

## Government Looks at Violence Against Gays *from page 1*

police departments and district attorney's offices around the country have failed to address the problem of hate-motivated violence. And in a key recommendation, the report suggests that excluding homosexuals from protection under bias crime legislation - as has occurred in many states - "either condones bias crimes against gays and lesbians or suggests it does not exist."

"Strategies are needed," the report asserts, "that will encourage legislatures to include gays and lesbians in their statutes."

The NIJ could now decide to follow up on the study, formally called an "exploratory review," with a more detailed investigation, known as an "issues and practices report." Some gay activists are concerned that the NIJ may decide against commissioning a follow-up because of political pressure from right-wing officials in the Justice Department.

An NIJ spokesperson would say only, "The report we have been given is under review, and we don't know what we will do about it in the future." He declared that the NIJ, which was created to undertake research in the criminal justice field, "has no political orientation of any kind."

The Abt Associates report notes that attempts to enact bias crime laws that also

cover gays have been defeated in Illinois, Minnesota, Oregon, and Washington.

The report, which has not been formally released, also observes that bias crimes may be turning more violent, and it cites the "visibility of gay men" as one possible reason for the increasing proportion of personal attacks as opposed to vandalism.

Only a handful of police and sheriff's departments make bias crime a priority: Boston and New York have bias units that expanded their jurisdiction to include anti-gay violence; San Francisco, meanwhile, makes "a concerted effort to address violence against gays" through the Mission District police station. Even fewer district attorney's offices, the report declared, are targeting bias crime.

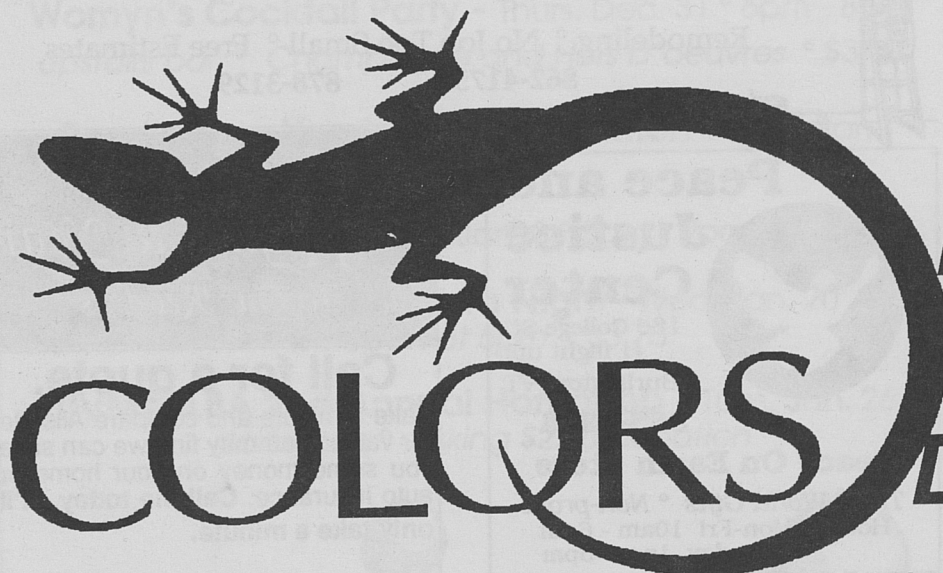
The report states that there is a lack of accurate data about bias crimes and that most law enforcement agencies do not keep separate records of such offenses. It also notes that definitions of hate crimes vary widely. Peter Finn, who with Taylor McNeil wrote the report for Abt Associates, said the study's statement that gay men and lesbians are probably the most frequent victims of hate violence is based not on any scientific surveys - but on inter-

views with law enforcement officials, gay groups, and other organizations.

The report, however, reiterates the contention of gay organizations that bias crimes are underreported. "Many victims of bias crimes do not report incidents because they distrust the police, feel that the incident is too minor or that the police cannot do anything about it, have a language barrier, fear retaliation by the offender, or - in the case of gays and lesbians - fear public exposure," the report declares.

The document urges special training for police and prosecutors in handling cases of hate-motivated violence. The authors note, for example, that prosecutors must "learn how to deal with the 'homosexual panic' or 'gay advance' defense in which defendants claim self-defense or temporary insanity in response to a sexual advance to win lenient sentences or acquittals when charged with assaulting or murdering gay men."

Whether the NIJ will move quickly to undertake a more in-depth investigation of the criminal justice system's response to hate crimes should be known within the next few weeks. In the meantime, the issue continues to be placed on various agendas.



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