

# Diversity, Civility, & Equity at the University of Chicago

## Hate Crimes and Bias Incidents

### ***What constitutes a Hate Crime?***

Illinois state law states that hate crimes are criminal acts committed by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors. Examples of criminal acts that become hate crimes under [Illinois law](#) because they are committed by reason of the victim's protected class status include: assault, battery, aggravated assault, misdemeanor theft, criminal trespass to residence, misdemeanor criminal damage to property, criminal trespass to vehicle, criminal trespass to real property, mob action or disorderly conduct, or harassment by telephone or through electronic

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### ***How does a Bias Incident differ from a Hate Crime?***

A bias incident is an action in which a person is made aware that her/his status is offensive to another, but does not rise to the level of a crime.

### ***What constitutes a Bias Incident?***

Bias is a pre-formed negative opinion or attitude toward a group of persons who possess common characteristics, such as skin color, or cultural experiences, such as religion or national origin. Bias incidents involve actions committed against a person or property that are motivated, in whole or in part, by the bias against race, religion, sexual orientation, ethnicity, national origin, ancestry, gender, gender identity, age, or disability. By contrast, a hate crime is a criminal offense committed against a person or property that is motivated, in whole or in part, by bias against a race, color, ethnicity, national origin, sex, gender identity or expression, sexual orientation, disability, age or religion. All hate crimes are bias incidents, but not all bias incidents are hate crimes. The bias incidents that will be addressed by the Bias Response Team include actions that are motivated by bias but may not meet the necessary elements required to prove a crime.

### ***What constitutes Unlawful Discrimination and Harassment?***

The University of Chicago's Policy on Unlawful Discrimination and Harassment describes such behavior as objectively unreasonable "verbal or physical conduct that is so severe or

pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment." Such behavior must be based on "factors irrelevant to admission, employment, or program participation," such as "race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, age, disability, veteran status, or other protected classes under law."

## ***What is Hate Speech?***

According to the organization, Partners Against Hate, hate speech can consist of "bigoted and prejudiced language," spoken or written. It is often classified as a bias incident; however, if the language threatens violence or involves property damage, such as in the case with bias-motivated graffiti, hate crime laws may apply (Partners Against Hate, <http://www.partnersagainsthate.org/>)

## **INTERACTIVE QUIZ**

The automobile of a prominent gay student leader on campus is "keyed" in the parking lot. The phrase, "Die faggot!" is carved into the car's finish.

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Two students, one African-American and another Latino, have an argument in a hallway of the student union over a monetary debt. The argument escalates when ethnic and racial epithets are used. Soon the two are involved in a fist fight. Both suffer minor injuries.

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A Sukkah, an outdoor tabernacle that celebrates the Jewish holiday of Sukkoth, is defaced overnight with a Swastika. There are no suspects.

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Members of a campus sports team attack a group of Asian-American students on campus a few hours after they had gotten into a verbal altercation at an off-campus bar. Both groups were inebriated and include under-age drinkers. One of the Asian students suffers a fractured skull and is taken to the hospital in a comatose state.

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A sorority refuses to accept an openly lesbian pledge. The sorority claims that there was nothing personal in this decision, but that the Christian values of the sorority require them to reject any and all lesbian applicants.

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During a demonstration protesting Israeli policies towards Palestinians, a large rock is thrown through a glass window of the campus Hillel building.

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A group of students taunt a Muslim woman wearing a hijab(a head covering). One of them pulls it off her head, runs away with it and throws it into a trash receptacle. The Muslim woman trips and hurts her knee while trying to run after

her assailant and recover her garment.

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An African-American student receives repeated e-mail messages warning him to get off campus and threatening violence against him if he stays.

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The Black Student Union invites a well-known African-American writer, with extremist leanings, to speak on campus. In his talk, he encourages Black students to attack the "white power structure" on campus. After the lecture, a group of Black students who had attended, get into an argument over the lecture with a group of white students who had picketed the talk outside the hall. Several on both sides are injured.

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