

Transgender Reported Rates of Violence

by

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ABSTRACT

The transgender community is often targeted by hate crimes at greater levels than anyone else under the LGBTQAI+ umbrella but the true scope of the epidemic is far from understood due to dramatically low rates of reported hate crimes. The current study seeks to understand the relationship between transgender people and authorities through an in-depth analysis of historical and current trends in reporting GIB hate crimes. In conjunction, I apply the notion of regional identity to hypothesize which US region(s) will have the highest rates of GIB inclusive policies based on their historical identities and socio-political underpinnings. I posit the Pacific, Mountain, New England, and Mid Atlantic (West and Northeastern) regions will have the highest rates of protection for transgender people from 2013-2019. Additionally, I assert there will be a moderate (0.2-0.4 correlation coefficient) to high (0.4+ correlation coefficient) correlation between GIB inclusive policies and reported rates of violence. A simple linear regression found a high correlation (.934) between regional political identities and their rate of enacted GIB policies. Furthermore, based on the annual report data provided by the FBI, the regions with the highest tallies of GIB inclusive policies were the same regions with the highest rates of reported GIB hate crimes with an average of 0.537 over a seven-year time span. This study provides evidence that regional socio-political underpinnings directly affect policy enacted regarding GIB protections and that those policies are aligned with higher rates of reported violence.

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CHAPTER 1

INTRODUCTION

A hate crime is defined by the United States Department of Justice as a crime committed motivated on the basis of bias and can include a number of behaviors including "assault, murder, arson, vandalism, or threats to commit such crimes".¹ While each state and precinct within the US has their own methods of collecting and reporting data on hate crimes, this definition is uniform and there is consensus that a hate crime *must* include both "crime" and "hate".² Within and across the regions of the US, there appears to be a pattern of trends relating to the reports submitted to police for gender-identity based (GIB) hate crimes. What is occurring across these various locations that may be impacting the rate at which each region is experiencing levels of GIB hate crimes. In 2015 the state of New York released the LGBT Health and Human Services Needs Assessment which is utilized to gather data relating to the LGBTQAI+ community in an effort to guide policy and programming. Out of the respondents, twenty-one percent reported they had been "unfairly arrested, harassed, or physically harmed" by police; thirty-one percent for people of color who identify as transgender.³ Furthermore, it was found that those within the transgender community, when seeking out the service of authorities, have their incidents responded to in a manner inconsistent with others under the LGBTQAI+ umbrella in the following ways: not taken seriously; responding to slowly; blaming the transgender survivor/victim & being charged for crimes due to their need to defend themselves.⁴

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It is not surprising after seeing the accounts from transgender people that they often chose not to report a hate crime when it happens to them. Despite a low rate of reported violence against trans individuals, the literature suggests that this is skewing the perception of violence actually being perpetuated against this population. The violence and discrimination taking place against transgender individuals is actually more violent and more prevalent than what the currently available data points are suggesting. In May

2009, the Human Rights Campaign released *Research Overview: Hate Crimes and Violence Against Lesbian, Gay, Bisexual and Transgender People* detailing lack of reporting of LGBTQAI+ hate crimes, motivations behind these crimes, and research-based reasons for the need of uniform hate crime reporting procedures. The report noted the following: “Basic population-level data on hate crimes perpetrated against transgender people are missing, yet this portion of the community is said to be attacked at higher rates and more violently than others”⁹. This is relevant as it limits the extent to which community organizers and supporters are unable to gain an accurate picture of how prevalent the actual violence is.¹⁰ Further skewing the data, often the attacks committed against transgender individuals are inaccurate and are coded under different categories by law enforcement and media coverage.¹¹ When reported by the police as a hate crime, there are eight categories in which it can be coded as including color, disability, ethnicity, gender, gender identity, race, religion, or sexual orientation.¹² However, the manner in which a specific incident is reported is left up to the discretion of the responding police and they may code the hate crime as one category or another depending on the language and actions observed.¹³ A 2015 report released by UCLA, *Discrimination and Harassment by Law Enforcement Officers in the LGBT Community*, positions LGBTQAI+ law enforcement harassment as a whole at about forty-eight percent, based on respondents from the report. However, in comparison, the transgender community is targeted at an even greater rate at nearly sixty percent.¹⁴

Low numbers of GIB hate crimes have multiple causes outside of persistent and pervasive mistrust with police and/or coding errors including the following: lack of uniformity or requirements to report hate crimes to the FBI; miscommunication between

police departments regarding annual reporting to the FBI; cultural perceptions of the intensity of the incident (leading to the decision not to report); and a fear of being outed. A thorough review of information relating to each of these issues is discussed in later chapters. Another major issue specifically surrounding GIB hate crime reports as collected and documented by the FBI is a significant gap in the data. Astoundingly, only 13.3% of the 13,022 participating law enforcement agencies reported hate crime data to the FBI in 2012. The FBI is currently working to collect information on hate crimes data motivated on the basis of gender identity in accordance with the Matthew Shepard, James Byrd Jr. Hate Crime Prevention Act, but this information is not currently published.⁴⁵ In essence, the FBI is claiming they began reporting on GIB violence once the Matthew Shepard act was passed, however it passed in 2009 and they didn't begin reporting on it until 2013 so there is an unexplained gap of four years.

Meanwhile, outside of concerns of discriminatory behavior on the part of the authorities, misreporting, and data collection gaps, the region within the United States in which a transgender person resides may also correlate with their decision to refrain from reporting a GIB hate crime. In June of 2021, NBC reported on the correlation of high rates of transgender murders in the Southeast region of the United States. In her report, Sydney Bauer notes that of the 28 (known) deaths of transgender people by that time in the year, over seventy-one percent of victims were black, transgender women and half of them lived in the South. In her discussion of the reason for the high rate of victimizations in that area, she reports that a combination of factors including “a lack of discrimination protections, a flurry of recently introduced anti-LGBTQ state bills, high rates of poverty and a host of cultural factors” are leading to disproportionate rates in the South.⁴⁶

Furthermore, Bauer relies on Austin Johnson's perspective, a sociology professor at Kenyon College, to elaborate on the issue of pervasive regional disproportionality, making the claim that "institutional violence" is maintaining these outcomes. The perception of the South's conservative leaning values intrinsically is motivating barriers to GIB inclusivity and has ultimately led to bills attempting to squash the rights of the transgender community. "Add in the high rates of poverty in the region, along with religiosity that promotes a very conservative view of gender roles and sexuality, he said, and there is a combination of factors that contribute to the violence."¹²

The lack of reported violence against the transgender community is resulting in "under-defining" of the issue, thereby impacting the efficacy of interventions and overall data gathering efforts for these individuals.¹³ The significance of being able to accurately determine the rates of violence lies in the effects of the attacks themselves. Survivors of gender-based violence (GBV) are facing a multitude of post-attack issues including mental health issues, risky behaviors and a lack of social justice. In their article, *Understanding (and Acting On) 20 Years of Research on Violence and LGBTQ + Communities* Tasseli McKay, Christine H Lindquist, and Shilpi Misra discuss their findings on review of 20 years of archival research on LGBTQAI+ hate crimes to guide future direction for social change. They note an exhaustive list of probable outcomes for survivors of these hate crimes: "Mental health conditions, suicide ideation, and suicide attempts; sexual risk-taking, HIV status, and other serious physical health issues; [and] decreased school involvement and achievement"¹⁴ It is imperative to determine factors contributing to higher rates of reports of transgender in an effort to replicate those efforts in similar locations.

Transgender people face violence because of their gender nonconformity, and the nature and extent of that violence has been the focus of recent research. Documenting violence is becoming increasingly important as policymakers utilize these types of statistics to pass more effective and necessary policies at the local, state, and federal levels to protect people based on their gender identity and gender expression.²⁰ In order to increase reports of hate crime to authorities it is imperative that we focus our efforts on identification of socio-political factors that increase confidence in authorities and the justice system so that we can fully comprehend the landscape of anti-trans hate crimes in the United states. In her 2011 report commemorating The Transgender Day of Remembrance, Kelly Giles speaks to the discrimination the transgender community faces when interacting with authorities:

Police and prosecutors often ignore transgender victims or subject them to further abuse and humiliation. Safe spaces and support are needed if transgender victims are to be encouraged to report GBV. Moreover, mechanisms should be put in place to assist any victim of GBV to pursue justice and challenge laws and policies that perpetuate gender-related discrimination and violence.²¹

The research conducted in my study will utilize the reported rates of gender-identity based (GIB) hate crimes in the US in an effort to correlate geographical, policy, and regional identity factors (independent variables) with higher rates of reports to authorities. Knowledge of the effects of the independent variables on reported GIB hate crimes will help determine correlation between the factors within the community that are highly correlated with actual reporting for the future. For these purposes, this project was designed to investigate the relationship between regional political identity based on

voting patterns and the number of laws and policies within the state that help drive equality for people on the basis of gender identity. I posit that the rate at which GIB hate crimes are reported, with regard to transgender individuals in the United States, is dependent on the region in which the crime took place (region of the US and local geography) and the level of policies within the states making up each region fighting for inclusivity of gender identity. Much as the report by NBC's Sydney Bauer indicates, the cultural makeup of a region is predicated on a number of issues that results in bills and policies mirroring the values of that area. My research and analysis are centered around two research questions: Does the regional identity, as determined by voting patterns (independent variable) of a location impact the level of GIB inclusive policies enacted (dependent variable); and what is the strength of the relationship between rates of GIB policies (independent variable) to rates of reported GIB hate crimes (dependent variable)?

What follows is a description of the current situation in regards to gender identity-based hate crimes perpetuated in the US. I will discuss the reported events of hate crimes that have taken place across the country from its inception from 2013 through 2019 as collected by the Federal Bureau of Investigation (FBI). Next, a discussion on current political landscapes of the nine regions of the US as determined by the US Census Bureau. Using the literature, I detail my argument on the specific qualities that appear to be correlating with higher rates of reports as evidenced through descriptive statistics and linear regressions. To conclude, a discussion of factors found to influence higher likelihoods of reporting is completed in an effort to draft a roadmap of best practices for

legislators, authorities, and community advocates to utilize in engaging the trans community to report violence perpetuated against them.

CHAPTER 2

LITERATURE REVIEW

There exists a long, tumultuous social and political history within the transgender community. Below I detail the context of the hatred towards transgender people from a social constructivism perspective, conceptualizing the reasons for the perceived misunderstanding of the gender binary. Additionally, I discuss how the social construction of gender led to a social fight to protect moral order that ultimately led to bias motivated discrimination of transgender individuals by police and authorities. The review of the literature focuses on the United States with a particular focus beginning at the turn of the 19th century. Furthermore, I discuss the theory of regional identity in the United States as it relates to application of liberal and conservative voting trends in the US and its potential effects on low rates of reported GIB hate crimes.

Transphobia: Background and History

It is critical that we examine the social underpinnings of transphobia and transgender hate crimes in an effort to understand the *why* behind these events. The gender binary, as it is understood in modern American society, places specific roles of gender on the idea of man vs. woman, feminine vs. masculine. The entrance of the concept of transgender jars these traditionally known ideas into an unknown world where the performance of gender is altered and less easily understood. “Those who transgress the various socially prescribed versions of gender are perceived to be provoking disorder. In doing so, they can “challenge the ontology of gender and sex as norms . . . render[ing] the norms of sexual desire unintelligible”.²²

In turn, those in society who heavily rely on the socially constructed and traditional idea(s) of gender do not comprehend the reconstructed manners in which transgender individuals, and non-binary for that matter, perform their identified gender. The result is what scholars refer to as *transphobia*. While definitions abound in the literature, my perception of transphobia most closely aligns with the one provided by Turner, L., Whittle, S., & Combs, R.'s 2009 article, *Transphobic Hate Crime in the European Union*:

An irrational reaction to those who do not conform to the socio-cultural ideology of gender conformity...Importantly then, “phobia” in transphobia should not denote a disorder or refer to clinical phobic reactions, but should refer instead to social psychological reactions which are directly linked to cultural norms.²³

This “irrational reaction” manifests itself in a number of internal emotions that are performed in a number of external behaviors despite the fact that one's own prescribed gender is not actually under threat at the presentation of another's who does not fit the social mold of gender performance. Walters, et. al. echoes these sentiments in heavily weighing the notion or perception that a transgender person gives rise to a “perception of threat” associated with socially accepted concepts of gender norms. This perception “in turn elicit feelings of disgust and revulsion in some gender conforming individuals toward nongender conforming people.”²⁴

Dating back to the second half of the 19th century, and even prior to that, The United States enacted laws with the hopes of squashing lude, immoral behavior by its citizens. Where members of the LGBTQAI+ community flocked to safe places, such as gay bars, to be able to freely express themselves in a variety of forms (i.e., drag and cross

dressing), they were actually met with social discipline through application of criminalization by police raids: “There were a series of civil liberty violations, or “witch-hunts”, throughout the country whereby “homosexuals” were charged with sex crimes, were sent to mental hospitals in lieu of prison, fled out of cities and states, or were jailed.”²⁵ Fear from the public of the LGBTQAI+ lifestyle and the possibility of sexual deviance further excited these “witch-hunts” and opened the door for near carte blanche discrimination from police upon anyone who appeared to be from the LGBTQAI+ community. Similar to the late 19th century morality laws, the US continued its pathologization and criminalization of the misunderstood well into, and beyond, the second industrial revolution. People within the LGBTQAI+ community were seen as those with sexually deviant behavior leading to applied terminology such as “sex offender” and “child abuser” when referencing alternate lifestyle choices. This continued up through the late 1990’s and ultimately led to a tendency to pathologize homosexuality.²⁶

By the late 1950’s, the tension reached a boiling point. LGBTQAI+ business owners, tired of surprise raids by police, were seeking help and contacted their district attorney. Not surprisingly, this only further ignited tensions. Felony convictions of gay men, which stood at zero in the first half of 1960, rose to twenty-nine percent in the next six months and jumped to seventy-six percent in the first six months of 1961. Misdemeanor charges against gay women and men stemming from sweeps of the bars ran at an estimated forty to sixty per week during 1961. The American culture during this time began eliciting more conversations about the homosexual agenda with the increase

of criminalization which ultimately led to the “development of a politically rebellious response to increasing antigay sentiment.”²⁷

While we, as a nation, have begun our transition from a place of total disregard of LGBTQAI+ friendly spaces, our culture continues to observe, experience, and endure oppression and discrimination towards any individual within that community. In 2015, the National Center for Transgender Equality published *the 2015 U.S. Transgender Survey*, documenting the lived experience of transgender people in the United States. They found, in reference to police interactions and prisons, that transgender people’s experiences were fraught with discriminatory practices and mistreatment. The report’s analysis determined that for transgender people, they were more than half as likely as their LGBTQAI+ peers to experience police mistreatment in the form of verbal, physical, and/or sexual harassment; misgendering or misnaming; and eliciting sexual bribes to avoid arrest.²⁸ In seventy-four percent of the cases, the transgender person was a woman. Verbal harassment was noted as occurring sixty-five percent of the time whereas sexual assault occurred in twenty-seven percent of the reported cases of mistreatment.²⁹

Similarly, harassment in the form of manipulation of the incident has been documented. For example, an official investigation by the US Department of Justice of the New Orleans Police Department found extensive evidence of “discriminatory treatment” in the form of “improperly targeting, arresting,...and fabricating evidence”.³⁰ Transgender individuals were also found to be charged with the “crimes against nature” state statute due to their gender identity which requires registration as a sex offender. It is easy to understand the apprehension on the part of the transgender community to reach out in an effort to gain assistance from police when their history has been significant for

unwarranted discrimination. However, there remains a number of other difficulties that are further discussed below.

On June 28, 1969, the Stonewall Inn, a location that was supposed to be free of discrimination of society, was once again raided by police and spurred the LGBTQAI+ rights movement. When the police raided the bar the patrons, tired of consistent persecution, retaliated and spurred one of the most well-known cases of grassroots activism in The Stonewall Riots. These riots acted as a catalyst for explicit need for legal reformation on the part of authorities and the “gay liberation” began.³¹ This period was witness to the rise of multiple activist groups within the community dedicating their time, energy, and efforts to advocacy of LGBTQAI+ rights.³²

Despite the transitional pivot in LGBTQAI+ rights movement following Stonewall, we are still, and increasingly, living in a period in which hate and violence are perpetuated against members of this community. Our society continues to rely on political campaigns that seek to squash the rights of transgender individuals; as can be observed in a number of proposed bills including those relating to bathroom usage. Individuals who identify under the LGBTQAI+ umbrella as a whole are much more likely to encounter violence than their heterosexual counterparts. In their 2017 archival report on LGBTQAI+ violence, McKay, T., Lindquist, C. H., & Misra, S. position LGBTQAI+ violence in comparison to heterosexual communities:

Numerous studies suggest that LGBTQ+ persons are more likely to be victims of various forms of violence and victimization, including physical and sexual assault, harassment, bullying, and hate crimes. LGBTQAI+ persons experience violence and victimization in disproportionate numbers throughout childhood,

adolescence, and adulthood.³³

However, individually, transgender people face an even greater likelihood of violence than their lesbian, gay, bisexual and/or queer peers. The suspected rate of hate crimes perpetuated against transgender individuals is staggering - transgender people experience violence at a rate four times higher than that of their cisgendered peers per 1000 persons.³⁴

The larger problem at hand is that we lack the actual understanding and severity of this epidemic as the majority of these events go unreported. An analysis of data collected by the National Crime Victimization Survey found that an estimated 300,000+ sexual orientation-based crimes occurred in a four-year span but those figures do not even come close to those reported to the FBI. Keith, E. and Gagliano, K. speak to this incongruity in reported rates of violence as it pertains to mistrust of police: “There are people that are hurting right now who don’t trust the police and also don’t feel comfortable coming forward or speaking up...Until we have an increase of people reporting things, then we could be doing (more).”³⁵ To make matters worse, these violent acts are rarely, if ever, prosecuted in a court of law, providing little in the means of justice for the trans community. The Movement Advance Project, a nonprofit research group, determined that a total of only twelve cases involving LGBTQAI+ hate crimes have ever been federally prosecuted despite consistently rising rates of reported events.³⁶

When prosecuted, many individuals are acquitted for their actions using a tactic coined *trans panic*. Trans panic is a legal defense strategy used in court that suggests the actions perpetrated against the victim was due to their gender or performance of gender. When this defense is utilized, the perpetrator is claiming the perceived victim’s gender

identity was the result of the attack and that it should, in essence, be excused.³⁷ According to Rueters, since 2009, there have been 33 federal hate crimes prosecuted in the United States that involved sexual orientation discrimination.³⁸ Additionally, since 1995, fifteen people have been acquitted from the use of the LGBT panic defense.³⁹

Unfortunately, the harm does not stop at the violence inflicted upon the individuals by others. The negative consequences are multiplied as the survivors are more at risk for various post-attack health issues such as depression & anxiety, suicide ideations/attempts, and risky behaviors (risky sexual behaviors, substance abuse, and HIV infection). Wirtz, A. L., Poteat, T. C., Malik, M., & Glass, N. claim that when a person experiences this type of victimization they are in a situation where they may experience “syndemics” - “ an interaction of diseases with underlying social forces, concomitant with limited prevention and response programs.”⁴⁰

Intersectionality

In an effort to gain a more complete understanding relating to the factors of transgender individuals’ experience of hate crimes, Gyamerah and colleagues collected data to determine the social factors that affect GBV as well as reporting to the authorities. Their study determined that those individuals whose background was significant for a variety of “structural factors” had a greater probability of becoming a victim of a transphobic hate crime: “Lower educational attainment, housing instability, homelessness as a child and an adult, a history of sex work, incarceration, and being undocumented.”⁴¹ The 2015 Trans Survey found that individuals of color were more than fifty percent more likely to experience some kind of form of mistreatment (American Indian 74%, multiracial 71%, Latino/a 66%, and Black 61%) and others experiencing various

sociocultural systems faced greater odds of discrimination: “Respondents who were homeless in the past year (78%), those who were currently unemployed (75%), and people with disabilities (68%) were also more likely to report one or more of these experiences.”⁴² This is a pertinent area for further research and programming as little is known of the lived experience and statistical significance of hate crimes at the intersectionality of transgender lives and other sociocultural systems. “Such data are critically needed to inform interventions and to address inequities in the epidemic of violence towards trans women, especially trans women of color.”⁴³

Race

In early 2021, Gyamerah, A. O., et. al., reported that between 2012 and 2015, over fifty percent of the transgender individuals killed were women and of that population, forty four percent of those individuals were Black transgender women. This data suggests that transgender women of color are at much greater odd of experiencing a transphobic hate crime in their lifetime than transgender men, white transgender individuals, and/or cisgender peers (2021). Specifically, in relation to police and the transgender community, respondents to surveys believe there exists a symbiotic relationship between the concepts of African American, transgender, and sex offender. The Center for Constitutional Justice reported on findings of a pattern of misconduct on the part of the New Orleans Police Department in 2011 with regard to the LGBTQAI+ community. The initial report the findings were published in found that when a transgender person is charged with a “crime against nature” charge they are required to register on the sex offender list ultimately leading to multiple avenues of marginalization and lowering access to resources.⁴⁴

This intersection of gender identity and race manifests itself in even lower estimated rates of reports to authorities when a hate crime is committed. Gyamerah, A. O., et. al., note that the documented history of discriminatory policing practices surrounding people of color as well as transgender individuals strengthen “ongoing racial tensions” (2021). It should be noted, however, that transgender women of color who reported experiencing discrimination from the authorities were more likely to report GBV. Gyamerah, A. O., et. al., also report that this phenomenon was unable to fully be accounted for and that more data is needed to determine the reason for this finding, noting “future longitudinal studies could help answer the directionality of the association and how the intersection of racial and gender identities may shape trans women’s experiences of the legal system.”⁴⁵

Immigration status

Beyond existing discriminatory practices by police with people of color, immigrant transgender people often experience even more apprehension in interacting with police and ultimately, choosing not to reach out when they are survivors of GBV. A recent interview study with immigrant transgender people reported that the participants of the study even reported feelings of unsafety even being in a public area around police. The fear that accompanies transgender immigrants may also be related to their fear of being forced into the US immigration system and being placed in detention centers. Even individuals who are in the country legally, seeking asylum on the basis of their gender, are concerned about detention center placement due to insufficient documentation. The 2015 US Transgender Survey found further disturbing outcomes for immigrant transgender people; being forced into facilities that do not align with their gender-

identity. In these situations, they may be at a higher risk, as well, for abuse by lack of medical attention, physical and/or sexual assault, and other conditions leading to a state of ill-health and safety.⁴⁶

Homelessness

For a variety of reasons, transgender individuals are more likely to experience homelessness, both as a child and an adult, than the cisgender population. This culmination of factors places these individuals not only at a higher risk of experiencing a gender based hate crime but also the likelihood of police interaction.⁴⁷ Gyamerah et. al. found that “a lack of adequate housing and employment protections means many engage in the sex trade and transgender people overall are more likely to be in contact with law enforcement than the general population.⁴⁸ Amnesty International found that when a transgender individual is homeless they are more likely to perform illegal acts as a means of securing daily resources such as food, shelter, and money. They also add how this may increase the probability of further harassment by police: “They are put at risk for interaction with police that intersects multiple lines of structural factors including transgender, homeless, sex worker, and possible immigrant.”⁴⁹

Disability and HIV

While the literature on the intersection of living the transgender and disabled life in association with police interactions was scarce, there were some pieces relevant to share. As is similar to other subpopulations within the transgender community, disabled transgender people were reported to be weary of reaching out to the police following an attack than their abled body transgender brothers and sisters.⁵⁰ A collection of thoughts and truths of what it means to be transgender and disabled, published in 2018, echoes this

sentiment - that living at the intersection of transgender and disabled often means you will fall victim to discriminatory police practices:

There are some truths to consider in our attempts to comprehend what it is like to live as a transgender person with a disability. They include the following: Being disabled and transgender is often dealing with repression from the police and the criminal punishment system, especially if you are a transgender woman of color with a disability.³¹

Likewise, HIV+ transgender people have been found to be more at risk for police harassment, although, this may not be explicitly performed. Instead, it was reported that higher rates of police harassment were found to be likely when associated with individuals who were taking part in behaviors in which risk of HIV transmission were possible (i.e., sex work).³² Additionally, transgender people living with HIV face further possible legal challenges due to, what the Movement Advancement Project calls, "HIV criminalization laws": "...Outdated and reactionary laws that rely on misinformation rather than accurate science about the transmission of HIV" (2016). The authors of *Associations between police harassment and HIV vulnerabilities among men who have sex with men and transgender women in Jamaica* remark on the impact these laws can have on HIV+ transgender individuals, stating that "the negative effects of criminalization and subsequent police violence compromise efforts to reduce HIV transmission among key populations and reduce the likelihood of reaching goals of engaging people living with HIV in...HIV care".³³ It is clear that outdated laws such as these, along with documented evidence of bias and police harassment, inevitably put HIV+ transgender people at risk for second victimization. It is critical to note, however, that a lack of literature discussing the lived experience of disabled transgender people,

including those who are HIV+, suggests the need for further research and documentation in an effort to implement policies and social interventions to help support and reach betterment of this community.

Regional Identities

As my research will involve analyzing regional differences of reported rates of gender-identity hate crimes, I believe it critical to delve into what a region is and the socio-political and cultural manifestations regions can have. A region has its own culture from the group of people that inhabit it as well as the history it has experienced. Belonging to a region can provide a sense of identity and can provide the people who reside there, a sense of belonging. Geographer D. W. Meinig expressed the culture of a region as the following: “That which is characteristic of a group of people who are deep-rooted and dominant in a particular territory, who are conscious of their identity as deriving from a common heritage, and who share a common language and basic patterns of life”³⁴ With its ability to represent the heritage of the people, a region, or regionalism, begins to shape the “moral particularity” within that community and embraces it as part of the identity within that area.³⁵

The identity of a region culminates in observable traits of the individuals who reside within that area in the form of behavior. Max Sugar, author of *Regional Identity and Behavior*, supports this notion in claiming that the values and “personality traits” of a region extend to the individuals who inhabit it and that they in turn become “part of the psychic apparatus of the dwellers in a region at a very early age.”³⁶

The behavior of the people within a culture lends itself to a person’s socio-political beliefs that play a part in the acceptance of the lifestyle(s) and traits within that region.

The understanding and agreement with the socially constructed political leanings within a region allow or disallow for someone to be discriminated against. Sugar goes on to argue that an outsider from a different location is required to observe, learn, and assume the same cultural and moral values as others around him at the risk of becoming a “xenophobic target”.⁵⁷ As such, the intersection of transgender and regional residence may also impact the extent to which a transgender person reports a hate crime. Varied political underpinnings of each region, as studied from a voting pattern historical perspective, allows us to review the collected data regarding reported rates of GIB hate crimes through a lens of location-based cultural values. In their report, *The Historical Role of Race and Policy for Regional Inequality*, Hardy, B. L., Logan, T. D., & Parman, J. discuss racial inequality in conjunction with locational policies that result in social inequality in the black community. They are careful to explicitly describe how the location in which someone lives can inextricably be linked to the extent to which they experience social inequality: “...Recognizing the interconnection of discrimination and the spatial distribution of the black population is important for understanding certain components of regional and spatial inequality”.⁵⁸

Causes of Underreported Hate Crimes

One of the most imperative characteristics to note regarding trans hate crimes is the lack of reported incidents of them. “Any discussion of LGBTQ discrimination incidence or prevalence must include the disclaimer that it is safe to assume that discriminatory experiences are woefully unreported or underreported. Stigma and shame are powerful motivators for not coming forward.”⁵⁹ Simply not reporting is not the only reason contributing to the issue of underreporting. Factors discussed relating to

underreporting of transgender hate crimes include mistrust of the police (which will be further touched upon later), fear of being outed, perception of the attack by the survivor, misreporting on the part of the police, and data collection issues.

In early 2021, Gyamerah's article, *Experiences And Factors Associated With Transphobic Hate Crimes Among Transgender Women In The San Francisco Bay Area: Comparisons Across Race* was published indicating variations in groups (age, gender, sexual identity, race/ethnicity, education, immigration status, homelessness, housing type, sex work history, history of discrimination by police, perception of gender presentation, and incarceration history) of transgender people and their reporting patterns of hate crimes. Of those interviewed in the study, the following groups of people were noted to be less likely to report to police: Those who had never been undocumented; trans women who had never experienced discrimination by the police based on solely gender identity; trans women who felt their gender identity did not pass; and all race groups (White, Black/African American, Latina, & Other). The overall findings of the report similarly found that these types of hate crimes and violence are significantly underreported as a whole:

The low rate of police reporting may be due to fear of further victimization through discrimination by police as other studies have found...The low number of anti-trans incidents relative to all single-bias incidents reported in 2019 suggests that, nationally, these crimes are underreported to the police, as FBI hate crime reports suggest.¹⁹

Mistrust of police.

Of all the various reasons why a transgender survivor of an attack may not report, a mistrust of police is the most profound reason.⁶⁰ Past concerns of discrimination on the part of police there are also significant levels of fear of police interaction due to a history of physical violence perpetrated against transgender individuals by police. Transgender individuals are nearly four times more likely than cisgender individuals to experience brutality from police.⁶¹ Furthermore, another reason for the mistrust of police is associated with unfounded arrests, especially for transgender individuals of color: “The 2015 LGBT Health and Human Services Needs Assessment conducted in New York State found one in five transgender respondents had been unfairly arrested, harassed, or physically harmed with higher rates for transgender people of color”.⁶² There exists an in-depth history of transgender people and their relationship with authorities; this is discussed in greater length in a later section.

Misreporting

In 2018, The Center for Public Integrity shared a story about a 40-year-old transgender, Latina woman named Daniela. In 2016 she was physically and verbally assaulted, on the basis of both her race and gender identity, by a man who had spotted her on a walk home. Although she attempted to dodge any direct confrontation, she ended up being physically attacked and thrown down to the ground. Upon calling the police when she arrived at home, the authorities were able to quickly locate the assailant, however, the responding officer had not included all of the slurs and phrases used in the assault. When she attempted to change the statement on the incident report she was accused of changing her story. “The officer’s assistant told me that what I was saying changed everything because what they had written wasn’t what I was saying...there was nothing about the

insults — nothing about what truly happened was (in the report).” The report remained the same and it was not coded as a hate crime. “She saw her attacker walking free two weeks later.”⁶³⁰

Although the above story is just one example of misrepresentation of reported events, article upon article suggests this is occurring at an alarming rate but for different reasons including misgendering, dead-naming, and incorrectly using sexual orientation and gender identity interchangeably. According to a report conducted by the Human Rights Campaign in 2020, at least seventy-five percent of the transgender or gender non-conforming victims experiencing a hate crime are misgendered in the report filed by the authorities.⁶⁴ In 2018, it was found that transgender victims of homicide had their name or gender incorrectly stated in the police report.⁶⁵ However, this is not always intentional and is noted to occur for a variety of reasons: “...Perhaps it is the department’s policy to use the government ID, perhaps the investigation is too early, gender identity is not apparent or police are receiving conflicting information about gender identity”⁶⁶ This furthers the impact of an already strained relationship between police and the transgender community and lends itself to “second victimization ...compounding experiences of gender-based subjugation”⁶⁷.

In the same light, GIB hate crimes may be underestimated due to untrained police agencies confusing LGBTQAI+ terms when reporting. Lt. Brett Parson of the D.C. police department who leads the Lesbian, Gay, Bisexual, and Transgender Liaison Unit of the Special Liaison Branch noted that this error is probably due in part to many jurisdictions not being aware of the different between the terms “anti-transgender” and “anti-gay” hate crimes. He spoke of an example whereby an assailant may assault a transgender

individual by using language that is homophobic in nature. “It’s up to the police to be aware of who the victim is and how they identify. “I’m not sure that a lot of our peers in law enforcement understand that nuance,” Parson said. “Certainly, you can’t depend upon the people committing these offenses to get it right.”¹⁸ Of course, not all of these errors are accidental; personal bias on the side of the reporting officer can ultimately lead to misreporting of the event and, in the end, underestimations of hate crime estimates. “...The discretionary decision by the first stage bias investigator or arresting police officer is critical to the initiation of bias classification decision and consequently, to the problem of police agency underreporting”¹⁹.

Reporting on a bias motivated incident has its own obstacles to overcome. In situations where, bias motivated attacks are suspected, police are obligated to report on the *what* as well as the *why*, a difficult task in certain situations. In the 2016 article, *Patchy Reporting Undercuts National Hate Crimes Count*, Cassidy C. A. discusses the FBI’s guidelines for police on reporting a hate crime: “Take into account whether victims are members of a minority group where the incidents took place and whether a substantial portion of the community believes bias was the motive.”²⁰ Jack McDevitt from the Institute on Race and Justice at Northeastern University noted that it is not common for police to question a survivor about the potential for an attack being bias motivated and that those questions typically are only brought up when motivation is unknown - “An example would be if someone was beaten, but the attacker did not take their wallet. When it comes to rape victims, police don’t usually ask them if they are targeted because of their gender.”²¹ Furthermore, police may be unable, overall, to report on gender-identity bias motivated hate crimes as the state they work within may not provide any legal

protection. In many states where some are protected against hate crimes motivated by other characteristics such as race or religion, transgender individuals are not afforded the same protections. Li, W. reports that only sixty percent of states protect gender and that the number is far less for GIB hate crime statutes.²²

Profiling

Among the many reasons for a mistrust between transgender individuals and police is unjust profiling. This usually occurs due to personal bias and is linked to a concern of either sex work on the part of the individual or the belief that they are living in the United States illegally. According to an Amnesty International report, transgender people are experience greater rates of policing due to their threatening gender norms of society. In effect, the police make quick judgements, particularly for women of color, about their occupation, assuming they are sex workers.²³ According to the 2015 US Trans Survey, at least one third of the respondents who had been in contact with police noted that they had been assumed to be a sex worker, with rates higher for Black transgender women.²⁴ The consequence of this profiling leads to yet more victimization by increasing the probability of further discriminatory treatment. As respondents from the 2015 Trans Survey reported, those who had encountered interaction with the police on the assumption of sex work “...reported high rates of police harassment, abuse, or mistreatment, with nearly nine out of ten (86%) reporting being harassed, attacked, sexually assaulted, or mistreated in some other way by police.²⁵As noted in their report on the criminal justice system with transgender individuals, the Movement Advancement Project states that the lack of an identification matching the observed gender at the time of profiling can also lead to “invasive searches” as well (2016).

Along the same lines, when a transgender individual is targeted due to their perceived immigration status and/or race by police they run the risk of being put into an immigration custody center due to identification that either does not match the gender being presented or they may be lacking identification altogether. A prolonged history of this type of behavior has led transgender individuals, particularly transgender women of color, to resist reaching out to authorities when in distress out of fear of being arrested themselves (2016).

Fear of being outed.

When making a report to the authorities, you have to provide your identification and for many transgender people, their state of residence does not have a third gender option (20 total, including Washington DC, have a third gender option).²⁶ Out of fear of their gender identity being found out by friends and family when a hate crime takes place, many opt out of reporting altogether.²⁷ A noted advocate for transgender rights and leader of various transgender support groups stated the following: "...[I] always push the people to make police reports, but many of them do not want to be identified and outed...Many stories remain untold."²⁸ Frank Pezzella, a professor at John Jay College of Criminal Justice, who has published on victim trends found "...the top three reasons for not reporting to law enforcement are 'reported to a different official', 'not important to police', and 'personal matter'..They may choose not to report it at all because they don't want to be outed by the police."

Socio-economic Status

There is a phenomenon where LGBTQAI+ individuals are more or less likely to report the hate crime(s) they experience to authorities based on their race and

socioeconomic status (SES). Doug Meyer, author of *Violence Against Queer People*, came across this trend when conducting interviews. He found that “low-income LGBT people of color” are more likely than their white, middle-class peers to downplay the severity of their attacks due to the exposure of knowing more people who had experienced violence.²⁹ Meyer determined this pattern was reflected back in rates of individuals who found trust in turning to authorities following a violent act. As a result of white, middle-class individuals receiving more support from their loved ones, they were also more likely to have encouragement to seek out “institutional support”:

Consequently, low-income LGBT people of color did not interact with service providers as frequently as middle-class white respondents and, therefore, did not have as many encounters in which others were underscoring the severity of their violent experiences. Low-income LGBT people of color often could not afford to visit a doctor or a therapist, and distrust of the criminal justice system kept many Black and Latino respondents from contacting the police.³⁰

Data collection Issues

The following excerpt describes an event against a gay couple that occurred in public in 2013. It clearly articulates the maliciousness with which many people who experience hate crimes are witness to, but also makes clear how reliable data collection tools are so difficult to come by. Cassidy C. A., describes this further by reporting on an event that happened to a couple when walking their dog. At the sight of David Beltier and his boyfriend walking their pink dyed poodle a man responded by yelling slurs out to them while driving by. The man turned around and came back to inflict bodily harm on the couple. The assailant went so far as to use a metal automobile tool to attack Beltier

with. “After a federal jury deadlocked, he pleaded guilty to an assault charge in state court and the federal case was dismissed. Yet what happened to Beltier was never included in the FBI’s national hate crimes report”.⁸¹

In 2019, a report was released in which it was noted that the rate of hate crimes against transgender and non-binary individuals had been increasing since the FBI began collecting data on gender-based crimes in 2013.⁸² Despite the finding of increasing hate crime incidents, there remains concerns the reported numbers “ dramatically underestimates the true number of hate crimes against the LGBTQ community, experts say, given flaws in the current data collection process and massive discrepancies with the much larger number of self-reported incidents.”⁸³ An analysis by the Department of Justice determined that within a four year time span (2013-2017), over 55,000 gender-based hate crimes occurred. However, in comparison, in 2019, the hate crimes report of 2018 completed by the FBI reported only 215 gender-based hate crimes.⁸⁴ “For years, the number of hate crimes in the FBI’s annual report has been consistently lower than that in the victim surveys. Still, the discrepancy between the two reports is greater in gender-related hate crime than any other type.”⁸⁵

One of the first major issues in the accurate data collection habits regarding gender-based hate crime, in association with transgender individuals, is that a solitary definition of transgender has yet to be established. This lack of uniformity makes the ability to clearly classify these crimes a difficult task, let alone the ability to articulate an estimate of the true nature of its frequency. In the article *Data Sources Hinder our Understanding of Transgender Murders*, Stotzer, R. L. notes that there has been a hesitation to report on the specificities of transgender homicide due to a lack of sufficient

data to make valid conclusions on. Additionally, Stotzer remarks that “The definition of transgender itself varies and can represent a very broad or very narrow category of people who defy traditional expectations of gender.”⁸⁶

There are a variety of obstacles that are leading to discrepant reports of transgender hate crimes across the United States, ranging from the fact that reporting of hate crimes to federal agencies is a voluntary action to inconsistent reporting practices from agency to agency⁸⁷. While requiring all agencies to report would aid in our efforts to accurately gauge the issue of gender-based hate crime against the transgender community, there are currently no mandates. Although the number of agencies that report their hate crimes to the FBI is steadily increasing, there are still countless agencies that are choosing to refrain from providing their numbers. In 2016, the Associated Press found that throughout the United States “there were 16 states in which more than 25 percent of local law enforcement agencies did not appear at all in the FBI hate crime database between 2009 and 2014.”⁸⁸ Similarly, without a requirement for national reporting, some law enforcement agencies take part in inconsistent practices that further muddy the waters of attempting to conceptualize the actual extent of crimes committed in one region versus another. “...Thousands of city police and county sheriff’s departments...reported in some years but not others. And, in some cases, departments reported for, say, only one quarter of a year without submitting reports covering the rest of that span.”⁸⁹

In addition, simple human-error and miscommunication factors have also been found to affect the number of reports provided to the FBI. The following situations detail a few legitimate reasons as to why various agencies’ numbers were missing from annual

reports of hate crime compiled by the FBI: Assuming another jurisdiction was responsible for FBI reporting; assuming reporting was not necessary for cases that were not fully investigated; and other agencies within the law enforcement umbrella (i.e., jails and prisons) believing they were exempt from reporting.⁹⁰

The lack of consistent data collection methods and sources is an issue that deserves our attention and efforts towards remediation. As Pezzella and colleagues noted in 2019, when we are unable to collect accurate data regarding such incidents, we, as a society, are unable to fully conceptualize the threat of violence against the community. “The combination of “zero” reports by police agencies and lack of participation severely undermines contemporary estimates of the nature and prevalence of the crimes.”⁹¹ This is relevant as it limits the extent to which community organizers and supporters are unable to gain an accurate picture of how prevalent the actual violence is”⁹² This lack of reported violence against the transgender community is resulting in “under-defining” of the issue impacting the efficacy of interventions and overall data gathering efforts for these individuals.⁹³ Reverend Raphael Warnock from Ebenezer Baptist Church echoes this sentiment: “We need the reporting to happen. Without a diagnosis, we don’t know how serious the illness is. And without a diagnosis, there is no prescription. And without a prescription, there is no healing.”⁹⁴ The significance of being able to accurately determine the rates of violence lies in the effects of the attacks themselves. Survivors of GBV are facing a multitude of post-attack issues including mental health issues, risky behaviors and a lack of social justice. It is imperative to determine factors contributing to higher rates of reports of transgender in an effort to replicate those efforts in similar locations. “Documenting violence is becoming increasingly important as policymakers

utilize these types of statistics to pass more effective and necessary policies at the local, state, and federal levels to protect people based on their gender identity and gender expression”.⁹⁵

As discussed above, one of the most critical issues regarding underestimates of reported hate crimes against transgender individuals is their relationship with police. It is fraught with a history that has unfortunately led to a great deal of mistrust. Below we delve into this relationship further to examine the areas of intersectionality and the numerous ways this relationship has evolved over time.

Moving Forward

Throughout all the literature there is resounding evidence that a heated history between the LGBTQAI+ community and police has spilled over into the twenty first century. Nevertheless, change is limited to date as a result of little-to-no “police-generated” data supporting claims of this type of discrimination and behavior.⁹⁶ Carpenter, L. F., et. al., contend this lack of data is due to the reporting systems that only allow for gender reporting in the binary sense. Below I discuss the regional political landscape that makes up the United States as well as the GIB inclusive policies in place to help secure protections for transgender individuals. In echoing Carpenter’s work, I hope there can be policy reformation changes in the future that allow for police agencies to reflect on their actions and implement trainings and tactics to reduce this type of aggression to allow for more trust with the transgender community.

CHAPTER 3

ARGUMENT

Regional Identity

Only 12% of Louisiana's population has protection against gender-identity based discrimination, including employment, housing, & public accommodations with a total of six negative laws passed.⁹⁷ In stark contrast, 100% of California's population is protected against gender-identity discrimination with only one negative law relating to HIV transmission on the books.⁹⁸ Regional politics of the nation are impacting the laws enacted within those areas. The amount of antidiscrimination laws within a particular region are related to rates at which transgender individuals report a hate crime. As Dov Cohen so eloquently states at the beginning of his article *Law, Social Policy, and Violence: The Impact of Regional Cultures*, "Social policies reflect cultural values".⁹⁹

That is not to say that all individuals within a region or place will automatically assimilate to the same ideals and values within that region, however, those who do not conform to the socially agreed upon chosen values of a region will become "othered" and may not be accepted as part of the larger whole.¹⁰⁰ The cultural makeup of a region, as developed by the "culturally...bound" attitudes, are integrated into the values that the community within a region develop and "affect the biopsychosocial and behavioral aspects of the region's total populace".¹⁰¹

Once the identity of the region has been created, the laws governing that space begin to echo those same sentiments. The majority of those residing within the community of a region are recognized as reflecting the unspoken agreement of social understandings and laws protecting those thoughts are then enacted. In essence, creating

and maintaining the othering of the rest of the people within that group¹⁰: Tomaney, J. describes this notion further by explaining that regionalism itself is predicated on the idea of “ethno-cultural understandings”. The mutual understanding of the world by the group in which a person inhabits is compared to the individual themselves. He goes on to note that “regionalist practices are constructed with reference to an ‘Other’ in ways which are inherently exclusionary.¹⁰ Through this lens, we can begin to understand regional differences and the varying levels of understanding of differences in the way people live their lives across the country - leading to a better understanding of regional differences among transgender hate crimes and the amount to which they are reported.

The Nine Regions

For the purpose of this study I have chosen to utilize the US Census Bureau breakdown of regions as it most closely aligns with the populace of socio-cultural markers of the country including education, economy, income, and geography.⁵ These were important characteristics to align with as these are the same traits that are identified within the data collected by the FBI for hate crimes that was utilized in my data analysis. Below is a map of the regions and a table indicating each state within that region as a reference.

Within and among each region of the US there lies great variability in their social, moral, and political identities. Weakliem, D. L., et. al. make note of this as well as the idea that the US is split into three major regional sections; each with its own socio-political underpinnings:

“The South is relatively conservative; second...the two coasts tend to be more liberal; and

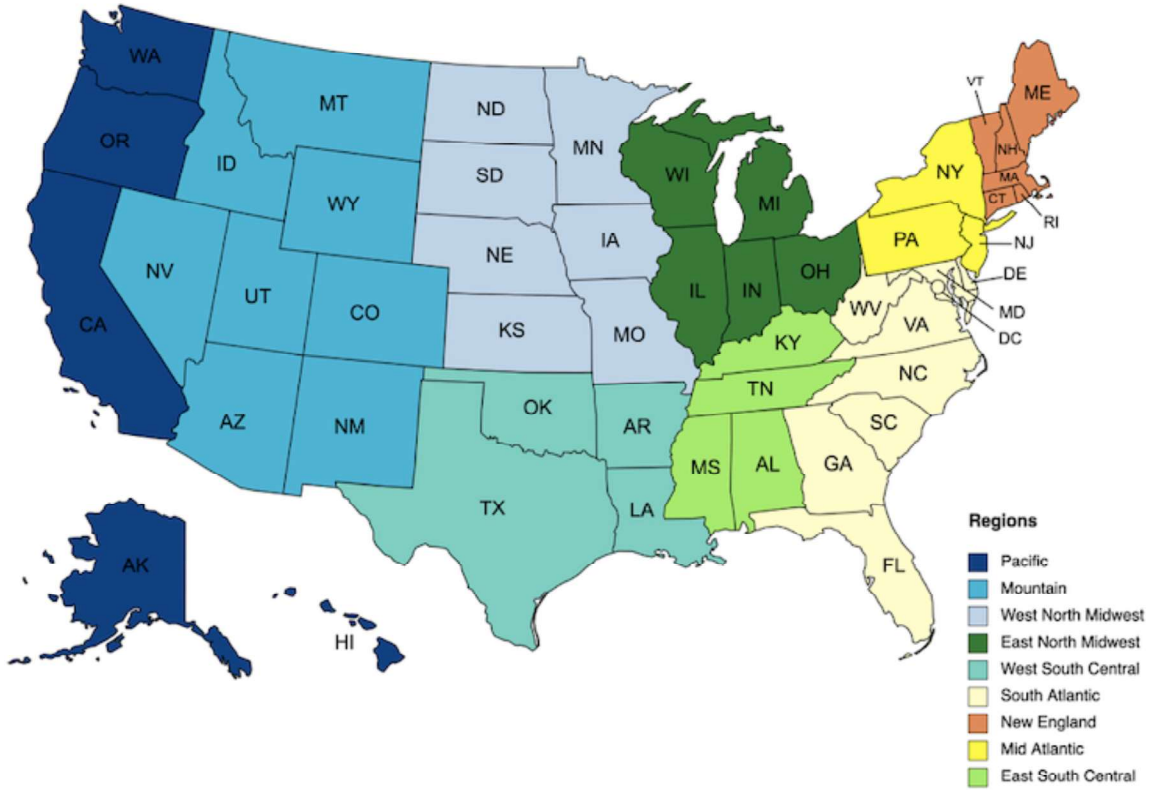


Figure 1. 1 Regional map as defined by the US Census Bureau.

US Census States by Regional Divisions									
Pacific	Alaska	California	Hawaii	Oregon	Washington				
Mountain	Arizona	Colorado	Idaho	Montana	Nevada	New Mexico	Utah	Wyoming	
West North	Iowa	Kansas	Minnesota	Missouri	Nebraska	North Dakota	South Dakota		
East North	Illinois	Indiana	Michigan	Ohio	Wisconsin				
West South Central	Arkansas	Louisiana	Oklahoma	Texas					
East South Central	Alabama	Kentucky	Mississippi	Tennessee					
South Atlantic	DC	Delaware	Maryland	Virginia	Florida	North Carolina	West Virginia	Georgia	South Carolina

Mid Atlantic	New York	New Jersey	Pennsylvania						
New England	Connecticut	Maine	Massachusetts	Rhode Island	Vermont	New Hampshire			

Table 1.1 State Divisions into Regions as Defined by the US Census Bureau.⁴

finally, the West North Central region is somewhat more liberal than the surrounding areas" (1999).¹⁰⁴ A study conducted in 2012 compared the regional differences of protections for the LGBTQAI+ community across various regions in the US. Specifically, when speaking to hate crimes, the Northeast and the Southwest regions had the most states (12 out of 19 total) with hate crime protections associated with gender identity. The Southeast, Midwest, and Northwest regions had the least amount of combined states (4 out of 33 states) for gender identity based hate crime protections.¹⁰⁶

Regional Differences

While there is diversity throughout the United States, there exists patterns of the majority political underpinnings of each region. To put it simply, the West and Northeastern regions are assumed to be made up of liberal states while the South and Midwest are assumed to be all conservative states. The Northeast region is notoriously left-leaning with low overall rates of Republican ideological alignment.¹⁰⁶ In his 2009 article, *Explaining Partisan Change Among Northeastern Whites*, Knuckey notes that “GOP identification [ranges] from a low of 16 percent in Rhode Island to a high 37 percent in Pennsylvania. Indeed, in only one other northeastern state (Delaware) was Republican party identification above the 30 percent level”.¹⁰⁷ Similarly, the Western region of the United States is overwhelmingly controlled by liberal policy leaders. “...West coast states are dominated by Democratic affiliated state legislators except in Alaska and Oregon

where control of the legislature was split between political parties.¹⁰⁸ Conversely, the South is primarily associated with being the most conservative region in the country, leading to increased rates of discriminatory behavior. In his 2015 article, *How the South Skews America*, Michael Lind describes the culture and make-up of the Southern region, stating the following:

“White Southerners are more likely than white northerners to respond to insults with increased testosterone and aggression, according to social scientists.

According to the FBI in 2012, the South as a region, containing only a quarter of the population, accounted for 40.9 percent of U.S. violent crime.”¹⁰⁹

Likewise, the Midwest is said to be an area within the country favoring more republican, right-wing ideas and policies. “Middle Western states is more commonly a strategy of political conservatives and business boosters who typically represent the region as rural.”¹¹⁰

While it is easy to make assumptions about regional politics, scholars suggest that there exists quite a bit of difference within each region. Hasenbush, A., Flores, A. R., & Herman, J. L. draw on the perspective of diversity among the regions within the US, exemplifying the vast differences among states within similar regions:

There are sharp differences between the Intermountain states and the coastal states. Three of the ten most conservative states were in the Mountain West while four of the most liberal states were part of the west coast region...Diversity can be more clearly seen in the differences between the more progressive city populations and conservative countryside.¹¹¹

If the findings in the literature hold true, is there a possibility of being able to change these regional trends to begin to form new identities that are more inclusive? Tomaney gives us some optimism for the future noting that as varied individuals perform and participate in the social privileges of its confines that it has the ability to be reshaped. “Regionalism is reproduced in the practices of everyday life. Regionalism is contingent and is constantly being formed and reformed, negotiated and manipulated, promoted, and contested”.¹¹² Glenn and Simmons go on to suggest that those regions whose identities tend to be more liberal will be more flexible in the rate of change and that it is likely these changes are more likely to occur during times of “rapid social change” such as with the BLM Movement.¹¹³ Furthermore, progression has looked different across the regional portions of the US but there appears to be a trend of states taking on reformations, good or bad, to reflect the ideologies of their neighbors. In his 2021 article, *The Barriers that Keep Trans People from Thriving in Texas*, Jordan, C. remarks on the possibility of lagging states whose policies are far from reaching the same level of inclusivity as their neighbors. “[Progress] has not been equally experienced across the country...Other states may follow suit with protective laws, but still others may choose instead to respond with retaliatory or harmful efforts.”¹¹⁴

When transgender individuals are able to live in an environment where they feel supported and have greater confidence in their judicial system it has greater effects on their well-being and less fear of discrimination from authorities.¹¹⁵ Thus, living in a state that has enacted more anti-discrimination laws the transgender community will have a greater likelihood of reporting hate crimes. The Movement Advancement Project’s work

on regional identity reflects this notion. They have found that in states that do not take the steps to protect against discrimination through their policy, LGBTQAI+ people may experience discrimination at greater rates. The reverse is true as well; when states do pass inclusive policies, the LGBTQAI+ community may not experience as much fear of discrimination. “Research suggests that LGBTQ-protective laws reduce the rate of anti-LGBTQ hate crimes.”¹¹⁶

In 2018, Hasenbush, Flores, and Herman conducted a study to determine the effect of anti-discrimination laws on hate crimes in reference to bathrooms and locker rooms for transgender people. Ultimately, the study did not find a statistical significance in reported crime rates after “gender identity inclusive public accommodations nondiscrimination ordinances” (GIPANDOs) had been passed in various states despite the hypothesis that they would be positively related.¹¹⁷

Enacting anti-discrimination and hate crimes laws is critical to the overall well-being of the transgender community. When not a part of a state or region’s political landscape, it sends a clear message that different lifestyles will not be allowed and that violence is an appropriate social response in place of tolerance. As one transgender person noted, this type of blatant disregard for socio-political acceptance speaks volumes to how that lifestyle should be performed out in public:

The message sent to trans people? We don’t want you in our public places. The goal is to keep trans bodies from receiving care. The goal is to keep trans people out of society, whether that means scaring us into isolation or letting us die.¹¹⁸

Region vs. State

I assert that regional politics are a better indicator of reported rates of violence than state to state as a result of state polity being a culmination of regional identity. In this point, I am suggesting that instead of a region being influenced by the states that comprise it, it is instead the state that produces its identity from the larger regional area. A region consists of a meso level confluence of factors that establishes an identity - geography, landscape, economy, history, language, etc.¹¹⁹ A state, however, can be identified as a “local identity” in which the connections and identity is based on the socialization of “friends and relatives”. Furthermore, regional policy may be stronger than state-to-state levels of homogeneity across anti-discrimination laws as states often look to their neighbors for guidance on new policies to enact. Patton and Robinson further discuss regional policy in comparison to state-to-state relations in their article *Politics and Policy in the Western United States*. They have found that at the state level, policymakers turn to their neighboring states to attempt to find new ways of solving issues because of their closeness in culture. This is due to “ease of communication, cross-mixing of media and population, and common values. Within this regionally based social learning framework, state policy scholars have emphasized a positive regional effect almost exclusively.¹²⁰

Current Study

This study seeks to prove that the regions within the United States that have historically been more conservative will be those with fewer amounts of anti-discrimination laws. The variation in state political ideologies that make up a region suggest it may be more difficult than initially assumed to fully conceptualize the political

leanings of a region. Despite this, I posit the regions made up of the most democratic states will encompass the most amount of gender identity anti-hate crime policies.

1. Research question #1: Does the regional identity of a location impact the level of anti-discrimination laws enacted?

- a. Hypothesis #1: Due to their socio-political makeup, the Western and Northeastern (Pacific, Mountain, Mid Atlantic, and New England) regions of the US will have the highest tally levels of GIB inclusive policies.

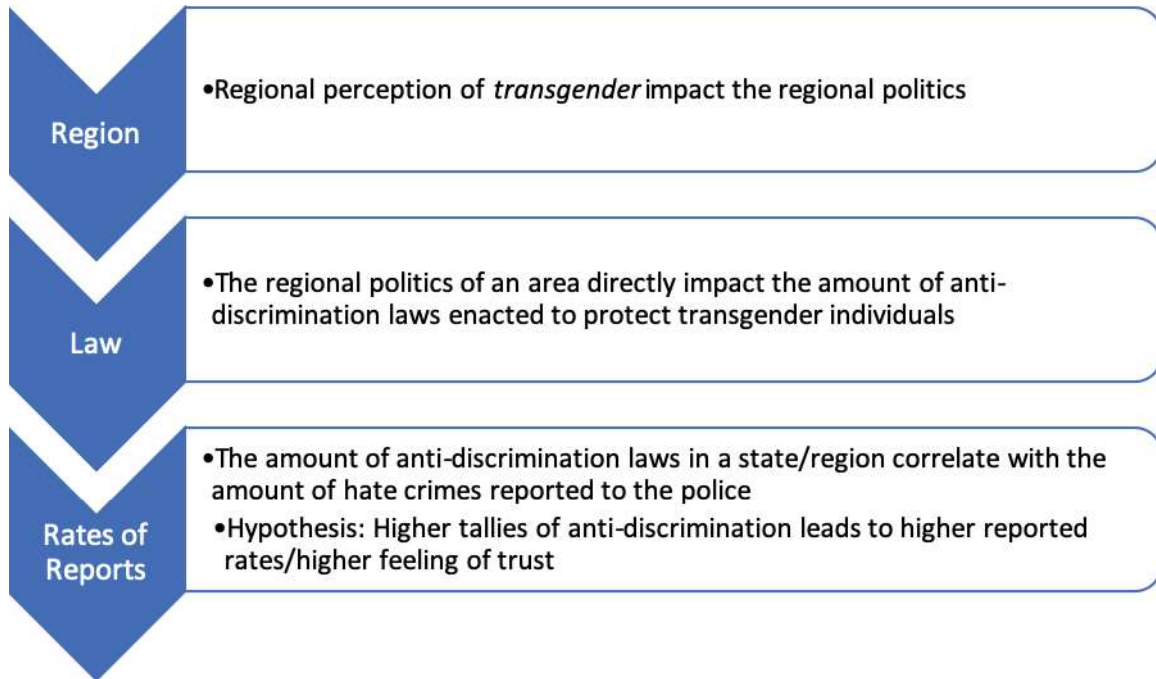
2. Research question #2: What is the strength of the relationship between rates of GIB anti-discrimination policies to higher rates of reported hate crimes?

- . Hypothesis #2: The states with the highest tallies of gender-identity based anti-discrimination laws will have with the highest rates of gender-identity based hate crime reports.

The perceived reasoning for this is that regions with higher policy tallies will be made up of states with progressive leaning regional socio-political underpinnings leading to higher levels of trust between authorities and the transgender community. It is important to note here that I am not suggesting passage of anti-discrimination policies will result in a decrease in hate crimes. Instead, my focus is on the extent to which particular areas within the United States have more gender identity hate crimes reported.

In essence, my research seeks to determine if regional social politics are impacting the enactment of policies that either discourage or encourage a more accepting relationship between police and transgender people. I hypothesize that in areas where

there are higher rates of policies protecting transgender individuals from gender identity-based hate crimes, they will have great trust in police and will be more likely to report crimes committed against them.



CHAPTER 5

RESEARCH DESIGN AND RATIONALE

The purpose of this study is to determine the effects regional identities have on policies that are passed and if, to what extent, those policies affect the rate at which GIB hate crimes are reported. The data collected was state data ranging from 2013 through 2019 and was later reorganized into regional divisions. This time period was specifically chosen to reflect national changes in federal administration modifications, as well as socio-political movements taking place in the United States such as Black Lives Matter and the Covid-19 pandemic. The analyses completed were quantitative in nature and included simple descriptive statistics, linear regression, R^2 tests, and correlation coefficients. Below is a discussion of the specific data collection completed and the analyses conducted.

Data Collection

I chose to conduct my analysis from a region-to-region comparison as the regions had less variability than state-to-state. Data collection relating to state anti-discrimination laws was conducted in an effort to codify each state. In determining which make-up of regions to utilize in my analysis, it was critical to select a cluster of states that could be considered homogenous in its demographics including, but not limited to, geography, culture, economy, and population. I found the most appropriate pre-determined regions were those as defined by the US Census Bureau. The Census Bureau have created their specific regions and divisions by synthesizing comparable findings between neighboring states which can allow for application to research for “comparative statistical analysis” (See Table 1.1 for US Census Bureau Regions).¹²¹

In conjunction, all states were to be coded based on their progression or regression with regard to enacted and/or repealed gender-identity laws over the time span of the study. The Movement Advancement Project (MAP) is a nonprofit 501(c)(3) that reports research in an effort to expedite social justice.¹²² MAP features a section on their website of gender-identity based protection rates across the country where they rate states based on their level of inclusive and exclusive laws in order to provide a “tally” for each state (see Table 1). However, these tallies are for current legislation and enacted laws but my project had a seven-year span. In order to accurately code each state from 2013-2019, I utilized the Freedom for All Americans database for LGBTQAI+ laws. They report on the passing of each law pertaining to LGBTQAI+ rights and laws including when they were passed. Using this data, I could determine an annual policy tally for each state from 2013 to 2019 using the same tally system as described by MAP. Freedom for All Americans is a campaign that brings together differing viewpoints and political opinions to “secure full nondiscrimination protections for LGBTQ people nationwide”

Policy Tally Level	Description
High	States with 15 to 20 GIB policies
Medium	States with 10 to 14.75 GIB policies
Fair	States with 5 to 9.75 GIB policies
Low	States with 0 to 4.75 GIB policies
Negative	States with <0 or negative GIB policies

Table 2.1 Policy Tally Levels for Each State as Stipulated by Movement Advancement Project (MAP)

However, these tallies are for current legislation and enacted laws but my project had a seven-year span. In order to accurately code each state from 2013-2019 I utilized

Freedom for All Americans database for LGBTQAI+ laws. They report on the passing of each law pertaining to LGBTQAI+ rights including when it was passed. I utilized that information to apply an annual policy tally for each state from 2013 to 2019 using the same tally system as described by MAP (see Table 1.2 below). Freedom for All Americans is a campaign that brings together differing viewpoints and political opinions to “secure full nondiscrimination protections for LGBTQ people nationwide”.¹²³ There exists a significant gap in research regarding annual changes to policies associated with LGBTQAI+ rights. Freedom for All Americans data on GIB laws and policies was utilized as it was the only source found that reported the necessary information in order to rate annual policy tallies to each state.

2013-2019 Regional Policy Tally Scores							
	2013	2014	2015	2016	2017	2018	2019
Pacific							
California	High	High	High	High	High	High	High
Hawaii	High	High	High	High	High	High	High
Oregon	High	High	High	High	High	High	High
Washington	High	High	High	High	High	High	High
Alaska	Low	Low	Low	Low	Medium	Medium	Medium
Mountain							
Colorado	High	High	High	High	High	High	High
Nevada	High	High	High	High	High	High	High
New Mexico	Medium	Medium	Medium	Medium	Medium	Medium	Medium
Utah	Fair	Fair	Fair	Fair	Fair	Fair	Fair
Idaho	Low	Low	Low	Low	Low	Low	Low
Montana	Low	Low	Low	Low	Low	Low	Low
Arizona	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Wyoming	Negative	Negative	Negative	Negative	Negative	Negative	Negative
West North							

Minnesota	High	High	High	High	High	High	High
Iowa	Fair	Fair	Fair	Fair	Fair	Fair	Fair
Kansas	Low	Low	Low	Low	Low	Low	Low
North Dakota	Low	Low	Low	Low	Low	Low	Low
Missouri	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Nebraska	Negative	Negative	Negative	Negative	Negative	Negative	Negative
South Dakota	Negative	Negative	Negative	Negative	Negative	Negative	Negative
East North							
Illinois	High	High	High	High	High	High	High
Michigan	Fair	Fair	Fair	Fair	Fair	Fair	Fair
Indiana	Low	Low	Low	Low	Low	Low	Low
Ohio	Low	Low	Low	Low	Low	Low	Low
Wisconsin	Low	Low	Low	Low	Low	Low	Low
West South Central							
Arkansas	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Louisiana	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Oklahoma	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Texas	Negative	Negative	Negative	Negative	Negative	Negative	Negative
East South Central							
Kentucky	Low	Low	Low	Low	Low	Low	Low
Alabama	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Mississippi	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Tennessee	Negative	Negative	Negative	Negative	Negative	Negative	Negative
South Atlantic							
DC	High	High	High	High	High	High	High
Delaware	Medium	Medium	Medium	Medium	Medium	Medium	Medium
Maryland	Low	Medium	Medium	Medium	Medium	Medium	Medium
Virginia	Low	Medium	Medium	Medium	Medium	Medium	Medium
Florida	Low	Low	Low	Low	Low	Low	Low
North Carolina	Low	Low	Low	Low	Low	Low	Low
West Virginia	Low	Low	Low	Low	Low	Low	Low

Georgia	Negative	Negative	Negative	Negative	Negative	Negative	Negative
South Carolina	Negative	Negative	Negative	Negative	Negative	Negative	Negative
Mid Atlantic							
New York	High	High	High	High	High	High	High
New Jersey	High	High	High	High	High	High	High
Pennsylvania	Low	Low	Fair	Fair	Fair	Fair	Fair
New England							
Connecticut	High	High	High	High	High	High	High
Maine	High	High	High	High	High	High	High
Massachusetts	Fair	Fair	Fair	High	High	High	High
Rhode Island	High	High	High	High	High	High	High
Vermont	High	High	High	High	High	High	High
New Hampshire	Fair	Fair	Fair	Fair	Fair	Fair	Fair

Table 2.2 Policy Tally Scores from 2013-2019 as Designed by (MAP). Tally level were derived by documented change in policies and laws enacted as documented over time by Freedom for All Americans.

Gathering of gender-identity based hate crime rates from a reputable source was necessary, although, there is no source which can consistently produce and report results of this nature as there are no federally mandated forms of data collection of hate crimes in the US.¹²⁴ The most consistent agency that collects hate crime data is the FBI through their annual Uniform Crime Reporting (UCR) Program in which they report on hate crimes from across the country submitted by police departments voluntarily. Crimes reported are bias motivated on the basis of “race, gender and gender identity, religion, disability, sexual orientation, or ethnicity” and are organized in a number of formats including state, city, location of event, and victim demographics.¹²⁵ Data was pulled directly from the FBI’s UCR website for each year by accessing the files that were organized by Hate Crime Jurisdiction as my data needed to be arranged geographically (see Table 1.3 for annual Hate Crime Jurisdiction tables).¹²⁶

New data reported by the US Census Bureau from the 2020 census helped update the electoral map of the United States by utilizing data from the 2020 Presidential Election (see Figure 1.1). Each state was determined to be either liberal or conservative based on voting patterns. I applied this descriptive data to the regional divisions as noted by the Census Bureau to determine each region's regional identity as it relates to their political underpinnings. Discussion of analysis and results are described below. In an effort to measure the relationship between regional political identity (independent variable) and the regional policy tally, I performed a linear regression. Results of the calculation are discussed below.

As stated in my second hypothesis, I wanted to measure the strength of the relationship between gender-identity based anti-discrimination laws (independent variable) and reported rates of hate crimes (dependent variable). A correlation coefficient was calculated between the reported rates of GIB hate crimes and enacted GIB anti-discrimination laws on an annual and regional scale. Additionally, descriptive statistics were calculated on the two variables to determine the variability, frequency, and range of data.

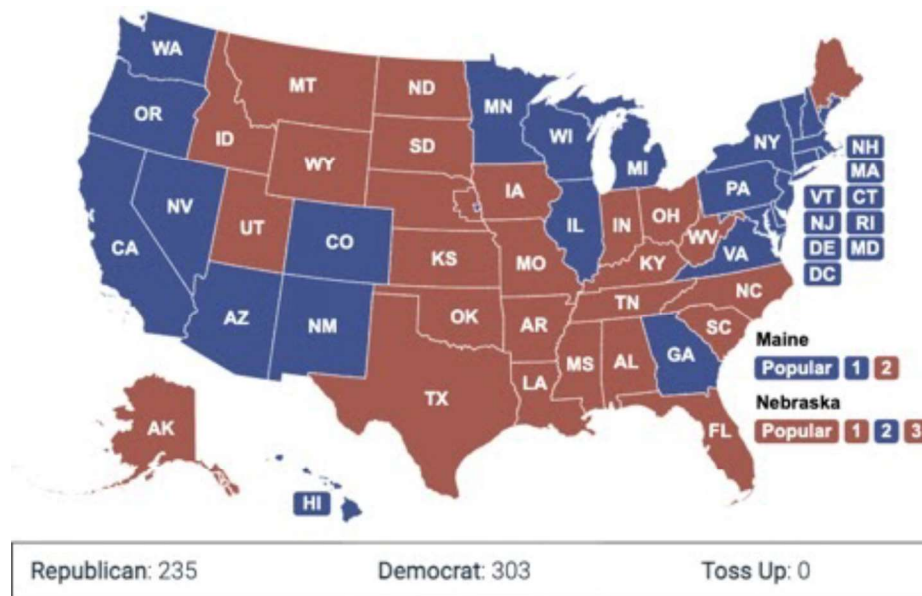


Figure 2.1 United States Electoral Map as Delineated by the US Census Bureau from the 2020 Presidential Election

Research Design

Research Question #1

In order to assess if regional identities affect enacted laws and policies within that region, I applied the state policy tallies from MAP to the regions as outlined by the Census Bureau. However, in order to quantify the policy tallies for regions, each state was coded a standardized numerical rating between 1 and 5 for each year (see below). Once applied to each state, regional groupings were composed and averages were taken for each region on an annual basis.

Description	Policy Level	Numeric Code
States with 15 to 20 GIB policies	High	5
States with 10 to 14.75 GIB policies	Medium	4
States with 5 to 9.75 GIB policies	Fair	3
States with 0 to 4.75 GIB policies	Low	2
States with <0 GIB policies	Negative	1

Table 2.3 Definition of numerical coding of policy tally applied to each state.

From this computation, I was able to derive annual regional policy tally averages reflecting the regional level of GIB protections for each geographic area see (table 1.5)

	2013	2014	2015	2016	2017	2018	2019
Pacific	4.4	4.4	4.4	4.4	4.8	4.8	4.8
Mountain	2.88	2.88	2.88	2.88	2.88	2.88	2.88
West North	2.14	2.14	2.14	2.14	2.14	2.14	2.14
East North	2.8	2.8	2.8	2.8	2.8	2.8	2.8
South Atlantic	2.33	2.78	2.78	2.78	2.78	2.78	2.78

West South Central	1	1	1	1	1	1	1
East South Central	1.25	1.25	1.25	1.25	1.25	1.25	1.25
Mid Atlantic	4	4	4.33	4.33	4.33	4.33	4.33
New England	4.33	4.33	4.33	4.67	4.67	4.67	4.67

Table 2.4 Annual Regional Averages of Policy Tallies as Derived by Numerical Coding. Coding based on MAP system of policy tallies and Freedom for All Americans history of GIB protections.

Once the annual regional policy tallies were complete, I was able to assess the regions that had consistent high levels of GIB protections in order to determine if regional identities affected enacted laws and policies. I then applied the data from the updated electoral map from the Census Bureau to codify each region. I applied a 1 to each state that was determined to be conservative and a 2 to each that was determined to be liberal. To transform the data into regional rates, I divided the states into their respective regional groupings and calculated the average score based upon the 1 - 2 coding and derived the regional political identities (see table 1.5). Political identities between 1.00 - 1.50 delineate *conservative* and 1.51-2.00 will designate a *liberal* identity. Any identity falling perfectly between liberal and conservative will be considered a *tossup*.

Region	Average Political Identity	Political Descriptor
West South Central	1.00	Conservative
East South Central	1.00	Conservative
West North	1.14	Conservative
Mountain	1.50	Tossup
South Atlantic	1.67	Liberal
East North	1.60	Liberal
Pacific	1.80	Liberal
New England	1.83	Liberal

Mid Atlantic	2.00	Liberal
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Table 2.5 Average regional political descriptors as determined by numerical coding based on 2020 electoral map by US Census Bureau (see footnote 7).

To ensure a linear relationship between the variables, a simple scatter plot was created which did not demonstrate any outliers. A simple linear regression was calculated to predict the average regional policy tally based on average political identity. Goodness of fit was assessed, as well, in an effort to determine how much of the total variation in policy tallies can be explained by the regional political identities. A thorough description of results are discussed below.

Research Question #2

To determine the relationship between GIB anti-discrimination policies and reported rates of GIB hate crimes, I utilized the previously derived annual average policy tally per region (see table 1.4). Next, I determined the rate at which each region had reported a hate crime by utilizing the annual FBI UCR report from 2013 through 2019 (see table 1.6). It should be noted, when completing the calculations for the relationship between these variables I included a rate of 0 for each region that did not have a reported crime as it was necessary to account for each region annually in the policy tally calculations. Descriptive statistics were calculated for policy tallies and rates of reported hate crimes on an annual basis to determine the averages as well as the variation between the data sets.

Regional GIB Hate Crime Reports							
	2013	2014	2015	2016	2017	2018	2019
Pacific	8	23	35	42	49	47	56
Mountain	0	1	3	1	17	8	16

West North	2	3	3	2	1	2	6
East North	0	0	2	5	3	14	39
West South Central	0	2	5	9	8	15	18
East South Central	1	1	5	3	3	6	6
South Atlantic	12	15	11	23	19	49	36
Mid Atlantic	5	4	4	24	17	20	24
New England	3	49	46	16	12	8	8

Table 2.6 Annual GIB hate crime reports by region as reported by the FBI's Hate Crime by Jurisdiction reports.

From the completed descriptive statistical analyses, the correlation between the values of the reported rates of hate crimes against the average regional tallies were calculated for each year. Additionally, an R² test was performed to assess the percentage of variance between the average policy tallies and the political identities to ensure the model fit the data appropriately.

CHAPTER 5

QUANTITATIVE ANALYSIS:

AN OVERVIEW OF REGIONAL AND HATE CRIME DATA

The purpose of this study was to determine which factors, including region and policy, affect reported rates of gender-identity based hate crimes.

Research Question #1

My first research question asked if regional identities, as it relates to socio-political demographics, impact the level of anti-discrimination laws enacted. I hypothesized the following regions would have the highest policy tallies for GIB anti-discrimination laws: Western and Northeastern (Pacific, Mountain, Mid Atlantic, and New England) due to their historical context around progression of laws and voting patterns. A scatterplot demonstrated a linear relationship between regional identity.

(independent variable) and regional policy tallies (dependent variable) for GIB protections (see Figure 1.1). A simple linear regression was calculated to predict policy

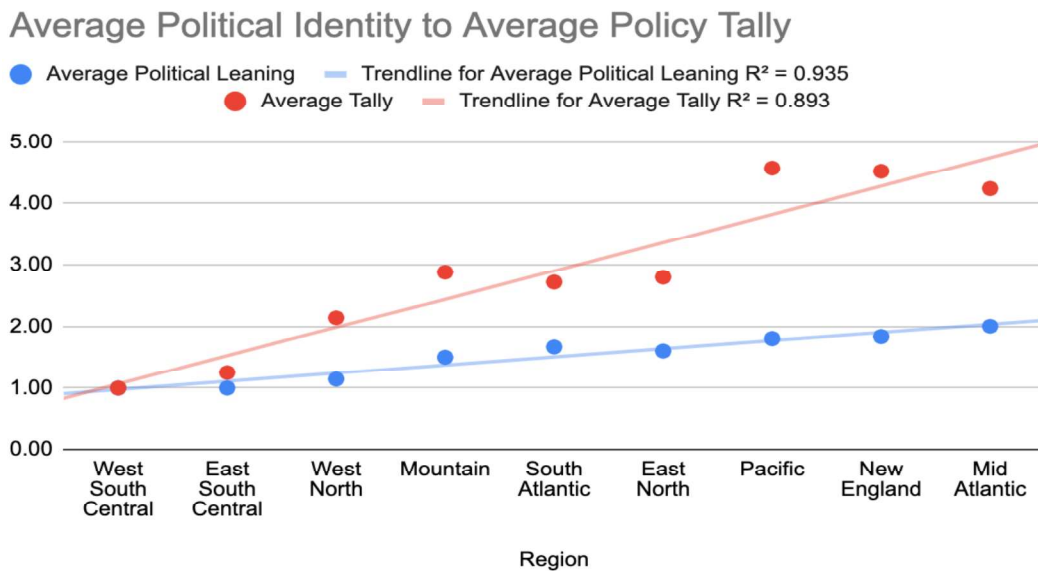


Figure 3.1 Scatterplot Comparing Regional Political Identity Scores (Scale from 1 - 2) to Average Policy Tallies (Scale from 0 - 5).

tally rates based on regional identities. A significant regression equation was found ($F(1,7) = 47.513, p < .000$), with an R^2 of .872. The regional policy tallies increased 3.324 for each point toward a liberal regional political identity. Ultimately, there was a high degree of correlation, .934, in regards to regional identity and regional policy tally. Additionally, the statistical significance of the regression model was .000 indicating statistically significantly predicts the regional policy tallies.

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.934 ^a	.872	.853	.50969

a. Predictors: (Constant), Average Political Leaning

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	-2.098	.745		-2.816	.026
	Average Political Leaning	3.324	.482	.934	6.893	.000

a. Dependent Variable: Average Tally

ANOVA^a

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	12.343	1	12.343	47.513	.000 ^b
	Residual	1.818	7	.260		
	Total	14.162	8			

a. Dependent Variable: Average Tally

b. Predictors: (Constant), Average Political Leaning

Figure 3.2 Regression Equation Results from Average Regional Identity and Regional Policy Tally Correlation

Research question #2

This question sought to determine if there was a relationship between the rates of GIB anti-discrimination policies (independent variable) with reported rates of GIB hate crimes (dependent variable). I hypothesized the regions with the highest rates of GIB policies would also have the highest rates of GIB hate crimes reports. As the literature states, the historical relationship between the transgender community and authorities has been met with strife. As certain prosocial actions can lead to further trust between authorities and the community, I hypothesized regions encompassing more inclusive policies for transgender individuals, through GIB laws, would encourage a more trusting relationship leading to more reports of hate crimes.

A descriptive statistical analysis was calculated for policy tally marks and reported rates of hate crimes in order to determine averages for a correlation (see Table 1.1). The mean increases every year with an overall rate of increase at 445.93% from 2013 to 2019. The mean increases every year from 2013 to 2017 with an overall rate of increase at 23.33% for policy tallies. I also calculated the percentage at which each region contributed to annual GIB reported rates of hate crimes. The Pacific region had the highest overall average rate at 29.7% whereas the West North region had the lowest overall average rate at 2.2% (see Figure 1.3 for averages; annual pie charts can be found in the appendix).

The average policy tally was calculated to determine which region had the highest rates of policy inclusion for specific GIB issues. The Pacific region was first with an average policy tally score of 4.57 and the region with the lowest score was the West South region at 1.00 (see Figure 1. 3 for averages across all years, individual charts

available in the appendix). all regions. An additional R^2 was calculated to measure the fitness of the model (see Figure 4.1).

2013-2019 Regional Reports of Hate Crimes

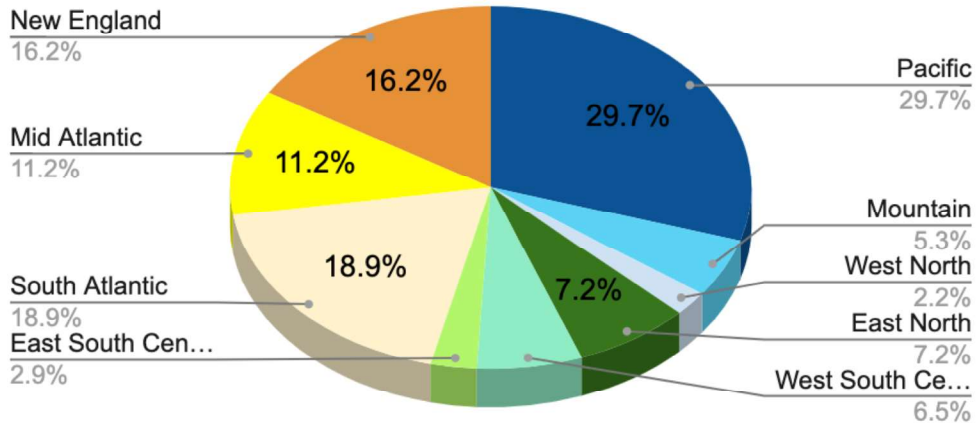


Figure 3.3 Regional Averages of Reported Rates of GIB Hate Crimes for 2013-2019

Year	Reports					Tally		
	#	Median	Mean	Mode	St Dev	Median	Mean	Correlation
2013	31	2.0	3.44	0	1.26	2.8	2.4	0.359
2014	98	3.0	10.89	1	16.27	2.8	2.84	0.648
2015	114	5.0	12.67	3	16.22	2.8	2.88	0.627
2016	125	9.0	13.89	-	13.73	2.8	2.92	0.657
2017	129	12.0	14.33	3	14.65	2.8	2.96	0.651
2018	169	14.0	18.78	8	17.41	2.8	2.96	0.381

Table 3.1 Descriptive Statistics Table Relating to Annual Reported Rates of GIB Hate Crimes and Regional Policy Tallies as Derived from Regional Data

2013-2019 Average Regional Policy Tallies

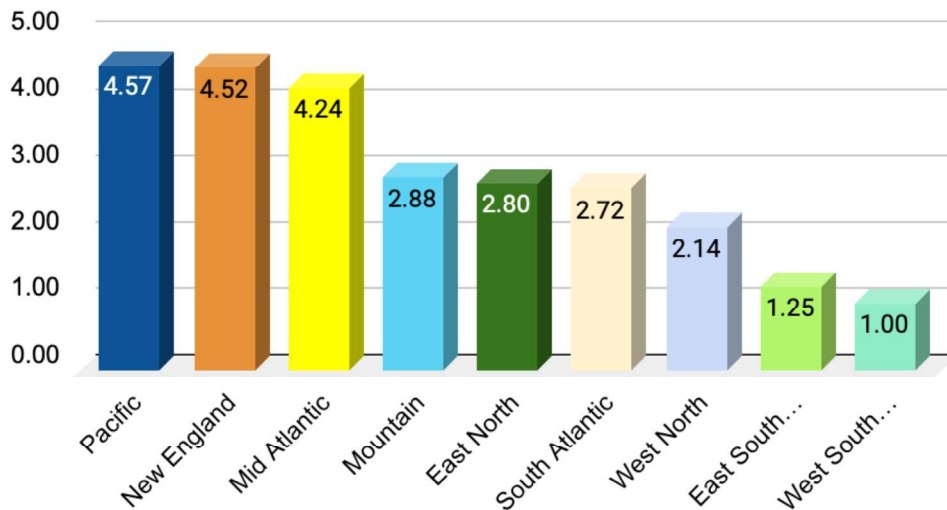
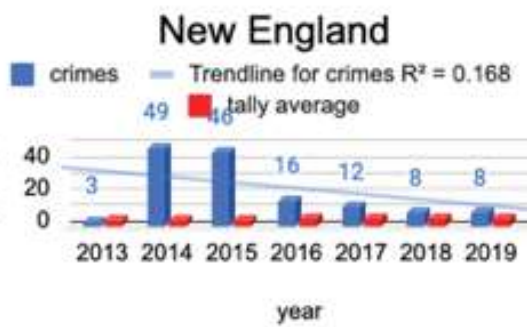
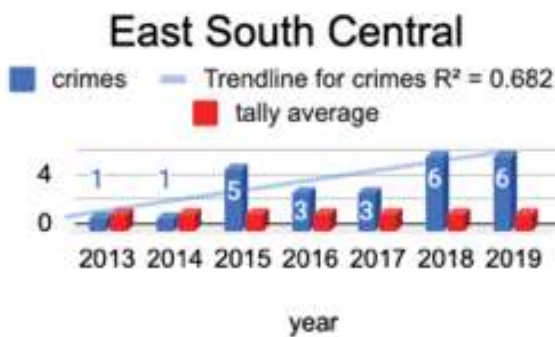
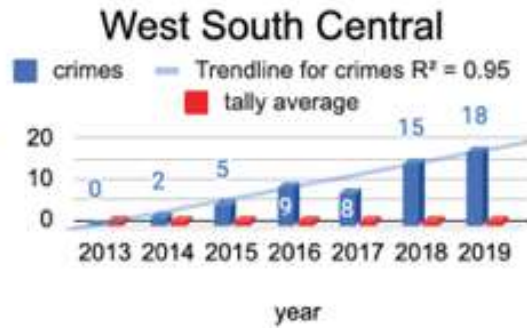
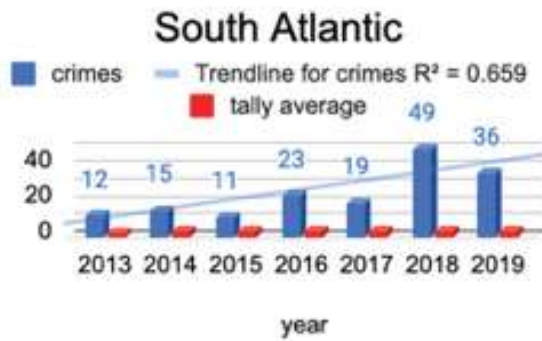
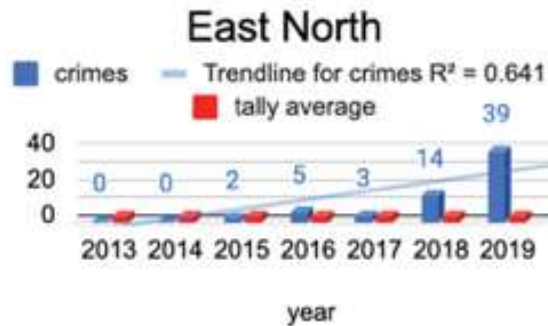
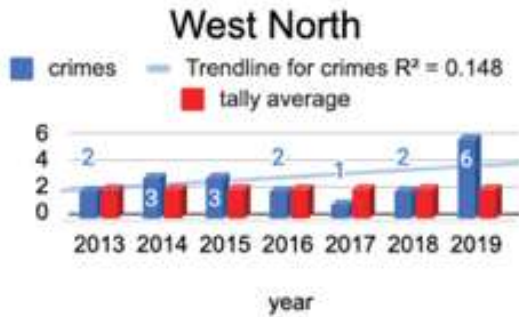
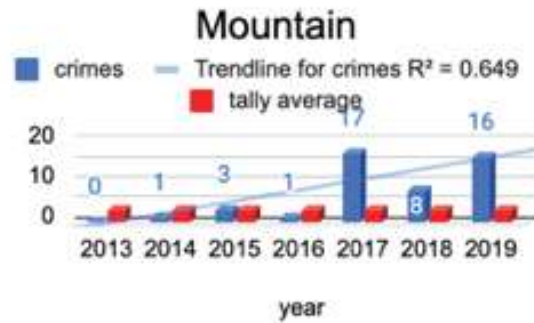
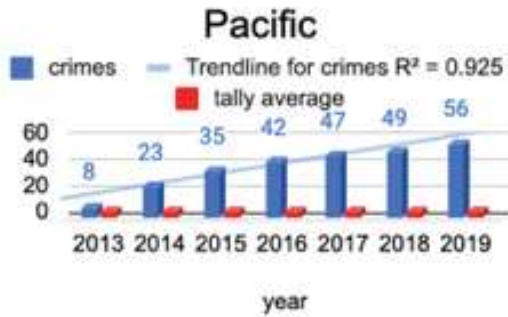


Figure 3.4 Average Regional Policy Tally Scores Across all Seven Years

All regional correlations between policy tallies and reported rates of hate crimes had a strong correlation (at least $>.04$) with the exception of the West North Region at 0.148 (Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota) and New England at 0.168 (Connecticut, Maine, Massachusetts, Rhode Island, Vermont, and New Hampshire). Average correlations per year were calculated in an effort to determine the progression and/or regression of the interdependence of the variables across multiple years. The correlation increased steadily after the first year in 2013, from .359 to .648 but dropped significantly in 2018 (see figure 1.5).



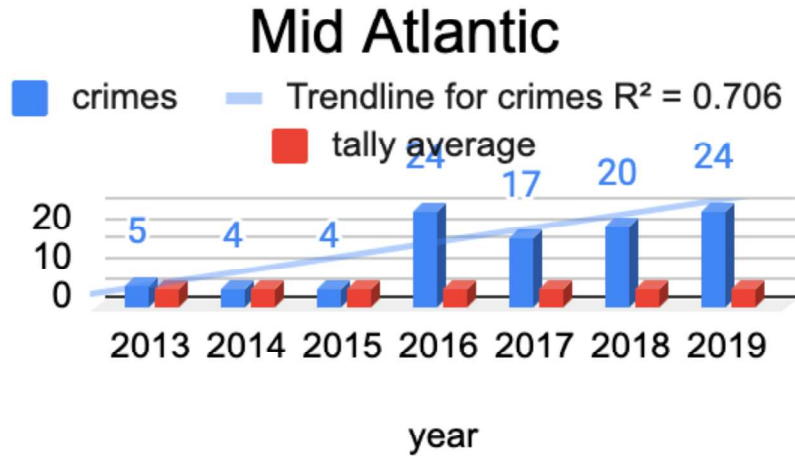


Figure 3.5 Regional Comparisons Between Annual Reported Rates and Policy Tallies with R^2 Test to Measure Goodness of Fit.

Report to Law Tally Correlations Over Time

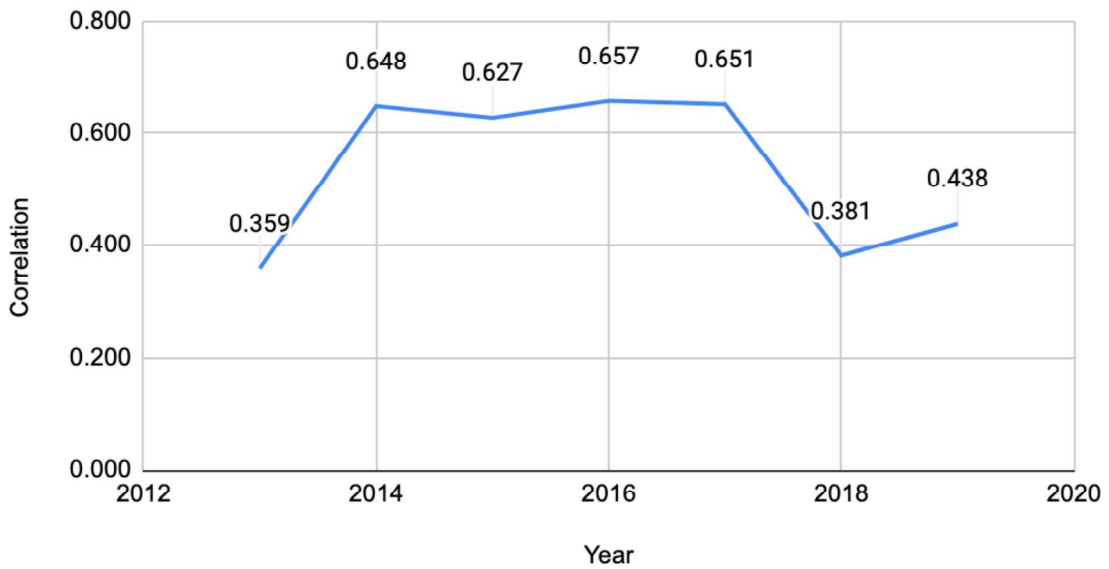


Figure 3.6 Annual Progression of Correlation Between Policy Tally and GIB Hate Crimes as Determined by Calculating the Average Correlation Per Year.

CHAPTER 6

DISCUSSION OF RESULTS

Research Question #1

The first quest I sought to answer was whether regional socio-political identities affect the GIB inclusivity of policies and laws passed. Codifying the regions, based on the US Census Bureau electoral college, and comparing them to regional policy tallies determined a degree of correlation at 93% with a statistically significant model of .000. This specifically correlates with the Census Bureau's analysis of liberal and conservative leaning state data. Additionally, this result satisfies my hypothesis of the Western and Northeastern (Pacific, Mountain, Mid Atlantic, and New England) regions of the US will have the highest tally levels of GIB anti-discrimination policies (see Figure 6.1).

2013-2019 Average Regional Policy Tallies

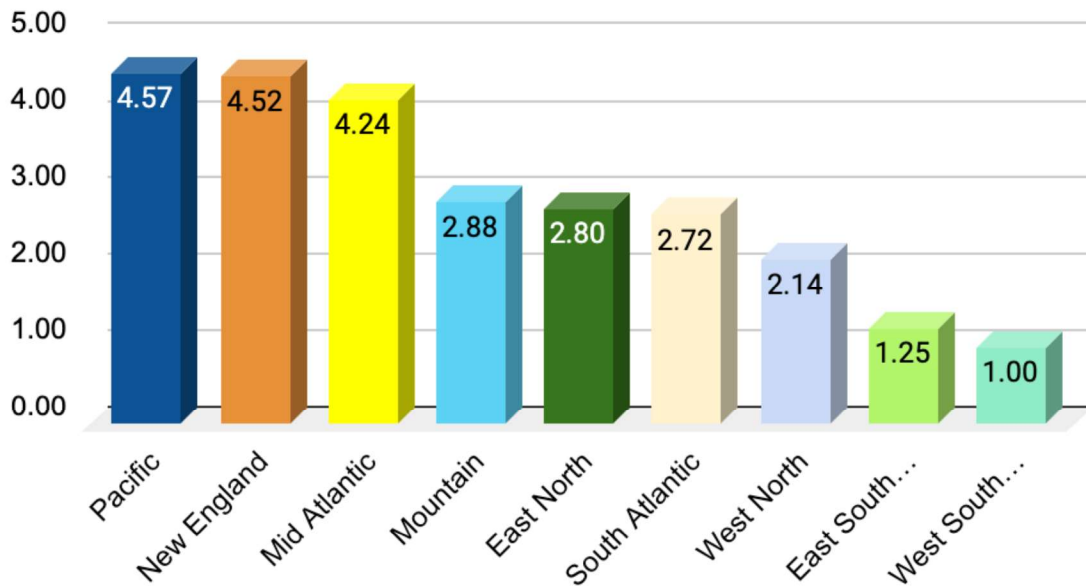


Figure 4.1 Average Regional Policy Tallies

Research Question #2

The significance of the second research question was in determining if the regional rate of reported GIB hate crimes was affected by enacted GIB policies. In calculating the percentage at which each region contributed to annual GIB reported rates of hate crimes it was determined that the Pacific region had the highest overall average rate (29.7%) and the West North region had the lowest overall average rate (2.2%). Furthermore, the Pacific region had the highest average policy tally score (4.57) while the West South region had the lowest (1.00). As was hypothesized, the Pacific region had both the highest average policy tally and the highest rate of reported GIB hate crimes. One possible explanation for this is that in states and regions that practice inclusivity among their society and politics they are in essence building in higher rates of trust between the community and authorities. Essentially, by enacting these types of policies they are naturally building-in methods within their society that allows for more people to feel comfortable in reporting hate crimes to the police. As noted by the National Coalition of Anti-Violence Program, training is key. When police are prepared and have received adequate education, it can lead to more positive interactions between these communities.¹

Similarly, when comparing the regions' policy tallies to reported rates of GIB hate crimes all comparisons had a strong correlation (at least $>.04$) with the exception of the West North Region at 0.148 and New England at 0.168. These high correlation values address research question #2 in determining to what extent, if any, regional policy tallies have on reported rates of GIB hate crimes. Not only do the results specifically demonstrate a relationship, but based on annual comparison calculations, the correlation is maintained throughout all seven years of focus. However, it should be noted that a relevant finding is the dip in reported rates of GIB hate crimes from New England. Their

numbers fell off beginning in 2017 and significantly modified the data for that region. Upon performing some research there appears to be no state changes to their politics or policies - in fact, they had their first transgender person run for office in 2017. A possible reasoning for their sudden drop in reported cases is the change politically at the national level after President Trump took office.

Other Findings

Although my research questions were specifically focused on regional comparisons between socio-political identities, policies, and reported rates of GIB hate crimes, I initially had to compile the data from a state level prior to converting it into regions. As such, I was able to observe significant pieces of information through those calculations. As is similar with the regional data, the state-to-state descriptive statistics demonstrated a high level of correlation between policy tallies and reported rates of GIB hate crimes (see Table 6.1). The state-to-state mean of reported rates was 46.25% overall all seven years. Unlike the regional data, however, the mean for the policy tallies fluctuated inconsistently and an overall progression could not be determined. Furthermore, across the states there was much higher levels of variability when comparing the reported rates to the policy tallies as the correlation levels fluctuate significantly. This variability is due in part to the high level of items within the size of focus. Whereas in the regional comparison there were only 9, in the state-to-state comparison there is a population size of 51 (including Washington D.C.). Another interesting finding is that the mode for each year is 1; suggesting that the majority of the states that are reporting are only reporting a singular event.

	States		Reports				Tally		
Year	#	#	Median	Mean	Mode	St Dev	Median	Mean	Correlation
2013	7	31	3.0	4.43	1	3.99	5.0	3.57	0.577
2014	10	98	2.0	9.80	1	15.55	2.5	3.00	0.282
2015	15	114	3.0	7.60	1	12.21	3.0	3.20	0.183
2016	16	125	2.5	7.81	1	9.22	3.5	3.31	0.581
2017	20	129	3.5	6.45	1	7.14	4.5	3.60	0.268
2018	24	169	4.5	7.04	1	7.82	3.5	3.21	0.414
2019	29	209	3.0	7.21	1	8.57	4	3.28	0.292

Table 4.1 Overall State-To-State Descriptive Statistics of Reported Rates of GIB Hate Crimes and Policy Tallies

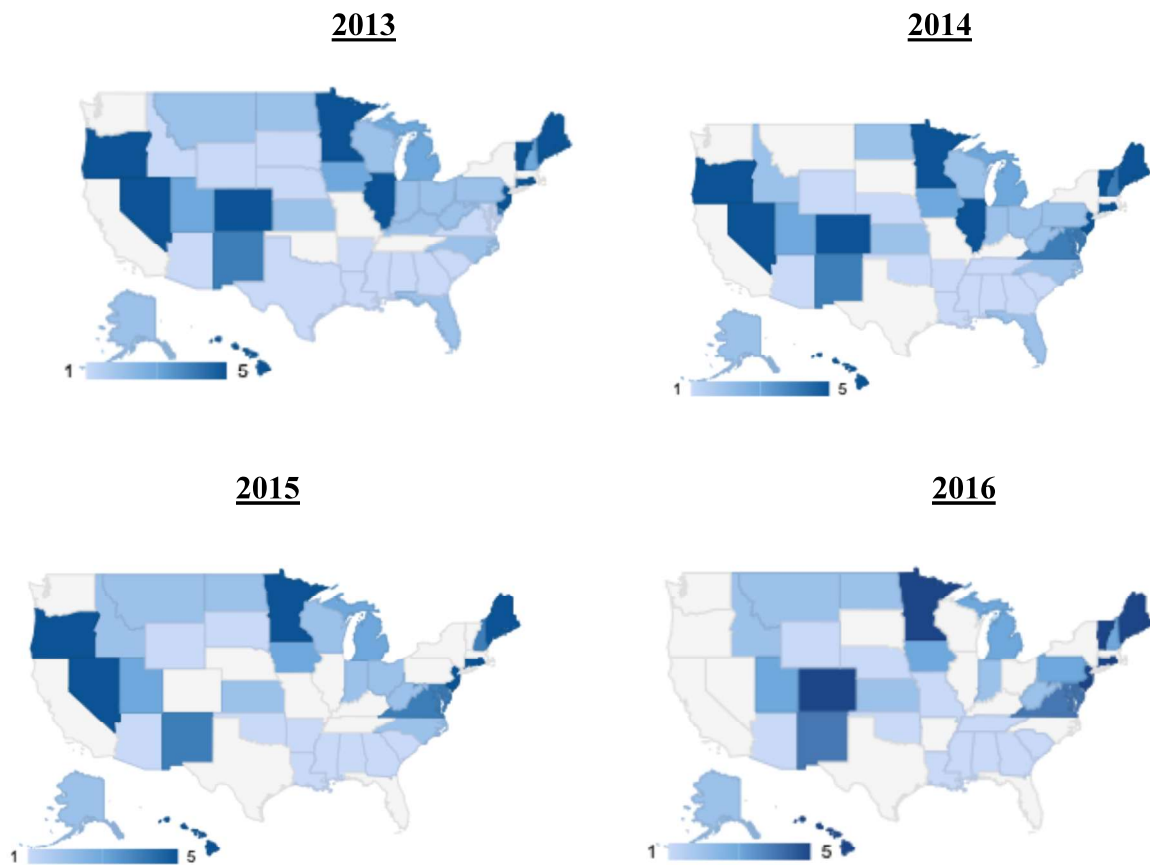
Additionally, I wanted to see what trends and patterns would emerge from statistics on states that did not report hate crimes (see Table 6.2). Although there is some variability in the averages of policy tallies it is not as significant as that of the previous chart. A possible reason for this is that since we know policy tally affects rates of reports, perhaps in the states that have

States that do not have reported incidents				
	States		Tally	
Year	#	Median	Mean	Mode
2013	44	2.0	2.59	1
2014	41	2.0	2.85	1
2015	36	2.0	2.75	1
2016	35	2.0	2.74	1
2017	31	2.0	2.55	1
2018	27	2.0	2.74	1
2019	22	2	2.57	1

Table 4.2 Descriptive Statistics of States That Did Not Report Any Hate Crimes

not reported any hate crimes they simply have consistent levels of poor policy tallies. This is supported by the mode for policy tallies as every year it is consistently 1 (negative

policy tally). It is encouraging, however, to see a consistent decrease in the number of states that are not reporting any data to the FBI, but a decrease of only 50% from 2013 to 2019 appears to be a slow rate of progression. I produced annual states maps to demonstrate the progression of states that did not report to the FBI based on their policy tallies and found that those states who continued to not report were within the regions with low policy tallies as well (see Figure 6.2).



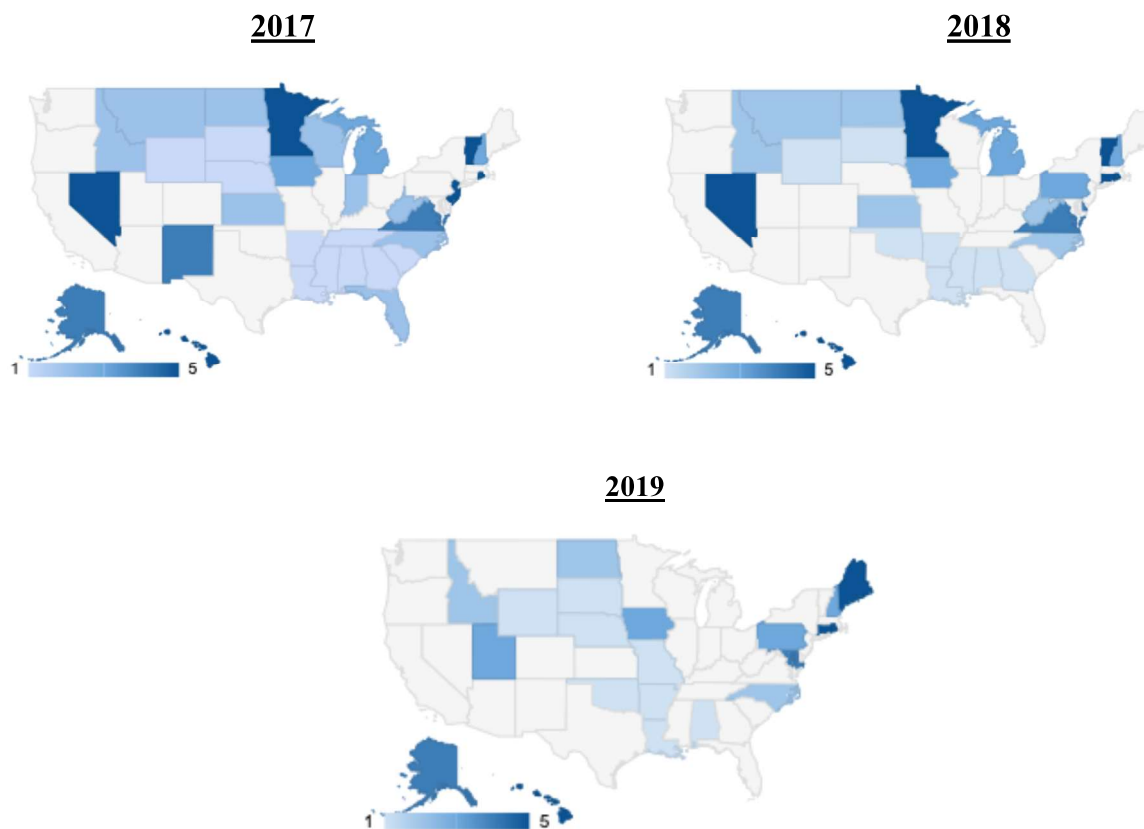


Figure 4.2 Progression of States Who Did Not Report as Based on heir policy tally.

Theories for Statistical Patterns

While my hypothesis of regions with the highest policy tallies being the same states with the highest rates of reported violence, it is important to examine the various reasons why this correlation exists. The first theory of why this correlation can be found rests in my original argument – that regions made up of states with more liberal leaning identities would encourage and foster an inclusive environment where there is a higher probability of reporting. As the Center for Public Integrity found in their 2020 report of mistrust between the LGBTQAI+ population and law enforcement, policy, legislation, and enforcement of inclusive practices may allow for LGBTQAI+ people to “live lives less fearful of such discrimination, and potentially even less likely to experience

discrimination.... Additionally, research suggests that LGBTQ-protective laws reduce the rate of anti-LGBTQ hate crimes”.¹²⁷

Another possible theory for this correlation may be the population of the transgender community across the US. In theory, if there are more transgender people living in the areas where there are higher rates, that could account for the rates within those areas. In June 2016, The Williams Institute through the UCLA School of Law determining the population of transgender people throughout the country. The states with the top five highest rates of transgender people in their population include Hawaii (.78%), California (.76%), New Mexico (.75%), Georgia (.75%), and Texas (.66%).¹²⁸ Using the regional compilations I utilized in my analyses the regions with the highest populations of transgender individuals would include the Pacific, Mountain, South Atlantic, and West South regions. As a side note, however, the District of Columbia had the highest rate at 2.2% but is not included in the ranking system reported by The Williams Institute.

Lastly, the spread of transgender activism that grew in numbers and intensity following the Stonewall Riots in 1969 saw grassroots movements in specific localities across the US. Following Stonewall a number of groups and organizations were formed in an effort to provide resources to the community. Locations of these movements included cities such as Provincetown, Massachusetts; Los Angeles, California; New York City, New York; Toronto, Canada; and San Francisco, California.¹²⁹ In the late 1990’s various events including Camp Trans in Michigan and the death of a twenty-one year old man, Brandon Teena. Both scenarios mobilized the transgender community within these areas and acted as a catalyst to more protests in these areas where the transgender community had not been as active.¹³⁰ The Nation Gay and Lesbian Task Force additionally

notes that of the states within the US that specifically protect transgender people, there are less than 20 total.¹³¹ The places with the highest rates of activism include California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Massachusetts, Minnesota, New Jersey, New Mexico, Nevada, Oregon, Rhode Island, Vermont, Washington, and Wisconsin.

Summary

Overall my statistical analyses and regressions supported my hypothesis that the Pacific, Mountain, Mid Atlantic, and New England regions would have the highest tally levels as a result of their voting pattern(s). Additionally, my second hypothesis that regions with the highest policy tallies would also have the highest rates of reported rates of hate crimes was supported. The Pacific and New England regions fell within this category, although, as discussed there could be alternative reasons for this including population of transgender communities and activism.

Additionally, there were some outliers to the data. New England had a significant drop in reported rates of hate crimes. In a matter of four years, Massachusetts had an 85.71% decrease in rates (2014 forty-nine reported rates to seven in 2018). Upon completing some research there were no state political changes that I could find and in fact, Massachusetts seemed to increase in their inclusivity around this time having their first transgender person run for office. Additionally, Massachusetts climbed from a policy tally of fair in 2015 to high in 2016.

In the future, further research into state-by-state analysis of the data may help uncover even further trends in reporting patterns as it would present a narrower focus of what identities and policies are correlated with high and low reporting states. Furthermore,

analysis at the level of population may even further uncover insights to the reporting trends as it would further narrow the focus of available resources, identities & cultures, and other significant factors that may help or hinder transgender people from reporting GIB hate crimes.

CHAPTER 7

CONCLUSIONS

My hope for this project was to shed light on the topic of transgender violence as a whole. Initially when I began my thesis I wanted to focus on why black transgender women of color were being targeted more than another group under the LGBTQAI+ umbrella. However, when I went to begin my initial research and gather data the numbers simply did not exist and my current thesis was born. When we lack a clear and accurate picture of the traits of violence (i.e., frequency, intensity, intersectionalities, prosecution, etc.) we lack the skills and appropriate interventions to remedy the situation. In conducting this research and performing these analyses I hope there will start to be some policy trends that become uncovered to act as a blueprint for cities, states, and federal legislators to enact that help encourage police training & education and begin mending the tumultuous relationship between the transgender community and authorities as a whole.

My research questions pertaining to the existence of a relationship between regional identities, policies, and reported rates was proven to be correct as evidenced by consistent rates of strong correlations between all variables. Additionally, these findings support the findings of organizations such as the US Census Bureau and follow similar previous regional civil rights movements in the United States. The more liberal leaning a region is, the more likely they are to enact GIB inclusive policies which appear to intrinsically build an unspoken level of inclusivity between transgender individuals and authorities, as stated by the NCAVP.

The literature suggests future research should focus on the contexts in which the violence is being committed, post-attack outcomes, and prevention as well as response to survivors of transgender GBV. “These efforts can inform the development and implementation of evidence-based approaches—whether novel or via appropriate adaptation of effective interventions previously developed for cisgender populations—to address the unique aspects of GBV victimization among trans populations” (Wirtz, A. et. al., p. 235, 2020).

My research can help inform a variety of scholarships as it crosses multiple disciplines and areas of study including the following: social justice and human rights; education; law and policy; political science; law enforcement; gender studies; healthcare; ethnic and racial studies; and development studies. My research will add value to the current areas of research regarding LGBTQ+ rights and anti-discrimination as it applies to rates of violence and city/state/regional/national planning for deterrents against violence. My research cannot deconstruct the social constructed ideologies surrounding binary sexual orientation and/or gender but it may be able to help provide support and guidance to advocates within the above-mentioned fields.

Limitations

As previously noted, there are tremendous gaps in the data collected on GIB hate crimes through the FBI due to a four-year gap in between when the Matthew Sheppard act was passed in 2009 and when GIB rates began being reported on. It should be noted that an extreme limitation of this project is that the FBI numbers only reflect those instances which have been reported and then have been provided to the FBI. As previously stated, reporting is not a requirement for any police precinct or state.

Unfortunately, data on the prevalence of hate violence against queer, bisexual, transgender, and HIV-affected people is virtually non-existent. The U.S. Census and the American Community Survey, the main data collection surveys for the federal government, and the National Crime Victimization Survey, the federal survey on violence in the U.S., contains no questions on sexual orientation or gender identity. The only comparable data to NCAVP's hate violence report is the "Hate Crime Statistics" report annually released by the FBI's Criminal Justice Information Services Division¹³²

Lastly, as I am only conducting quantitative data analyses, I will be losing out on the power of native voices of those who fall within the LGBTQ+ community as they would be able to add the most intimate information in regards to minimal reportings of violence; they are the only ones who can clearly articulate why this phenomenon is occurring and what future policies should include so as to encourage reports of violence. Participatory action research "builds upon important precedents within...grassroots social movements...[with] researchers, designers, and practitioners committed to social change who have worked closely with communities to investigate their concerns and develop proposals for transforming their social and environmental situations".¹³³

Recommendations

While education and sensitivity training are critical, this cannot be the only hook we hang our hat on. We, as a society, need to move towards inclusivity and equality in order to amend broken trust between groups and authorities. One recommendation moving forward of how to support the transgender community in regards to reporting hate crimes or violence when it occurs is to emancipate from the idea all together. Instead of attempting to bridge the gap between the transgender community and authorities, we

could provide community responders who are already sensitive and knowledgeable in the community to aid in those situations.

Amidst the ongoing movement for Black lives' push to radically rethink the notion of policing as an institution that brings safety or justice, alternatives to reporting hate crimes to the police are urgently needed. Alternative approaches that emphasize care and safety, such as community-based emergency first responder methods, are gaining more attention and support.¹³⁴

While we continue to work on changing socially constructed ideas of the gender binary so as to make a clean break away from the possibility of trans-phobic hate crimes, we can begin with trying to shift culture and bias within police departments. Dr. Burke from Radford university states the following:

Police agencies can benefit by proactively engaging transgender communities through the creation of liaison positions and support networks. Understanding and addressing misconceptions regarding transgender communities may prove valuable in police-community relations and the overall mission of law enforcement. While training and policy implementation are critical for law enforcement in building a trusting relationship with transgender communities, it will take more than a training session, workshop, or video to make a difference; it will require a change in police culture.¹³⁵

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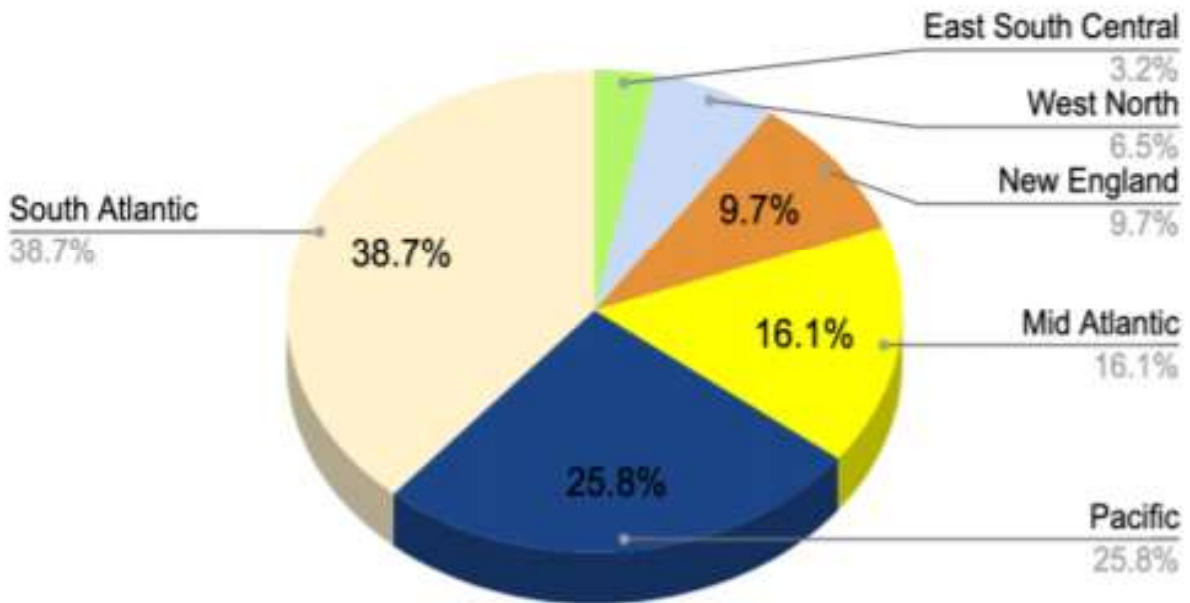
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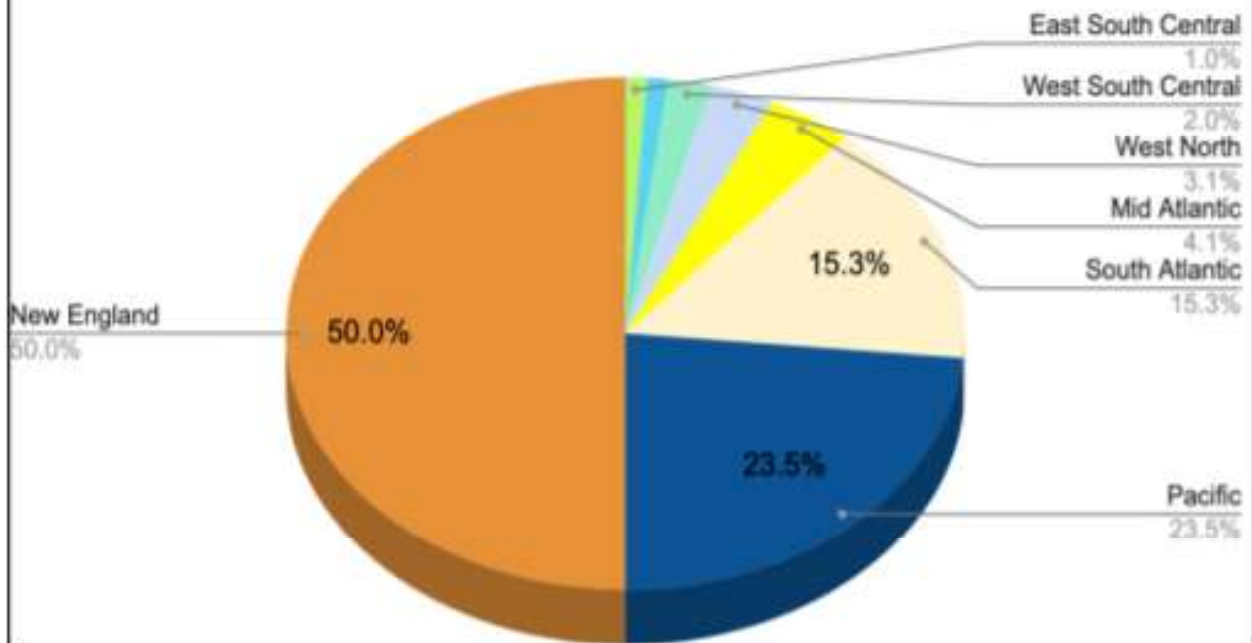
APPENDIX A

REGIONAL PERCENTAGE OF ANNUAL REPORTED HATE CRIMES

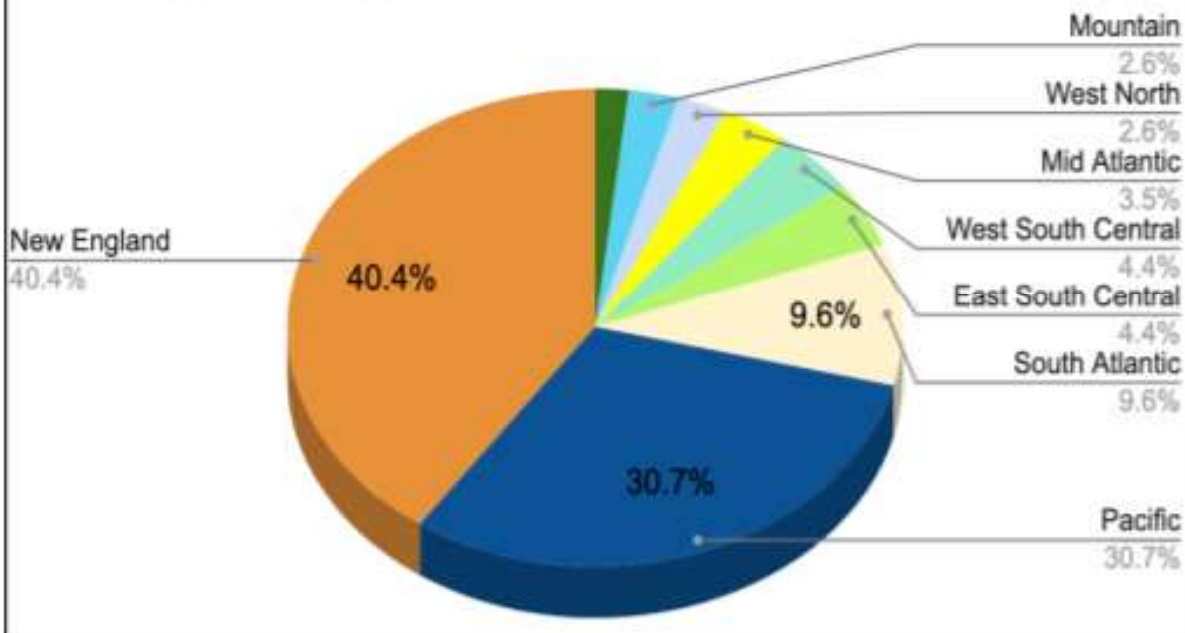
2013 Regional Reports of Hate Crimes



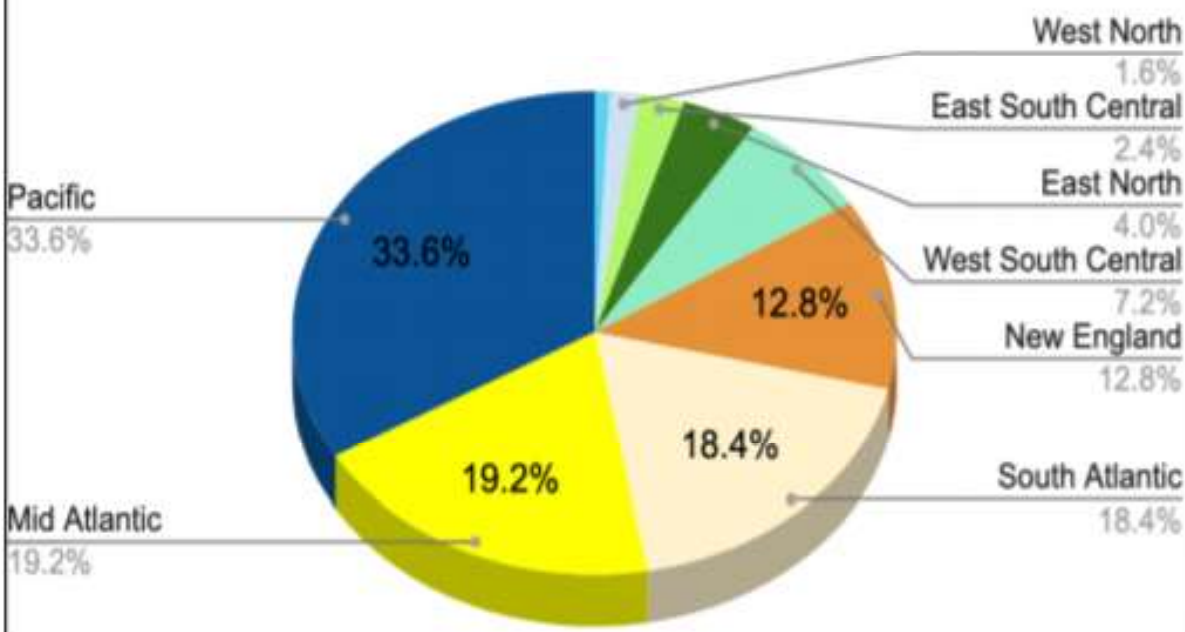
2014 Regional Reports of Hate Crimes



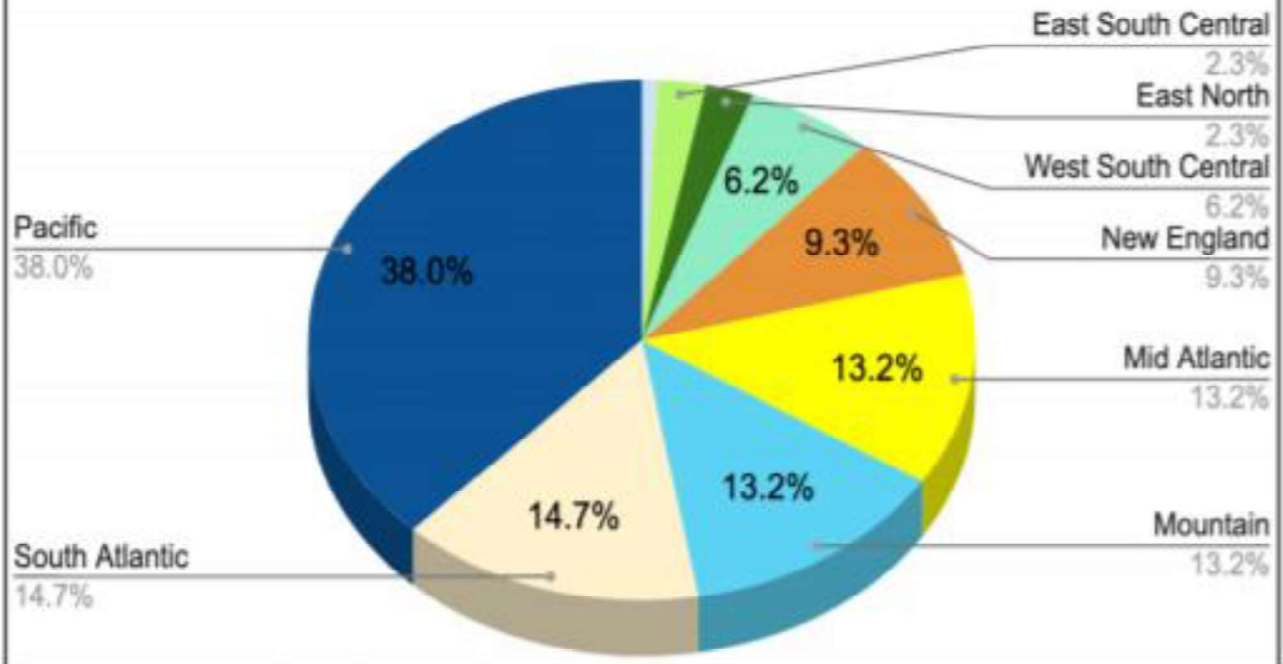
2015 Regional Reports of Hate Crimes



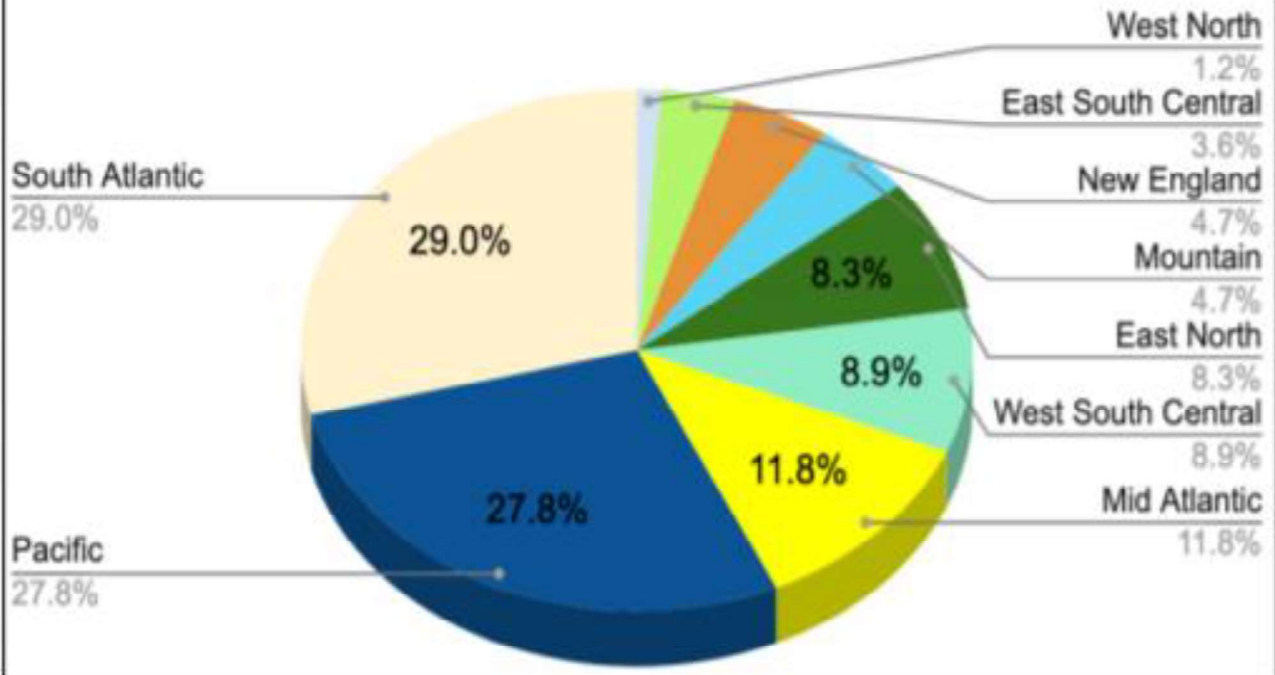
2016 Regional Reports of Hate Crimes



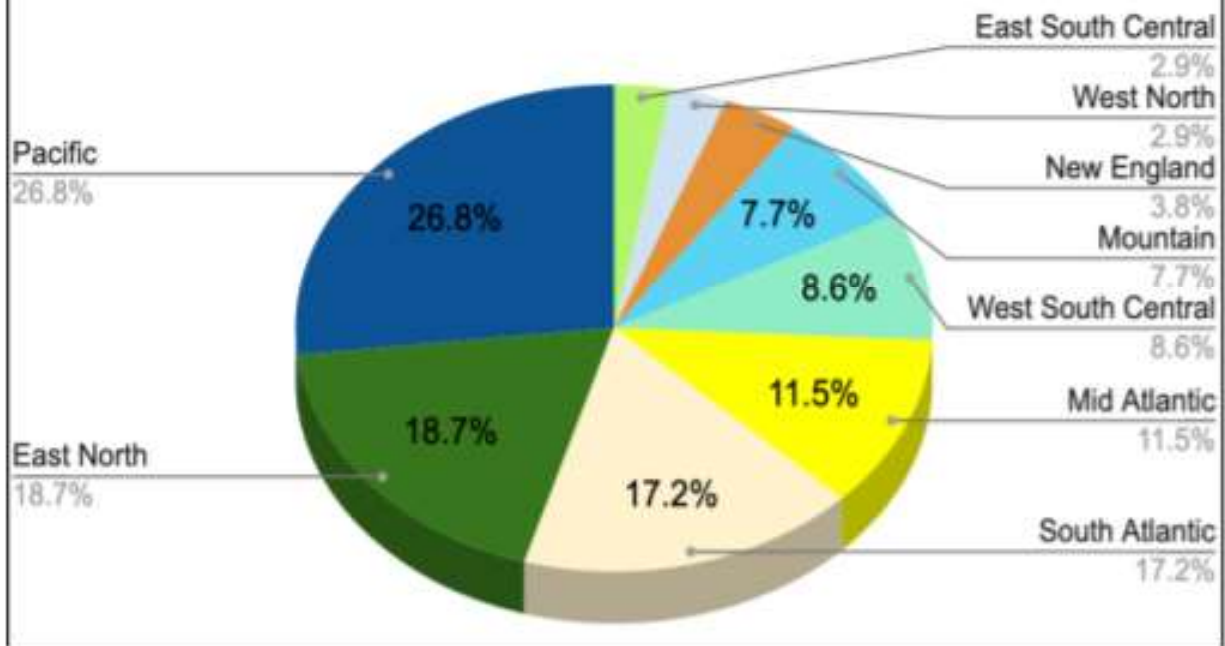
2017 Regional Reports of Hate Crimes



2018 Regional Reports of Hates Crimes



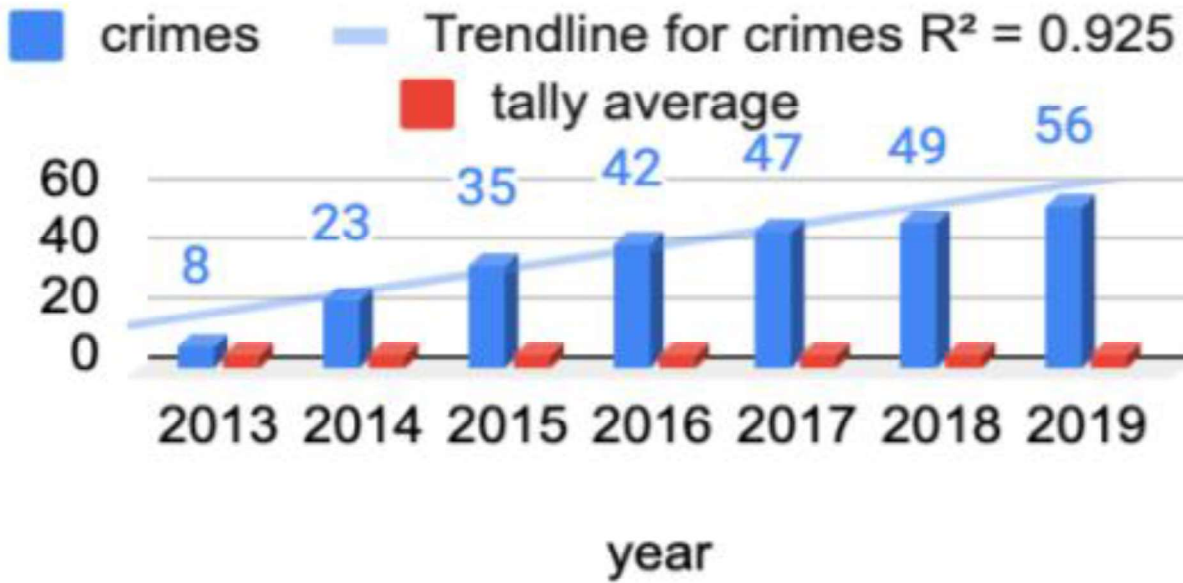
2019 Regional Reports of Hate Crimes



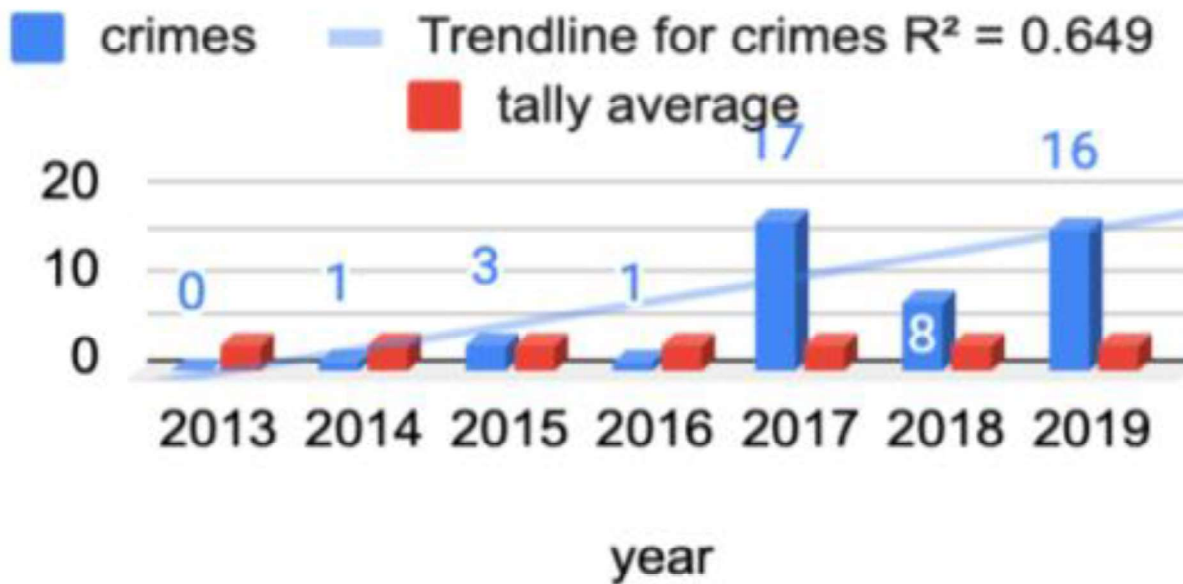
APPENDIX B

REGIONAL POLICY TALLIES VS. REPORTED RATES OF HATE CRIMES PER YEAR

Pacific



Mountain



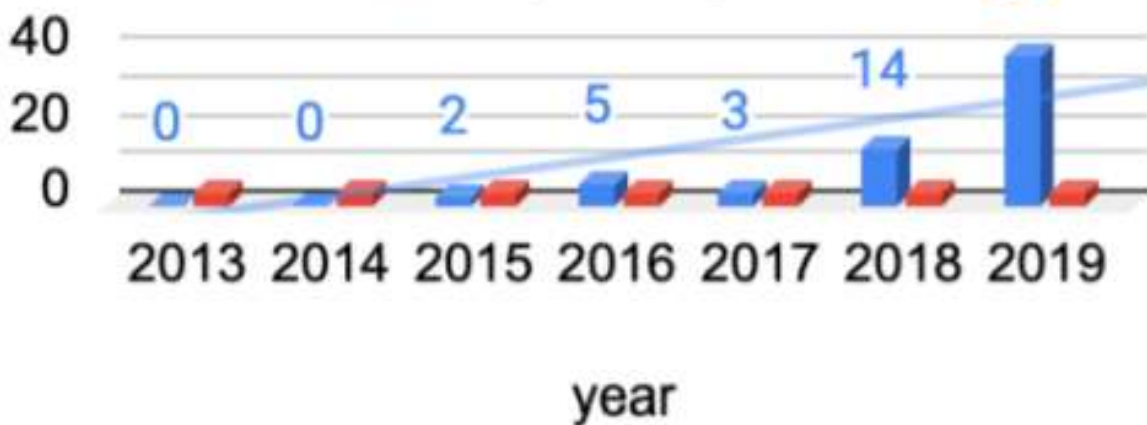
West North

■ crimes — Trendline for crimes $R^2 = 0.148$
■ tally average

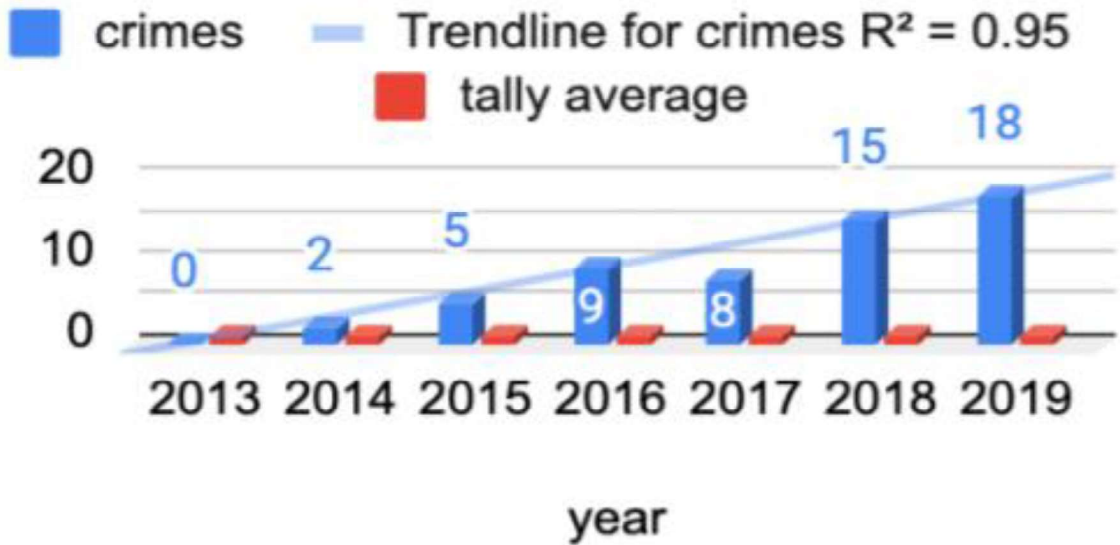


East North

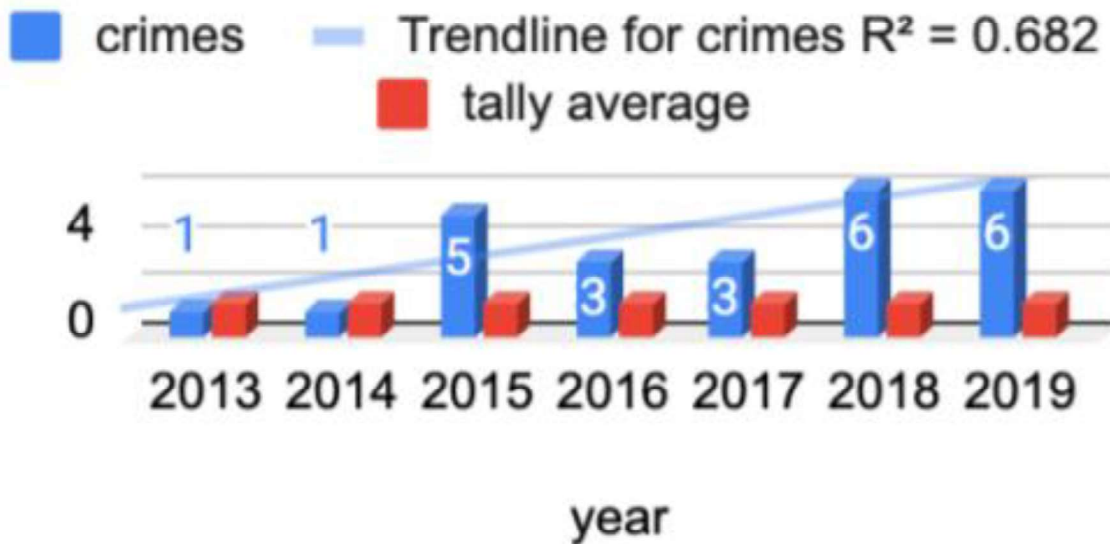
■ crimes — Trendline for crimes $R^2 = 0.641$
■ tally average

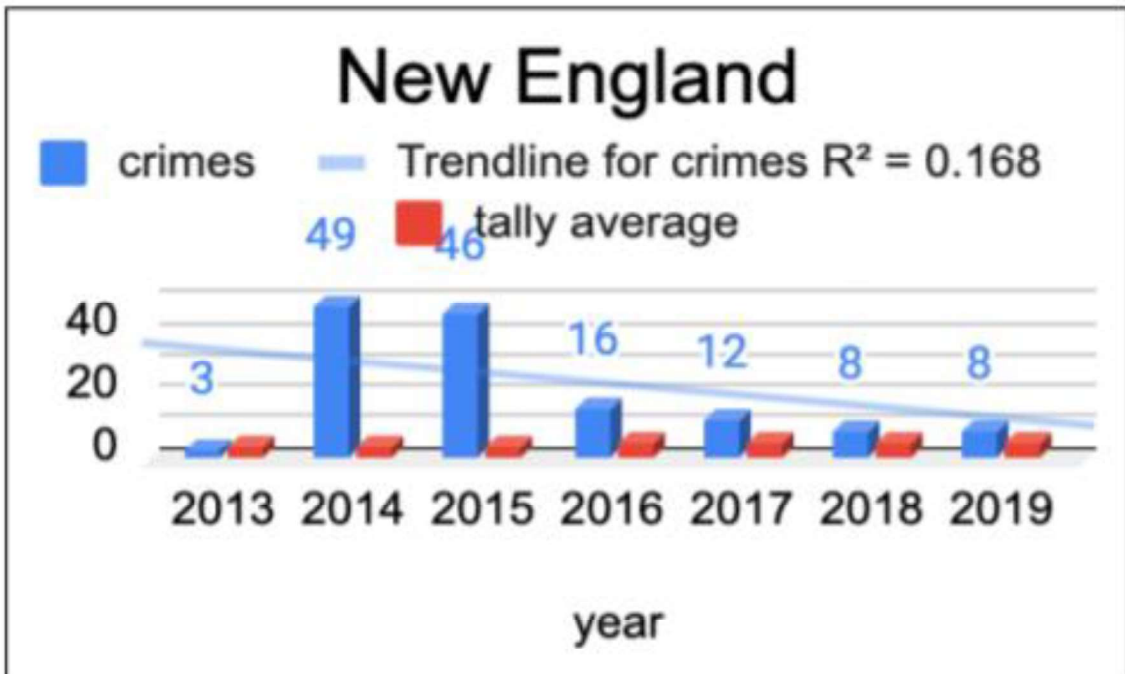
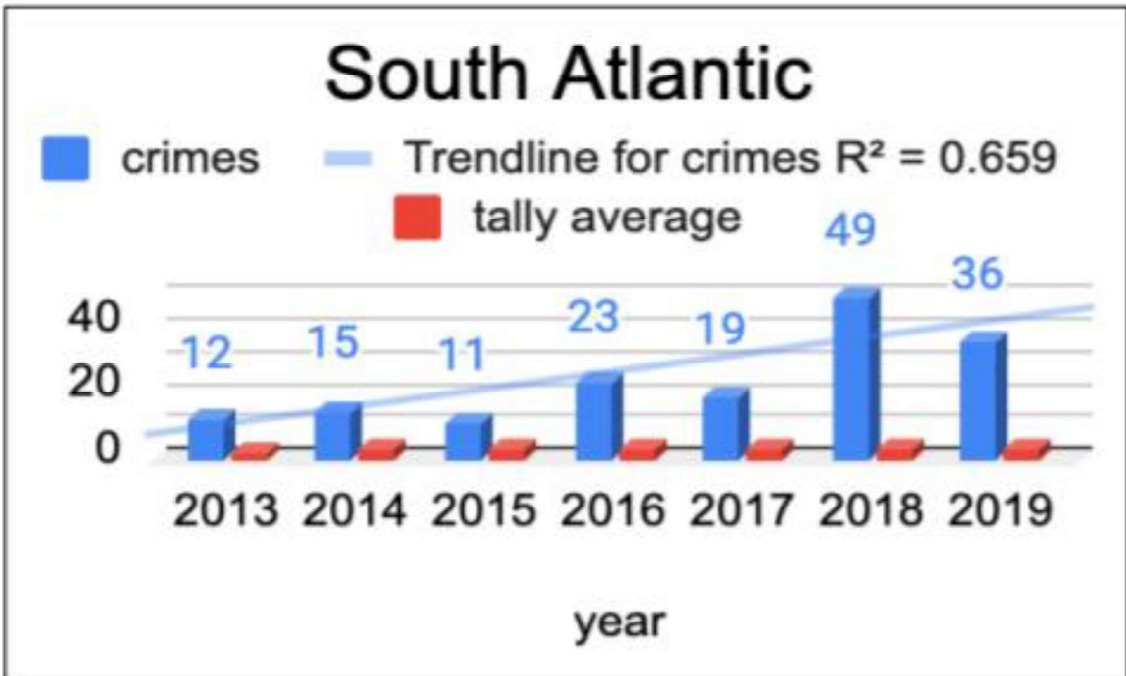


West South Central



East South Central





Mid Atlantic

