

STATEMENT OF

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before the

JUDICIARY COMMITTEE
HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA

Jeffrey E. Piccola, Chair

on the subject of

AMENDING THE ETHNIC INTIMIDATION ACT TO INCLUDE SEXUAL
ORIENTATION

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Mr. Chair and Members of the Committee:

I am Dr. Anthony R. D'Augelli. I am Professor of Human Development in the Department of Human Development and Family Studies at The Pennsylvania State University, where I joined the faculty in 1972. For over twenty years, I have conducted research on community mental health, especially those aspects of our communities that cause stress and emotional problems for individuals and their families. For the last decade, I have been conducted research on the nature of sexual orientation, and have been especially interested in how being a lesbian, gay male, or a bisexual person poses unusual challenges. In particular, I have focused on harassment and violence directed toward lesbian, gay, and bisexual people. Much of this work has studied Pennsylvanians. For example, some of this research was conducted on students at Penn State who identified themselves as lesbian, gay, or bisexual. In addition to the research I have done at Penn State, I have served for the last decade as the faculty adviser to Penn State's official organization for lesbian, gay, and bisexual students. In this capacity, I have heard (and overheard) many personal stories from young adults about dealing with harassment and violence in high schools throughout Pennsylvania as well as attacks that have happened in community settings, both small towns and the major metropolitan areas. I am also a licensed psychologist in the Commonwealth and have a private clinical practice. Many of my clients are lesbian, gay, or bisexual; nearly without exception, they tell of living in fear--not only that they will be discovered, but also that they will be physically attacked if they are open about who they are. I feel that I am in an excellent position to provide evidence for the Committee as it moves forward to consider the issue of adding sexual orientation to the Commonwealth's Ethnic Intimidation Act.

I would like to start by noting that I have been a member of the American Psychological Association (APA) since 1974 and was chosen as a Fellow of the APA in 1983. I served on the Association's Committee on Lesbian and Gay Concerns from 1986 to 1989. At the Association's most recent meetings this month in New York, I was awarded the Outstanding Achievement Award by the Committee on Lesbian and Gay Concerns. I am strongly supportive of the American Psychological Association's policies related to sexual orientation, especially those related to victimization and crimes motivated by prejudice. The American Psychiatric Association removed homosexuality from its list of psychiatric disorders in 1973; in 1975, the American Psychological Association passed a resolution in support of this decision, urging that mental health professionals such as psychologists help dispel myths about lesbians, gay men, and bisexual people. In 1988, the American Psychological Association adopted this policy statement:

Whereas, the experience of criminal and violent victimization has profound psychological consequences; and whereas, the frequency and severity of crimes of violence manifesting prejudice have been documented; and whereas, the American Psychological Association opposes prejudice and discrimination based upon race, ethnicity, religion, sexual orientation, gender, or physical condition, therefore be it resolved that the American Psychological Association condemns harassment, violence, and crime motivated by prejudice.

An additional part of the statement urges policy-makers **"to help reduce and eliminate hate crimes and bias-related violence and to alleviate their effects upon the victims,"** including youth, and to intervene **"to reduce and eliminate such crimes and**

violence, and policies that perpetrate them.”

My many years of research, as well as my years of listening to the stories of victims of anti-lesbian and anti-gay violence, both old and young, has convinced me that public acknowledgment that discrimination based on sexual orientation is unacceptable in this Commonwealth is crucial to eliminating violence directed to citizens because of their sexual orientation. We must make our communities safe for all people, regardless of their personal characteristics; and, we must communicate through our laws that bigotry directed toward others based on their personal identity strikes at the heart of a free society. We cannot expect people to become full contributors to society if that we cannot insure their safety on its streets, in its schools, and in its communities. The Ethnic Intimidation Act is a core part of our efforts to prevent violence in our communities by communicating that we are deeply offended by crimes based on bigotry and hatred of others. The Act's reach must be extended to the group most often intimidated in our communities--lesbians, gay men, and bisexual people. Their suffering takes its toll on all of us.

Anti-Gay and Anti-Lesbian Violence

While the topic of homosexuality itself often generates considerable controversy in our society, violence against lesbians, gay men, and bisexual people does not. Most citizens are opposed to discrimination against lesbian, gay, and bisexual citizens, and most surely would be supportive of efforts to decrease hate crimes directed against this group. Most people, however, do not know how common harassment, discrimination, and violence based on sexual orientation are as most people do not know many open lesbian, gay, and bisexual people--even though some of their friends, co-workers, and family members are lesbian, gay,

or bisexual, but have not disclosed this. Part of this reluctance to tell others is the result of fear of harm. However much the public might be unaware of the scope of these events, policy-makers and professionals cannot in good conscience deny that hate crimes of this type occur with some frequency (Comstock, 1991; Herek & Berrill, 1992). Indeed, we in the Commonwealth owe a debt of gratitude to the Philadelphia Lesbian and Gay Task Force, which has carefully documented the incidence of hate crimes directed against lesbian, gay, and bisexual Pennsylvanians. We have adequate information about the problem in our own state. In fact, I have recently used the Task Force's 1992 Philadelphia data to demonstrate the impact of violence on young lesbian, gay, and bisexual persons in a chapter published in a book called Reason to Hope: A Psychosocial Perspective on Violence and Youth published this year by the American Psychological Association (D'Augelli & Dark, 1995). I am sure that the Task Force's full reports are available to the Committee, so I will only highlight several of their findings. Of these Philadelphians, 24% of the males and 16% of the females surveyed were the victims of criminal violence. Over their lifetimes, 57% of the men and 35% of the women were victimized. This does not even address the nearly universal experience of verbal harassment (89% of males, 74% of females) that these women and men suffer over their lives; nor is their fear of future discrimination or attack shown in these numbers. Finally, these statistics do not document the number of citizens who are physically harmed because of their sexual orientation, but do not tell anyone. Of those who don't tell, I have come to believe that many are young people. For example, lesbian and gay youth in junior and senior high schools are often bullied for several years, and tell no one, not even their parents. These same youth may be attacked in their neighborhoods, often on their way

to and from school. And, sadly enough, those fortunate enough to attend Penn State may be harassed on campus too, but still seldom tell the authorities. I have studied violence against lesbian, gay, and bisexual students at Penn State and found that over three-quarter of those surveyed had been verbally insulted, 25% had been threatened with physical violence; 13% had personal property damaged; 8% had objects thrown at them; and 22% had been chased or followed. What is especially distressing is that these were students from 19 to 22 years of age (D'Augelli, 1992). I have also just completed a study of lesbian, gay, and bisexual youth from different parts of the United States, and found that attacks against young people occur even more often outside the "Happy Valley" of our university community (D'Augelli & Hershberger, 1993; Hershberger & D'Augelli, 1995; Pilkington & D'Augelli, 1995). Of the youths in my study, some of whom were from Pittsburgh, all of whom were between 15 and 21,

80% had been verbally insulted because of their sexual orientation

44% had been threatened with an attack

23% had their property vandalized

33% had objects thrown at them

30% had been chased or followed

13% were spat upon

17% were assaulted

10% were assaulted with a weapon

22% were sexually assaulted

The research clearly shows that many hate crimes occur and that they are directed at

young people--sometimes at victims as young as 15 years old, sometimes at victims who are students at our colleges and universities. Many of these young people have been hurt many times, most often by taunts and verbal cruelties, which can strike to the heart of self-esteem. Some of their hurts are multiple assaults: 10% of the young people in my study said they had been physically assaulted more than twice! Fear is therefore a common (and reasonable) part of the daily life of a young person who is lesbian, gay, or bisexual. I am told that even on our main street in State College that young lesbian and gay people are afraid--afraid that someone will drive by and scream "Dyke" or "Faggot" at them, or that someone will throw something from a car. Young students fear that they will be beaten up if they seem too "gay", especially at night, so they avoid walking in certain places and avoid being with friends who seem identifiable as "gay" to a potential assailant. Pennsylvanians' experiences of these hate crimes are reflected across the United States.

I would like to share some reflects about anti-lesbian/anti-gay violence based on my own research and discussions with other social scientists who study the phenomenon.

First, this hate-motivated violence is common across the United States. Reviewing 24 separate studies, Berrill (1992) reported that about 9% (median percent of the studies) of lesbian and gay people had been assaulted with a weapon because of their sexual orientation. For assaults without weapons, the rate was 17%; for vandalism, 19%. Nearly half (44% median) had been threatened with violence; a third (33%) had been chased or followed; a quarter (25%) had objects thrown at them; 13% had been spat upon; and 80% had been verbally harmed. These numbers were corroborated by a national telephone survey conducted by the San Francisco Examiner in 1989 (Herek, 1995).

Second, gay men are more often attacked than lesbians, perhaps because fewer are identifiable, perhaps because they do not have as many public settings such as clubs to frequent. There are, however, many cases of violent attack against urban women, most sadly the well-known double attack on Claudia Brenner and her companion on the Appalachian Trail in Central Pennsylvania (Brenner, 1995).

Third, most assaults are perpetrated by young males, often in groups. The assailants do not know their victims personally; they are often armed, frequently with knives. Attacks against lesbian, gay, and bisexual people often are characterized by an intense rage on the part of the attackers; they tend to be more violent than other physical assaults (Miller & Humphreys, 1980). The frequency of attacks has increased, apparently fueled by public reaction to the HIV epidemic. Many attacks since the beginning of the HIV epidemic have included spoken references to AIDS by the attackers, usually accusing the victim of spreading AIDS to others. HIV/AIDS may thus be providing a convenient excuse for violent expressions of hostility against lesbian, gay, and bisexual people (Herek & Glunt, 1988).

Fourth, young lesbians, gay, and bisexual people are the most often attacked. I have already mentioned the results of my own study. Youth are at special risk for violence anyway, as we all know; however, the risk escalates if the youth happens to be lesbian, gay, or bisexual, or appears to be. Researchers at Columbia University (Dean, Wu, & Martin, 1992) found that young gay men were attacked more often than older men. We also have evidence of attacks against lesbian, gay, and bisexual youths at the hands of members of their own families (Harry, 1989; Pilkington & D'Augelli, 1995).

Fifth, being the victim of a hate crime based on sexual orientation is a traumatic event

for which recovery is often very slow. Survivors of anti-lesbian/anti-gay assaults must cope with the physical and mental damage they may have suffered in the attack itself; they often suffer again at the hands of medical, legal, and police personnel who are prejudiced against lesbian and gay people. They are likely to be blamed by others for their assault, accused of inviting the attack or deserving it. Because most people are psychologically vulnerable after an assault, such responses from others can significantly lower self-esteem and evoke strong feelings of guilt, shame, or depression in the lesbian, gay, or bisexual survivor. Another frequent consequence of assault is unique to lesbians and gay men: if the attack happens to be reported in the local news media, the survivor's sexual orientation may become public knowledge and she or he may experience subsequent harassment or discrimination from a variety of sources. Lesbians, gay men, and bisexual people in most jurisdictions in Pennsylvania (except for Pittsburgh, Philadelphia, and Harrisburg) can legally be fired from their jobs, evicted from their homes, and denied services simply because of their sexual orientation. Anticipating all of these negative consequences, many lesbians and gay men do not report assaults to law enforcement officials; community surveys suggest that as many as 80% of attacks go unreported (Garnets, Herek, & Levy, 1990; Berrill & Herek, 1990). We know too that discrimination itself--not just hate crimes--causes mental health problems for its victims thanks to a recently published study done at Columbia University (Meyer, 1995).

The Reasons for Hate Crimes

Why does this violence occur? To answer this question requires understanding that violence against lesbians, gay, and bisexual people is a manifestation of a larger problem: that of prejudice, discrimination, and hostility directed against the millions of lesbians, gay

men, and bisexual persons in American society. The term homophobia has come to be used to describe this phenomenon. Scientific research on homophobia suggests numerous social and psychological sources for the prejudice.

Most heterosexuals who are homophobic have not developed their attitudes on the basis of interacting with gay people. Research shows that only about one-third of all Americans know an openly gay man or lesbian woman, and the majority of them have formed positive feelings as a result of this contact (Herek & Glunt, 1993). Instead, most Americans' hostility, fear, and ignorance reflect our society's institutional homophobia-negative views affirmed by our government, our schools, some of our religious institutions, and our mass media. These societal institutions effectively create a cultural climate in which individual expressions of homophobia are tolerated or even encouraged. Within this cultural climate of prejudice, homophobic violence and even murder are condoned through public indifference, blaming of the victim rather than the perpetrators, lack of serious attention by police and prosecutors, and minimal sentencing if offenders are convicted. Society's message is all too clear: bias on the basis of sexual orientation has few social or legal penalties. The lack of sexual orientation as part of the Commonwealth's law concerning hate crimes is an example of this silent message.

Homophobia appears to be particularly intense among adolescents and young adults. One study (Marsiglio, 1993) found that only 12% of a sample of male teens would have a gay friend. There are many possible explanations for this pattern, including the need for adolescents to establish a sense of adult identity, which includes sexual and gender issues. For some, such an identity is elusive and they try to affirm who they are by physically

attacking a symbol of what they are not or don't want to be. Young adults also have particularly strong needs for acceptance by peers; attacking an outsider (such as a gay man or lesbian) can be a way of proving one's loyalty to the in-group. Adolescent perpetrators of homophobic violence are typically tried as juveniles and consequently receive light sentences, if they are sentenced at all.

An important strategy for change is to permit heterosexual persons an opportunity to interact freely with their gay, lesbian, and bisexual friends, family members, neighbors, and coworkers. Such personal contact is the most effective remedy for homophobia. This requires communities in which lesbian, gay, and bisexual people can comfortably disclose their sexual orientation without fear. This cannot occur with the prevalence of harassment and hate crimes directed against lesbian, gay, and bisexual people being so common and so terrifying. Until protective legislation is enacted so that the majority of lesbians, gay men, and bisexual people are less likely to hide, our efforts to diminish violence will be delayed. We can no longer afford this delay in the Commonwealth.

Conclusion

Legislation will not in itself eliminate discrimination and violence based on sexual orientation any more than it has for the other groups currently included in the Act. But including crimes motivated by bias based on sexual orientation in the Ethnic Intimidation Act is crucial to eliminating discrimination in the Commonwealth of Pennsylvania. We can stop the devastating effects of harassment, discrimination, and violence only if we stop the acts themselves. All of us must be free from attack, regardless of who we are.

Based on psychological research documenting the negative effects of discrimination

and violence directed to lesbians and gay men, the substantial level of hate violence that lesbians, gay men, and bisexual people suffer, and the lack of any justification for discrimination on the basis of sexual orientation, **I strongly support amending the Ethnic Intimidation Act to include sexual orientation.**

I commend the members of the Committee for their attention and commitment to addressing this very serious problem. As a psychologist, a faculty member at Penn State, and as a citizen of the Commonwealth, I appreciate the opportunity to express my views on a subject that I feel is of critical importance to my individuals and families, most particularly the young.

REFERENCES

- Berrill, K. T. (1992). Anti-gay violence and victimization in the United States: An overview. In G. M. Herek & K. T. Berrill (Eds.), Hate crimes: Confronting violence against lesbians and gay men (pp. 19-45). Newbury Park, CA: Sage.
- Berrill, K. T., & Herek, G. M. (1990). Primary and secondary victimization in anti-gay hate crimes: Official response and public policy. Journal of Interpersonal Violence, *5*, 401-413.
- Brenner, C. (1995). Fight bullets: One woman's story of surviving anti-gay violence. Ithaca, NY: Firebrand Books.
- Comstock, G. D. (1991). Violence against lesbians and gay men. NY: Columbia University Press.
- D'Augelli, A. R. (1992). Lesbian and gay male undergraduates' experiences of harassment and fear on campus. Journal of Interpersonal Violence, *7*, 383-395.
- D'Augelli, A. R., & Dark, L. J. (1995). Lesbian, gay, and bisexual youths. In L. D. Eron, J. H. Gentry, & P. Schlegel (Eds.), Reason to hope: A psychosocial perspective on violence and youth (pp. 177-196). Washington, DC: American Psychological Association.
- D'Augelli, A. R., & Hershberger, S. L. (1993). Lesbian, gay, and bisexual youth in community settings: Personal challenges and mental health problems. American Journal of Community Psychology, *21*, 421-448.
- Dean, L., Wu, S., & Martin, J. L. (1992). Trends in violence and discrimination against gay men in New York City: 1984 to 1990. In G. M. Herek & K. T. Berrill (Eds.), Hate

- crimes: Confronting violence against lesbians and gay men (pp. 46-64). Newbury Park, CA: Sage.
- Garnets, L., Herek, G. M., & Levy, B. (1990). Violence and victimization of lesbians and gay men. Mental health consequences. Journal of Interpersonal Violence, *5*, 366-383.
- Harry, J. (1989). Parental physical abuse and sexual orientation. Archives of Sexual Behavior, *18*, 251-261.
- Herek, G. M. (1995). Psychological heterosexism in the United States. In A. R. D'Augelli & C. J. Patterson (Eds.), Lesbian, gay, and bisexual identities across the lifespan. NY: Oxford University Press.
- Herek, G. M., & Berrill, K. T. (Eds.) (1992). Hate crimes: Confronting violence against lesbians and gay men. Newbury Park, CA: Sage.
- Herek, G. M., & Glunt, E. K. (1988). An epidemic of stigma: Public reactions to AIDS. American Psychologist, *43*, 886-891.
- Herek, G. M., & Glunt, E. K. (1993). Interpersonal contact and heterosexuals' attitudes toward gay men: Results from a national survey. Journal of Sex Research, *30*(3), 239-244.
- Hershberger, S. L., & D'Augelli, A. R. (1995). The impact of victimization on the mental health and suicidality of lesbian, gay, and bisexual youth. Developmental Psychology, *31*, 65-74.
- Marsiglio, W. (1993). Attitudes toward homosexual activity and gays as friends: A national survey of heterosexual 15 - 19 year-old males. The Journal of Sex Research, *30*(1),

12-17.

Meyer, I. H. (1995). Minority stress and mental health in gay men. Journal of Health and Social Behavior, 36, 38-56.

Miller, B., & Humphreys, L. (1980). Lifestyles and violence: Homosexual victims of assault and murder. Qualitative Sociology, 3(3), 169-185.

Pilkington, N. W., & D'Augelli, A. R. (1995). Victimization of lesbian, gay, and bisexual youth in community settings. Journal of Community Psychology, 23, 34-56.