(4):536-52.

Stotzer, Rebecca L. 2009. "Violence against Transgender People: A Review of United States Data." *Aggression and Violent Behavior* 14(3):170-79.

Stryker, Susan. 2008. "Transgender History, Homonormativity, and Disciplinarity." *Radical History Review* 100:145.

Tabchnick, Barbara G and Linda S Fidell. 2006. "Using Multivariate Statistics." *Boston: Allyin & Bacon*.

Tomsen, Stephen. 2001. "Hate Crimes and Masculinity: New Crimes, New Responses and Some Familiar Patterns." in *4th Outlook Symposium on Crime in Australia at the Australian Institute of Criminology, Canberra*.

Torres-Reyna, Oscar. 2007. "Panel Data Analysis Fixed and Random Effects Using Stata (V. 4.2)."

Torres-Reyna, Oscar. n.d., "Getting Started in Logit and Ordered Logit Regression", Princeton, NJ: Princeton Data and Statistical Services.

United States Department of Justice and Federal Bureau of Investigation. 2012a. "Hate Crime Data Collection Guidelines and Training Manual." Washington, DC.

United States Department of Justice and Federal Bureau of Investigation. 2012b. "Uniform Crime Reporting Program Data: Hate Crime Data, 2012 [Record-Type Files]." Ann Arbor, MI: Inter-university Consortium for Political and Social Research.

United States Department of Justice, Office of Justice Programs and Bureau of Justice Statistics. 2012. "National Crime Victimization Survey, 2012." Washington, DC: Inter-university Consortium for Political and Social Research.

United States Department of Justice, Office of Justice Programs and Bureau of Justice Statistics. 2014. "National Crime Victimization Survey, 2013." Inter-university Consortium for Political and Social Research (ICPSR) [distributor].

Varela, María do Mar Castro, Nikita Dhawan and Antke Engel. 2016. *Hegemony and Heteronormativity: Revisiting the Political in Queer Politics*. New York, NY: Routledge.

Waters, E, C Jindasurat and C Wolfe. 2016. "Lesbian, Gay, Bisexual, Transgender, Queer, and Hiv-Affected Hate Violence in 2015." New York: National Coalition of Anti-Violence Programs.

Weisburd, Steven Bennett and Brian Levin. 1993. "On the Basis of Sex: Recognizing Gender-Based Bias Crimes." *Stan. L. & Pol'y Rev.* 5:21.

West, Candace and Don H. Zimmerman. 1987. "Doing Gender." *Gender and Society* 1(2):125-51.

Williams, Richard. 2006. "Generalized Ordered Logit/Partial Proportional Odds Models for Ordinal Dependent Variables." *Stata Journal* 6(1):58-82.

Williams, Richard. 2016. "Outliers."

Wilson, Meagan Meuchel. 2014. "Hate Crime Victimization 2004–2012 - Statistical Tables." Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Witten, Tarynn M and A Evan Eyler. 1999. "Hate Crimes and Violence against the Transgendered." *Peace Review* 11(3):461-68.

Wolfgang, Marvin E, Robert M Figlio, Paul E Tracy and Simon I Singer. 1985. *The National Survey of Crime Severity*: US Department of Justice, Bureau of Justice Statistics Washington, DC.

Wong, Jennifer. 2013. "Recasting Transgender-Inclusive Healthcare Coverage: A Comparative Institutional Approach to Transgender Healthcare Rights." *Law and Inequality* 31.

Wooldridge, Jeffrey M. 2010. *Econometric Analysis of Cross Section and Panel Data*: MIT press.

Xavier, Jessica M, Marilyn Bobbin, Ben Singer and Earline Budd. 2005. "A Needs Assessment of Transgendered People of Color Living in Washington, Dc." *International Journal of Transgenderism* 8(2-3):31-47.