DIFFERENCE BETWEEN A HATE CRIME AND A BIAS INCIDENT

HATE CRIME

A hate crime is a traditional criminal offense like murder, arson, invasion of privacy or vandalism with an added element of bias towards a federally protected class of people. For the purposes of collecting statistics, Congress has defined a hate crime 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." Hate itself is not a crime-and the FBI is mindful of protecting freedom of speech and other civil liberties. Hate crimes will be handled by campus police.

EXAMPLES OF HATE CRIME

1. Columbia University Incident: A Noose Hung on an African American Professor's Door - The New York police investigated the noose hung on Prof. Madonna Constantine's door as a possible hate crime because of the wave of bias incidents at Columbia University specifically targeting African Americans and Muslims. The offenses ranged from vandalism, intimidation, and threat of violence. Prof. Constantine is a renowned scholar of multiculturalism. Learn more about this case.

2. Rutgers University Incident: The Suicide of Rutgers University Freshman, Tyler Clemente - Roommate Dharun Ravi was charged with committing the offense of invasion of privacy, hindering apprehension, and tampering with a witness and evidence with the purpose of intimidating his roommate, Tyler Clemente because of his sexual orientation. Learn more about this case.

3. Elmhurst College: Student-Athlete, Faces Hate Crime Charges - Elmhurst student athlete, Myles Burton was indicted by a grand jury on charges he carved racial epithets into the window sill of another student's dorm room. He was charged with a felony hate crime after being accused of carving racist remarks - including "KKK", "Negro" and "I hate black people." Learn more about this case.

BIAS INCIDENT

A bias incident is also an offense against a person or property motivated in whole or in part by the offender's bias against a race, religion, disability, ethnic origin, sexual orientation or gender identity BUT may not rise to the level of a crime. Bias incidents include hostile environments and harassing behavior that is severe, persistent or pervasive to the point that it threatens an individual or limits the ability of the individual to work, study, or participate in College life. Bias incidents committed by students are considered violations of the student code of responsibility (Section V). Bias incidents committed by staff on staff may violate the College's anti-harassment and anti-discrimination policies and will be handled by Human Resources.

EXAMPLES OF BIAS INCIDENTS

1. Racial and Ethnic Stereotype Theme Parties - Student organizations and Greek letter organizations that host theme parties or Halloween parties that encourage people to wear costumes and act out in ways that reinforce stereotypes create a campus climate that is hostile to racial and ethnic minority groups.

2. Bias in the Classroom - Professors who make pejorative comments or stereotypes about a protected class of people, i.e. females, religious minorities, racial minority groups, or people with disabilities are also guilty of committing a bias incident. Because of the power dynamics that exist
between students and professors, students may be reluctant about confronting the professor about the offense fearing that it may negatively affect their grade in the class.

3. **Harassing Comments in the Work Place** - Making sexual comments, jokes, or gestures may create a hostile work environment. Even displaying pictures and items that convey sexually inappropriate messages may also contribute to the climate in the work place. Various people can be negatively affected by these comments and images, including bystanders.