

Journal of Interpersonal Violence

<http://jiv.sagepub.com>

The Impact of Racial Slurs and Racism on the Perceptions and Punishment of Violent Crime

Donald A. Saucier, Jericho M. Hockett and Andrew S. Wallenberg
J Interpers Violence 2008; 23; 685 originally published online Feb 14, 2008;
DOI: 10.1177/0886260507313774

The online version of this article can be found at:
<http://jiv.sagepub.com/cgi/content/abstract/23/5/685>

Published by:



<http://www.sagepublications.com>

On behalf of:

[American Professional Society on the Abuse of Children](#)

Additional services and information for *Journal of Interpersonal Violence* can be found at:

Email Alerts: <http://jiv.sagepub.com/cgi/alerts>

Subscriptions: <http://jiv.sagepub.com/subscriptions>

Reprints: <http://www.sagepub.com/journalsReprints.nav>

Permissions: <http://www.sagepub.com/journalsPermissions.nav>

Citations <http://jiv.sagepub.com/cgi/content/refs/23/5/685>

The Impact of Racial Slurs and Racism on the Perceptions and Punishment of Violent Crime

Donald A. Saucier
Jericho M. Hockett
Andrew S. Wallenberg
Kansas State University

When a crime is committed by an individual of one race against an individual of another race, there is the possibility that the crime is a hate crime. Legislation often mandates harsher penalties for perpetrators convicted of crimes determined to be hate crimes, yet this determination is difficult to make. This study used vignettes of violent crimes to examine how the races of the perpetrators and victims, the severity of the assault, and the use of racial slurs by the perpetrators would affect perceptions of the crimes as "hate crimes," victim blaming, and sentencing recommendations. Results showed that each of these factors affected participants' perceptions and punishments of violent crime. Participants' levels of racism were an additional factor. These results contribute to the understanding of how crimes in which the perpetrator's and victim's races differ are perceived.

Keywords: *hate crimes; violent crime; racism; discrimination*

Crimes classified as hate crimes share common characteristics that distinguish them from other forms of violent crime. First, hate crimes are crimes that are committed against individuals because they are perceived to be members of a particular social group. Their perceived membership in that group, not anything idiosyncratic about them as individuals, makes them vulnerable. Hate crimes are committed by perpetrators who wish to express animosity toward that entire social group. The victims are thus virtually "interchangeable" and often are attacked by strangers (Levin & McDevitt,

Authors' Note: Correspondence concerning this article should be addressed to Donald A. Saucier, Department of Psychology, Kansas State University, 468 Bluemont Hall, 1100 Mid-Campus Drive, Manhattan, KS 66506-5302; e-mail: saucier@ksu.edu.

2002). Second, some authors have argued that hate crimes are particularly vicious (Levin & McDevitt, 2002). Hate crimes are more likely to be committed by multiple perpetrators than are other violent crimes (Levin & McDevitt, 2002), and federal crime statistics suggest that hate crimes are more likely to consist of attacks against people, such as assault, rape, and murder, than attacks against property, such as property damage, vandalism, or arson (U.S. Department of Justice, 2005).

When a crime is classified as a hate crime, legislation often mandates more severe penalties for that crime than for a similar crime that is not classified as a hate crime (Cramer, 1999; Levin, 2002; Wang, 2001). The rationale for this mandated penalty enhancement includes the argument that hate crimes are more severe, by definition, because they consist of attacks against social groups of which the individual crime victim is (or is perceived to be) a member, rather than against the individual himself or herself. That is, the consequences of hate crimes extend beyond the individual victim to the victim's social group (Noelle, 2002) and may therefore constitute a broader attack on society (Iganski, 2001) that, in the case of racist hate crimes, serves to assert the perpetrators' racial identity over that of the victims' (Perry, 2002). In addition, the individual victims of hate crimes may suffer more extreme psychological consequences from hate crime victimization compared to other types of crime victimization (D'Augelli & Grossman, 2001; Herek, Gillis, Cogan, & Glunt, 1997). Furthermore, penalty enhancement for hate crimes has been argued to be important in preventing future crimes by both deterring future hate crimes of similar type and rendering the need for retaliatory violence by the victim or the victim's group (Barnes & Ephross, 1994; Rayburn & Davison, 2002) unnecessary.

Legislation that mandates penalty enhancement for hate crimes is controversial, however (Sullaway, 2004). Opponents of this legislation often argue that hate crimes are not different from or more severe than other crimes of similar type (i.e., "a crime is a crime"). Opponents further assert that the difference between hate crimes and crimes of similar type not considered to be hate crimes are the perpetrators' motivations or thoughts prior to and while committing the crime. Thus, the penalty enhancements are essentially punishing the thoughts of perpetrators, which may be inappropriate (Iganski, 2001). Another argument states that legislated penalty enhancements for hate crimes may offer another opportunity for minority group members to be discriminated against. This argument highlights the possibility that penalty enhancement may be more severe when the victim is a majority group member and the perpetrator is a minority group member (e.g., White victim, Black perpetrator) than when the victim is a minority

group member and the perpetrator is a majority group member (e.g., Black victim, White perpetrator) (Franklin, 2002). The validity of this argument is supported by critical race theory (e.g., Jones, 1998), which states that racial inequalities persist due to cultural views of racism as normal, racist myths, and perpetual White privilege. Another argument against hate crime legislation is that the legislation may be used primarily as a political tool that exaggerates intergroup tensions and allows politicians to ingratiate themselves to minority voters (Jacobs & Henry, 1996). Yet another argument asserts that national crime statistics do not support the need for hate crime legislation (Bakken, 2002).

Interestingly, even if there were no controversy regarding the need for hate crime penalty enhancement legislation, the implementation of such legislation would still be problematic because of the difficulty in reliably classifying crimes as having been hate-motivated or not (Berk, 1990). The motivation of the perpetrator is the key component of a hate crime (Craig, 2002; Wang, 2001). While committing a hate crime, the perpetrator has attacked a representative of a social group, and the attack is therefore directed not at the individual but at that social group. However, perpetrators are not always willing to confess their guilt in a crime, much less their motivations when committing a crime (Dunbar, 1999). Victims may not know why they were targeted (Jacobs & Henry, 1996) and may have to make inferences about the perpetrators' motivations using the context in which the crime occurred (Herek, Cogan, & Gillis, 2002). Some argue that perpetrators' motivations and potential prejudices may be impossible to measure, and a causal relationship between prejudice and crime may be impossible to show (Sullaway, 2004). One commonly used indicator that a crime was hate-motivated is whether the perpetrator used derogatory slurs to insult the (perceived) social group of the victim while committing the crime (Czajkowski, 1992; Herek et al., 2002). However, even this indicator may not universally distinguish between crimes that are and are not hate-motivated, and law enforcement officers may be unable (Franklin, 2002) or unwilling (Boyd, Berk, & Hamner, 1996) to accurately label a crime as a hate crime.

The majority of crimes classified by law enforcement agencies as hate crimes are racially motivated (approximately 54% of more than 9,000 single-incident offenses), according to the FBI's Uniform Crime Reports. Among racially motivated hate crimes, the most frequently targeted racial groups are Blacks and Whites. Approximately 68% of the victims in single-incident crimes were the victims of anti-Black bias, and approximately 20% were the victims of anti-White bias. Of known offenders in hate crimes, approximately 61% were White and approximately 20% were Black. The most

common combination of perpetrator and victim races was the situation in which White perpetrators committed crimes against Black victims (approximately 37% of racially motivated hate crimes). The second most common combination was the situation in which Black perpetrators committed crimes against White victims (approximately 10% of racially motivated hate crimes). Thus, in summary, in racially motivated hate crimes, Whites and Blacks are the two groups most likely to be involved as perpetrators and victims (U.S. Department of Justice, 2005). This is not to say that the probabilities indicate that White and Black individuals will be victims of racially motivated hate crimes at similar levels. The proportion of hate crimes committed as a result of anti-Black bias is much higher than would be expected if the risks for the groups were similar, given that Blacks are victims of hate crimes substantially more than Whites yet constitute a much lower percentage of the population than do Whites.

Previous research has examined individuals' perceptions of what hate crimes are and of crimes in which members of one race have assaulted members of another race. Consistent with the FBI's Uniform Crime Reports (U.S. Department of Justice, 2005), individuals believed that hate crimes most often involve attacks against minority groups (Craig & Waldo, 1996; Saucier, Brown, Mitchell, & Cawman, 2006). Individuals also perceived crimes in which the races of perpetrators and victims differed as more severe crimes, perceiving more guilt in the perpetrators (Marcus-Newhall, Blake, & Baumann, 2002) and recommending (Marcus-Newhall et al., 2002; Saucier et al., 2006) or expecting (Craig & Waldo, 1996) longer sentences for perpetrators, especially when perpetrators were White and victims were Black (versus when perpetrators were Black and victims were White) (Marcus-Newhall et al., 2002). However, not all evidence suggests that the involvement of hate motivation affects the perceptions of violent crimes (Craig, 1999).

The purpose of this study was to examine White individuals' perceptions and recommended punishments of violent crimes. We created crime vignettes that described crimes in which the race of the perpetrator and victim differed, and we systematically varied aspects of the crime vignettes, including the severity of the assault, the races of the perpetrator and victim, and whether the perpetrator used a racial slur during the assault. Furthermore, we assessed participants' levels of racism against Blacks and evaluated the effects of racism on their perceptions and recommended punishments for the crimes. One study has examined the role of racism in perceptions of violent crime (Rayburn, Mendoza, & Davison, 2003). In that study, results showed that more prejudiced individuals saw victims in general (i.e., in both hate and nonhate crimes) as more culpable and perpetrators in general as less culpable. The authors of that study, however, used the Modern Racism Scale (McConahay, 1983) as their

measure of racial prejudice—which has been the target of challenges to its validity (Dunton & Fazio, 1997; Fazio, Jackson, Dunton, & Williams, 1995)—and used a median split to create high- and low-prejudiced groups. That analytic strategy creates artificial groups and sacrifices the precision of the participants' actual scores on the measures (Bissonnette, Ickes, Bernstein, & Knowles, 1990a, 1990b; Cohen, 1983). We intended to use a potentially more valid measure of racial prejudice, the Attitudes Toward Blacks Scale (ATB; Brigham, 1993), and to employ regression analyses to retain the variability in participants' scores on the prejudice measure, avoid the creation of artificial groups, and conduct hypothesis testing with more statistical power. Our dependent measures included recommended sentences for the crimes, the extents to which victims were blamed for the crimes, ratings of how justifiable the crimes were, and ratings of how well the crimes fit the definition of a hate crime.

Method

Participants

Two hundred twenty-five participants voluntarily participated in this study to partially fulfill the research requirement for their general psychology course. One hundred seven participants were male and 118 were female. Participants' ages ranged from 18 to 43 with a mean of 19.40 ($SD = 2.15$), and more than 96% of the participants reported ages from 18 to 22. Two hundred one participants were White; 9 were Black; 8 were Latino/a; and 7 reported their race as Asian, Native American, or "Other."

Materials

Crime vignettes. Participants read vignettes in which a crime was described. These crime vignettes were similar in structure and content to those used in a previous study (Saucier et al., 2006). In each vignette, a male perpetrator assaulted a male victim after a brief verbal exchange that witnesses could not hear, and was found guilty at the subsequent trial. The type of assault was varied, with the perpetrator repeatedly hitting the victim in simple assault cases and repeatedly slashing the victim in aggravated assault cases. The perpetrator/victim races were varied so that vignettes reported either a crime by a White perpetrator against a Black victim or by a Black perpetrator against a White victim. Finally, the insult used by the perpetrator to denigrate the victim during the assault was varied so that the perpetrator used

either a racial slur or profanity. In the racial slur conditions, the White perpetrator called the Black victim a “nigger” or the Black perpetrator called the White victim a “cracker.” In the profanity conditions, both the White and Black perpetrators called the Black and White victims, respectively, an “asshole.” This study employed a 2 (assault type) \times 2 (perpetrator/victim races) \times 2 (insult) between-groups design so that 8 different crime vignettes were used. The vignette for the simple assault, Black perpetrator/White victim, racial slur condition is provided below for illustrative purposes.

Case Brief: The State vs. Jeffrey Richards

Imagine that you are the presiding judge in a criminal court case. You are trying a case in which a man is being tried on the charge of simple assault. Witnesses testified that the defendant, Jeffrey Richards, an African American male in his thirties, approached Don Anderson, a White male in his twenties, and after a brief verbal exchange, Mr. Richards repeatedly punched Mr. Anderson while calling him a “stupid cracker.” Based on the witnesses’ testimonies, the jury did find Mr. Richards guilty on the charge of simple assault. Please answer the following questions about this case as honestly as you can.

Racism measure. Participants completed the ATB (Brigham, 1993) as the measure of their racial attitudes toward Blacks. This measure was chosen due to its widespread use as a self-report measure of anti-Black prejudice in the social psychological literature. Scores on the ATB have been shown to be associated with other self-report measures of the expression and control of prejudice (e.g., Plant & Devine, 1998; Saucier & Miller, 2003), with behavioral expressions of prejudice (e.g., Dovidio, Kawakami, & Gaertner, 2002), and with attitudes toward race-relevant legislation (e.g., Swim & Miller, 1999). Participants reported their agreement with each of 20 statements regarding their attitudes toward Blacks using 9-point Likert-type scales from 1 (*not at all*) to 9 (*very much*). Scores were calculated as the average response per item, with higher scores indicating more negative attitudes toward Blacks. A sample item is “Generally, Blacks are not as smart as Whites.” The internal consistency of the ATB was very good in this study, $\alpha = .86$. For our sample, participants’ scores ranged from 1.00 to 8.20 and approximated a normal distribution around the mean of 3.46 ($SD = 1.26$). This indicated that whereas the levels of racism reported by participants as a group were relatively low, there was meaningful variability in the responding. This pattern of responding is comparable to the patterns shown by other college student samples (e.g., Dovidio et al., 2002; Saucier & Miller, 2003).

Social desirability measure. Participants completed the Marlowe-Crowne Social Desirability Scale (Crowne & Marlowe, 1964). This measure was

included because the possibility existed that participants' responses on the racism measure and on the dependent measures could have been influenced by social desirability concerns. This scale consisted of 33 true-false items consisting of statements that participants who are motivated to present themselves in socially desirable ways are likely to report as being true (e.g., "I'm always willing to admit it when I make a mistake") or false (e.g., "I sometimes feel resentful when I don't get my way") of themselves. Participants' scores on this measure consisted of the number of socially desirable responses they reported. The internal consistency of this scale was good in this study, $\alpha = .73$.

Procedure

Participants completed randomly assigned questionnaire packets that each contained one of the eight crime vignettes as well as the measures of racism and social desirability. After reading the crime vignettes, participants responded to items that assessed several dependent measures, including what sentence they would recommend for the perpetrator if they were the judge presiding over the case after the guilty verdict had been handed down by the jury, how justifiable the crime was, how much to blame the victim was for the crime committed against him, and how much the crime fit the definition of a hate crime. Participants responded to the recommended sentence item using a Likert-type scale from 1 (*minimum sentence*) to 9 (*maximum sentence*). Although this did not allow for participants to recommend "no sentence" for the perpetrator, it did allow for participants to recommend sentences that were relatively low to relatively high for an individual found guilty of that particular crime. Participants responded to the other items using Likert-type scales from 1 (*not at all*) to 9 (*very much*). It should be noted that the participants were not asked to provide a rating of how guilty the perpetrator was. This is consistent with the procedure used by Saucier et al. (2006) and was used to avoid creating difficulties in responding to the other dependent measures for participants who may have found the perpetrator "not guilty." Participants completed the packets in groups of approximately 15 participants, and their participation took approximately 35 minutes.

Results

Potential Social Desirability Effects

The participants' scores on the Marlowe-Crowne Social Desirability Scale were not significantly correlated with any of the dependent measures,

$r_s < .14$, $p_s > .05$, or with the participants' scores on the ATB, $r = .03$, $p = .646$. We therefore did not include participants' social desirability scores in any subsequent analyses and will not further discuss social desirability as a variable.

Relationships Between Dependent Measures

The sentences given to perpetrators by participants were positively correlated with the extent to which they reported the crime fit the definition of a hate crime, $r = .30$, $p < .001$, and negatively correlated with the extent to which they reported the victim was to blame for the crime, $r = -.13$, $p = .045$. The sentences were not correlated with how justifiable they reported the crime to be, $r = -.02$, $p = .770$. Perceptions of the justifiability of the crime were positively correlated with the perceived extent to which the victim was to blame, $r = .37$, $p < .001$, but uncorrelated with how well the crime fit the hate crime definition, $r = .07$, $p = .320$. How well the crime fit the hate crime definition was negatively correlated with the extent to which the victim was blamed, $r = -.16$, $p = .018$.

Condition Effects

Analytic strategy. We used 2 (assault type) $\times 2$ (perpetrator/victim races) $\times 2$ (insult) between-groups analyses of variance to assess differences on each of the dependent measures. Because the races of the perpetrator and victims were varied, only participants who reported that they were White were included in the analyses. These participants would share race with either the perpetrator or the victim in all conditions. The number of participants who were Black was not sufficient to provide an adequate comparison group, and the participants who were Latino/a, Asian, Native American, or "Other" did not share the race of the perpetrator or the victim in any condition.

Sentence for the perpetrator. Significant main effects were found for assault type, $F(1, 192) = 52.02$, $p < .001$, and for perpetrator/victim races, $F(1, 192) = 11.59$, $p = .001$, regarding the sentences given to perpetrators by participants. Significantly longer sentences were given for aggravated assaults, $M = 7.09$, $SD = 1.53$, than for simple assaults, $M = 5.19$, $SD = 2.20$, unsurprisingly. Of greater interest, participants gave significantly longer sentences to White perpetrators who assaulted Black victims, $M = 6.51$, $SD = 2.05$, than to Black perpetrators who assaulted White victims, $M = 5.65$, $SD = 2.13$. The main effect for the insult and all interactions between the independent variables failed to reach significance, all $F_s(1, 192) < 1.66$, $p_s > .19$.

Justifiability of the crime. For the ratings of how justifiable the crime was, only the main effect for perpetrator/victim races even approached significant levels, $F(1, 192) = 3.22, p = .074$. This suggested that participants tended slightly to report that crimes committed by Black perpetrators against White victims, $M = 3.09, SD = 2.19$, were more justifiable than crimes committed by White perpetrators against Black victims, $M = 2.53, SD = 2.33$. This interpretation is offered cautiously given that the effect failed to reach conventional levels of significance and the failure of the other variables to affect the justifiability ratings. The main effects for assault type and insult and all interactions between the independent variables failed to reach significance, $F_s(1, 192) < 2.67, p_s > .10$.

Blaming the crime on the victim. Significant main effects for assault type, $F(1, 191) = 4.04, p = .046$, and for perpetrator/victim races, $F(1, 191) = 18.81, p < .001$, emerged for the extent to which participants reported the victim was to blame for the crime. Participants reported that victims were more to blame for simple assaults than for aggravated assaults and that White victims were more to blame for being assaulted by Black perpetrators than Black victims were to blame for being assaulted by White perpetrators. These main effects were qualified by a two-way interaction between assault type and perpetrator/victim races, $F(1, 191) = 6.59, p = .011$. Simple effects analyses indicated that this interaction was produced because the extent to which Black victims were blamed for being assaulted by White perpetrators was not different when the assault was simple, $M = 2.49, SD = 1.65$, versus aggravated, $M = 2.65, SD = 1.78, F(1, 191) < 1$; whereas the extent to which White victims were blamed for being assaulted by Black perpetrators was greater when the assault was simple, $M = 4.20, SD = 2.10$, versus aggravated, $M = 3.09, SD = 1.38, F(1, 191) = 9.18, p < .005$. The main effect for insult and all other interactions between the independent variables failed to reach significance, $F_s(1, 191) < 2.23, p_s > .13$.

Crime fit the definition of a hate crime. Significant main effects were found for assault type, $F(1, 191) = 3.98, p = .047$, and for insult, $F(1, 191) = 41.81, p < .001$, for the participants' ratings of how well the crime fit the definition of a hate crime. These results indicated that participants reported that aggravated assaults, $M = 6.73, SD = 2.31$, fit the hate crime definition better than did simple assaults, $M = 6.08, SD = 2.44$; and that crimes in which the perpetrator used a racial slur during the assault, $M = 7.36, SD = 1.95$, fit the hate crime definition better than crimes in which the perpetrator used profanity, $M = 5.36, SD = 2.39$. The main effect for perpetrator/victim races and all interactions

between the independent variables failed to reach significance, $F_s(1, 191) < 2.70$, $p_s > .10$.

Racism Effects

Analytic strategy. We used hierarchical multiple regression to control for all possible condition effects described above for each of the dependent variables. After entering the terms for the main effects of and interactions between assault type, perpetrator/victim races, and insult, we entered the participants' scores on the ATB and the product terms carrying the two-, three-, and four-way interactions between ATB and the other independent variables in subsequent steps of the analysis. The participants' ATB scores individually and interactively were assessed for their ability to improve the predictive models for each of the dependent variables.

Sentence for the perpetrator. The predictive model for the participants' recommended sentences for the perpetrator was not improved when the participants' ATB scores were added to the analysis, R^2 change = .006, $F(1, 186) = 1.64$, $p = .202$. The model was improved when the two-way interactions between the ATB scores and the other independent variables were entered, R^2 change = .055, $F(3, 183) = 4.98$, $p = .002$, with the interaction between ATB scores and perpetrator/victim races reaching significance, $t = 3.66$, $p < .001$. Simple slopes analyses revealed that participants' ATB scores were significantly negatively correlated with the sentences they recommended for White perpetrators who assaulted Black victims, $\beta = -.337$, $p = .003$, and were marginally positively correlated with the sentences they recommended for Black perpetrators who assaulted White victims, $\beta = .206$, $p = .074$. That is, higher levels of racism were associated with less severe sentencing for crimes by Whites against Blacks, and higher levels of racism tended to be associated with more severe sentencing for crimes by Blacks against Whites. No other two-way, three-way, or four-way interactions including ATB scores improved the predictive model or reached significance.

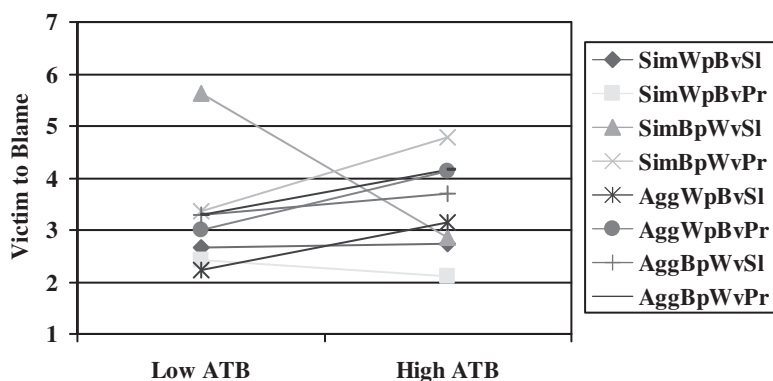
Justifiability of the crime. The predictive model for the participants' ratings of the justifiability of the crime was improved by the addition of the participants' ATB scores, R^2 change = .024, $F(1, 186) = 4.75$, $p = .031$, such that higher racism scores were associated with ratings that the crimes were more justifiable, $\beta = .156$. The addition of the two-way interactions including the ATB scores further improved the predictive model, R^2 change = .042, $F(3, 183) = 2.86$, $p = .038$, with an interaction between ATB scores

and assault type reaching significance, $t = 2.62$, $p = .010$, and qualifying the main effect above. Simple slopes analyses revealed that ATB scores were positively correlated with the justifiability ratings of aggravated assaults, $\beta = .424$, $p = .002$, but were uncorrelated with justifiability ratings of simple assaults, $\beta = -.099$, $p = .443$. No other two-way, three-way, or four-way interactions including ATB scores improved the predictive model or reached significance.

Blaming the crime on the victim. The predictive model for how much the participants reported that the victim was to blame for the assault was not improved by the addition of the participants' ATB scores as a main effect, R^2 change = .004, $F(1, 185) < 1$, but was improved by the addition of the two-way interactions including the ATB scores, R^2 change = .044, $F(3, 182) = 3.32$, $p = .021$, and later by the four-way interaction including all predictors, R^2 change = .020, $F(1, 178) = 4.73$, $p = .031$. The addition of the four-way interaction including the ATB scores, the assault type, the perpetrator/victim races, and insult qualified any two-way interactions, and we will therefore forgo discussion of the two-way interactions to focus on the four-way interaction.

We used simple slopes analysis to probe the four-way interaction. This allowed us to assess the relationships between participants' ATB scores and the ratings of how much the victim was to blame in each of the conditions of the study. This analysis revealed that participants' levels of racism on the ATB were associated with their ratings of victim blame when a Black perpetrator committed a simple assault against a White victim and used a racial slur. In this condition, higher racism scores on the ATB were associated with lower ratings of victim blame, $\beta = -.746$, $p < .001$. The only other simple slope to approach significance was in the condition in which a Black perpetrator committed a simple assault against a White victim and used a profanity. In this condition, higher racism scores tended to be associated with higher ratings of victim blame, $\beta = .389$, $p = .067$. Taken together, these results suggest the individuals with higher levels of racism are especially unlikely to place the blame for a crime on the victim when the victim is a member of their own race and when it is more clearly racially motivated. Individuals lower in racism blame the victim of their own race more in that situation. When the crime is not clearly racially motivated, those higher in racism tend to be more likely to blame the victim for the offense. All other simple slopes failed to show relationships between participants' ATB scores and their ratings of victim blame, β s $< .31$, $ps > .09$. These relationships are illustrated in Figure 1.

Figure 1
Projected Means for Ratings of Victim Blame for the Assault
by Individuals Scoring One Standard Deviation Above and
Below the Mean on the Attitudes Toward Blacks Scale
(ATB) in Each of the Experimental Conditions



Note: Sim = simple assault; Agg = aggravated assault; WpBv = White perpetrator, Black victim; BpWv = Black perpetrator, White victim; Sl = slur; Pr = profanity.

Crime fit the definition of a hate crime. The predictive model for how much participants reported that the crimes fit the definition of a hate crime was not improved significantly by the addition of participants' ATB scores or any interaction terms including participants' ATB scores.

Discussion

The purpose of this study was to investigate the factors that affect individuals' perceptions and punishments of violent crimes involving perpetrators and victims of different races. Specifically, we assessed the contributions of the nature of the assault, the races of the perpetrators and victims, whether a racial slur was used during the assault, and White participants' levels of racism toward Blacks in their perceptions of an assault case in which the perpetrator was found guilty. Results indicated that the features of the assault case did affect the participants' perceptions of the crime. Participants recommended longer sentences for crimes involving aggravated assaults (versus simple assaults) and for White perpetrators who assaulted Black victims (versus Black perpetrators who assaulted White

victims). Participants indicated that crimes that were aggravated assaults and crimes during which the perpetrators used racial slurs were more fitting of the definition of a hate crime. Furthermore, (White) participants reported that White victims were more to blame when assaulted by Black victims in simple assault cases. In addition, White participants' levels of racism toward Blacks influenced their perceptions of the crimes. Results indicated that lower levels of racism were associated with higher ratings of blame for White victims who were assaulted by Black perpetrators in simple assault cases. Higher levels of racism were associated with less severe sentences recommended for White perpetrators who assaulted Black victims and were marginally associated with more severe sentences recommended for Black perpetrators who assaulted White victims. In summary, the characteristics of crimes committed by members of one race against members of another race, including the severity of the crime, the races of the perpetrators and the victims, and whether racial slurs were used by perpetrators, along with individuals' levels of racism, affected how individuals perceived and punished those crimes.

The use of racial slurs during a crime by the perpetrator(s) is often used to indicate that the crime was hate-motivated (Czajkowski, 1992; Herek et al., 2002). Our results indicate that our participants did use this feature of the crime as an indicator of hate motivation. These results do not necessarily demonstrate the validity of distinguishing between hate- and non-hate-motivated crimes by ascertaining the use of racial slurs by the perpetrator(s). However, these results do provide empirical support that the use of racial slurs as an indicator of hate motivation is a common perception among those who review instances of violent crimes committed by a member of one race against a member of another race.

That participants generally recommended longer sentences for crimes committed by White perpetrators against Black victims than for crimes committed by Black perpetrators against White victims is consistent with the results of Marcus-Newhall et al. (2002) that showed this same pattern of results and with the results of Craig and Waldo (1996) that showed that individuals believed that hate crimes typically involve majority group perpetrators and minority group victims. This would tend to diminish the argument that penalty enhancement legislation for hate crimes could be misused to discriminate against minority group perpetrators who commit crimes against majority group victims compared to the reversed situation (Franklin, 2002). However, our findings for the relationships between participants' racism levels and recommended sentences for White against Black versus Black against White assaults show that the discrimination in penalty enhancement speculated by Franklin (2002) is possible. Although it should be noted that our study used

college students who completed questionnaires and these results may or may not generalize to how judges and juries actually perceive and punish violent crimes, these results do indicate that it is possible (but not necessarily probable) that racism may be expressed through the implementation of penalty enhancement legislation.

The relationships between participants' levels of racism and the extent to which they blamed the victims for the crime were inconsistent with previous research findings that showed that participants with higher levels of antigay attitudes were more negative to gay victims of hate crimes and more supportive of the perpetrators (Rayburn & Davison, 2002). This inconsistency may be due to our use of race as the characteristic targeted by the hate crime perpetrator versus the use of sexual orientation in the previous study by Rayburn and Davison (2002). It is likely that there is greater concern among participants about appearing nonracist than about appearing nonprejudiced toward individuals on the basis of sexual orientation. It may be that sexual orientation is a characteristic that individuals view as a choice or preference, whereas race is obviously something outside an individual's control. This distinction may make the expression of sexual prejudice appear more appropriate and more normative (i.e., more socially acceptable) than the expression of racial prejudice (e.g., Crandall & Eshleman, 2003) and may contribute to this inconsistency.

Regarding the perceptions of the crime vignettes, our participants' recommended sentences for the perpetrators were positively correlated to their ratings of how much the crime fit the definition of a hate crime. These results are consistent with past research that showed similar findings (Saucier et al., 2006). This indicates that individuals may believe that hate motivated offenses are more severe and are thus more deserving of more severe penalties than non-hate-motivated offenses, providing empirical support for the arguments made by advocates of hate crime penalty enhancement legislation. This pattern of results emerged despite the fact that our participants were not told that these crimes were, or might be, hate crimes or that hate crimes should be punished more severely.

A major limitation of our study that warrants attention is that we examined how participants perceived and recommended punishments for violent crimes using scenarios created for this study in a laboratory setting. Our participants were undergraduate students, not actual judges or prosecutors who would be in more realistic positions to recommend sentencing for perpetrators of violent crimes. Accordingly, we cannot generalize our results to actual sentencing outcomes. A second possible limitation is that we employed an explicit (i.e., conscious) measure of racism in this study. As noted earlier, scores on the ATB (Brigham, 1993) have correlated with other

self-report measures of the expression and control of prejudice (e.g., Plant & Devine, 1998; Saucier & Miller, 2003), with behavioral expressions of prejudice (e.g., Dovidio et al., 2002), and with attitudes toward race-relevant legislation (e.g., Swim & Miller, 1999). However, it is possible that implicit (i.e., unconscious) measures of racism may have showed different patterns of effects than those reported for this study. For instance, a study by Bridges and Steen (1998) demonstrated that more indirect measures (e.g., how much crimes were attributed to internal and external circumstances) were associated with less conscious biases in sentencing patterns of White and Black perpetrators. In addition, the Bridges and Steen (1998) study used individuals associated with the criminal justice system (e.g., probation officers), furthering the rationale for our earlier caution against generalizing our laboratory results to actual sentencing outcomes.

In conclusion, our study examined the features that affected the perceptions and punishments of violent crimes in scenarios in which the races of the perpetrators and victims differed. Our results indicated that several features of the crime scenarios affected the perceptions and punishments of the crimes, including the races of the perpetrators and victims, whether the perpetrator used a racial slur during the commission of the crime, the severity of the assault, and the racism levels of the individuals who reported their perceptions and recommendations for punishments of the crimes. More empirical work is needed to further reveal the processes that affect the perception and punishment of violent crime. However, these findings contribute to the understanding of how crimes, in laboratory settings, are determined to be hate crimes; how hate crimes are perceived and punished; and how racism may affect these determinations, perceptions, and punishments.

References

- Bakken, T. (2002). The effects of hate crime legislation: Unproven benefits and unintended consequences. *International Journal of Discrimination and the Law*, 5, 231-246.
- Barnes, A., & Ephross, P. H. (1994). The impact of hate violence on victims: Emotional and behavioral responses to attacks. *Social Work*, 39, 247-251.
- Berk, R. A. (1990). Thinking about hate-motivated crimes. *Journal of Interpersonal Violence*, 5, 334-349.
- Bissonnette, V., Ickes, W., Bernstein, I., & Knowles, E. (1990a). Item variances and median splits. Some discouraging and disquieting findings. *Journal of Personality*, 58(3), 595-601.
- Bissonnette, V., Ickes, W., Bernstein, I., & Knowles, E. (1990b). Personality moderating variables: A warning about statistical artifact and a comparison of analytic techniques. *Journal of Personality*, 58(3), 567-587.
- Boyd, E. A., Berk, R. A., & Hamner, K. M. (1996). Motivated by hatred or prejudice: Categorization of hate-motivated crimes in two police divisions. *Law and Society Review*, 30, 819-850.

- Bridges, G. S., & Steen, S. (1998). Racial disparities in official assessments of juvenile offenders: Attributional stereotypes as mediating mechanisms. *American Sociological Review*, 63(4), 554-570.
- Brigham, J. C. (1993). College students' racial attitudes. *Journal of Applied Social Psychology*, 23, 1933-1967.
- Cohen, J. (1983). The cost of dichotomization. *Applied Psychological Measurement*, 7, 249-253.
- Craig, K. M. (1999). Retaliation, fear, or rage: An investigation of African American and White reactions to racist hate crimes. *Journal of Interpersonal Violence*, 14, 138-151.
- Craig, K. 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, 85-101.
- Craig, K. M., & Waldo, C. R. (1996). "So what's a hate crime anyway?" Young adults' perceptions of hate crimes, victims, and perpetrators. *Law and Human Behavior*, 20, 113-129.
- Cramer, E. P. (1999). Hate crime laws and sexual orientation. *Journal of Sociology and Social Welfare*, 26, 5-24.
- Crandall, C. S., & Eshleman, A. (2003). A justification-suppression model of the expression and experience of prejudice. *Psychological Bulletin*, 129, 414-446.
- Crowne, D. P., & Marlowe, D. (1964). *The approval motive: Studies in evaluative dependence*. New York: John Wiley.
- Czajkowski, E. H. (1992). Criminalizing hate: An empirical assessment. *Federal Probation*, 56, 36-40.
- D'Augelli, A. R., & Grossman, A. H. (2001). Disclosure of sexual orientation, victimization, and mental health among lesbian, gay, and bisexual older adults. *Journal of Interpersonal Violence*, 16, 1008-1027.
- Dovidio, J. F., Kawakami, K., & Gaertner, S. L. (2002). Implicit and explicit prejudice and interracial interaction. *Journal of Personality and Social Psychology*, 82, 62-68.
- Dunbar, E. (1999). Defending the indefensible: A critique and analysis of psycholegal defense arguments of hate crime perpetrators. *Journal of Contemporary Criminal Justice*, 15, 64-77.
- Dunton, B. C., & Fazio, R. H. (1997). An individual difference measure of motivation to control prejudiced reactions. *Personality and Social Psychology Bulletin*, 23, 316-326.
- Fazio, R. H., Jackson, J. R., Dunton, B. C., & Williams, C. J. (1995). Variability in automatic activation as an unobtrusive measure of racial attitudes: A bona fide pipeline? *Journal of Personality and Social Psychology*, 69, 1013-1027.
- Franklin, K. (2002). Good intentions: The enforcement of hate crime penalty-enhancement statutes. *American Behavioral Scientist*, 46, 154-172.
- Herek, G. M., Cogan, J. C., & Gillis, E. K. (2002). Victim experiences in hate crimes based on sexual orientation. *Journal of Social Issues*, 58, 319-339.
- Herek, G. M., Gillis, J. R., Cogan, J. C., & Glunt, E. K. (1997). Hate crime victimization among lesbian, gay, and bisexual adults: Prevalence, psychological correlates, and methodological issues. *Journal of Interpersonal Violence*, 12, 195-215.
- Iganski, P. (2001). Hate crimes hurt more. *American Behavioral Scientist*, 45, 626-638.
- Jacobs, J. B., & Henry, J. S. (1996). The social construction of a hate crime epidemic. *Journal of Criminal Law and Criminology*, 86, 366-391.
- Jones, J. M. (1998). Psychological knowledge and the new American dilemma of race. *Journal of Social Issues*, 54, 641-662.
- Levin, B. (2002). From slavery to hate crime laws: The emergence of race and status-based protection in American criminal law. *Journal of Social Issues*, 58, 227-245.
- Levin, J., & McDevitt, J. (2002). *Hate crimes revisited: America's war against those who are different*. Boulder, CO: Westview.

- Marcus-Newhall, A., Blake, L. P., & Baumann, J. (2002). Perceptions of hate crime perpetrators and victims as influenced by race, political orientation, and peer group. *American Behavioral Scientist*, 46, 108-135.
- McConahay, J. B. (1983). Modern racism and modern discrimination: The effects of race, racial attitudes, and context on simulated hiring decisions. *Personality and Social Psychology Bulletin*, 9, 551-558.
- Noelle, M. (2002). The ripple effect of the Matthew Shepard murder. *American Behavioral Scientist*, 46, 27-50.
- Perry, B. (2002). Defending the color line: Racially and ethnically motivated hate crime. *American Behavioral Scientist*, 46, 72-92.
- Plant, E. A., & Devine, P. G. (1998). Internal and external motivation to respond without prejudice. *Journal of Personality and Social Psychology*, 75, 811-832.
- Rayburn, N. R., & Davison, G. C. (2002). Articulated thoughts about antigay hate crimes. *Cognitive Therapy and Research*, 26, 431-447.
- Rayburn, N. R., Mendoza, M., & Davison, G. C. (2003). Bystanders' perceptions of perpetrators and victims of hate crime: An investigation using the person perception paradigm. *Journal of Interpersonal Violence*, 18, 1055-1074.
- Saucier, D. A., Brown, T. L., Mitchell, R. C., & Cawman, A. J. (2006). Effects of victims' characteristics on attitudes toward hate crimes. *Journal of Interpersonal Violence*, 21, 890-909.
- Saucier, D. A., & Miller, C. T. (2003). The persuasiveness of racial arguments as a subtle measure of racism. *Personality and Social Psychology Bulletin*, 29, 1303-1315.
- Sullaway, M. (2004). Psychological perspectives on hate crime laws. *Psychology, Public Policy, and Law*, 10, 250-292.
- Swim, J. K., & Miller, D. L. (1999). White guilt: Its antecedents and consequences for attitudes toward affirmative action. *Personality and Social Psychology Bulletin*, 25, 500-514.
- U.S. Department of Justice, Federal Bureau of Investigation. (2005). *Hate crime statistics 2004*. Washington, DC: Government Printing Office.
- Wang, L. (2001). *Hate crimes law*. Deerfield, IL: West Group.

Donald A. Saucier is an assistant professor in the Department of Psychology at Kansas State University. His research focuses on the measurement, expression, and consequences of prejudice.

Jericho M. Hockett is a graduate student in social-personality psychology in Dr. Saucier's lab at Kansas State University. Her research examines prejudice related to race and gender.

Andrew S. Wallenberg was an undergraduate research assistant in Dr. Saucier's lab at Kansas State University. He received his BA in psychology and is now attending law school.