

Hate Crimes against the Homeless

Violence Hidden in Plain View

January 2012



By Leroy Skalstad, formerly homeless Vietnam veteran



A Report From
National Coalition for the Homeless



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www.nationalhomeless.org

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The National Coalition for the Homeless

The National Coalition for the Homeless, founded in 1982, works to bring about social change necessary to prevent and end homelessness and to protect the rights of people experiencing homelessness. NCH achieves this by engaging our membership in policy advocacy, capacity building, and sharing solutions to homelessness with the greater community. NCH is a national network of people who are currently or formerly homeless, activists and advocates, service providers, and others committed to ending homelessness. NCH is committed to creating the systemic and attitudinal changes necessary to prevent and end homelessness and working to meet the immediate needs of people who are currently experiencing homelessness.

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A Report From
National Coalition for the Homeless

Hate Crimes against the Homeless
Violence Hidden in Plain View

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Dedication

National Coalition for the Homeless dedicates this report to the millions of homeless men, women and children whose lives were changed forever by violence and hatred.

To those who have died, may they rest in peace.

To those who continue to live among us, may their wounds begin to heal and their pains lessen. And may we, as a nation, work toward rejecting hatred and begin to see the violence hidden in plain view.



Introduction

WASHINGTON, DC – Hate Crimes against the Homeless: *Violence Hidden in Plain View* is an annual factual accounting of bias motivated crimes against un-housed individuals in the order of their occurrence. It is also a report that, in its entirety, illustrates the deadly consequences of decades of failed housing policies and social reforms.

Over the past three decades, Americans have invested tens of billions of dollars to prevent, reduce and end homelessness. In spite of these efforts and investments, homelessness continues to worsen. Over time, as a nation, we are experiencing the natural and growing sense of “compassion fatigue” toward the social ill of homelessness. Unfortunately, the frustration that Americans are feeling toward homelessness is being misplaced toward the un-housed, rather than the systems that have failed both the housed and the homeless. The misdirection of feelings resulting from compassion fatigue has resulted in the criminalization of homelessness nationwide, the withdrawal of critically needed investments in affordable housing and the rise in crimes of hate against the homeless.

In the parable of the Good Samaritan, a young Jewish man is beaten and robbed on a well traveled and notoriously dangerous road from Jerusalem to Jericho. The story was told to observant Jews, in a time when mutual hatred existed between Jews and Samaritans. As the victim lay half dead by the side of the road, his religious identity unknown, a priest averts his eyes and passes without stopping. Shortly after, a Levite crosses the road to avoid the bloodied man. Lastly, a Samaritan stops and has pity on this unknown man. The Samaritan places the unconscious man upon his mule and carries him to a nearby inn. The Samaritan hands the innkeeper some money and asks that the victim be cared for, with the assurance that any additional costs will be covered upon his return.

Two centuries later, the conditions and circumstances of the story of the Good Samaritan are present before us daily: a homeless man is beaten half to death under a bridge with the word “BUM” spray painted on him; a woman is raped and ridiculed for not having a place to call home; and a young girl is bullied by her classmates when they discover that she’s homeless.

Hate crimes occur when perpetrators target victims because of their perceived membership in a certain group. But these crimes originate long before they ever occur, from the choices we make as individuals, communities and as a nation. Hate crimes will end when we reject the choice of averting our eyes or crossing the street, accept the choice of helping those in need and provide future assurances that additional resources will be provided upon our return.

Neil J. Donovan
Executive Director
National Coalition for the Homeless

Executive Summary

In the past twelve years (1999-2010), the National Coalition for the Homeless (NCH) has documented one thousand, one hundred eighty-four acts of violence against homeless individuals by housed perpetrators. These crimes are believed to be motivated by the perpetrators' bias against homeless individuals or their ability to target homeless people with relative ease. The documented violence includes everything from murder to beatings, rapes, and setting people on fire. *Hate Crimes against the Homeless: Violence Hidden in Plain View* is the twelfth annual report documenting violence against homeless persons.

The violence continues, and with twenty-four known deaths, 2010 ranks in the top-five deadliest years for attacks on homeless people in a decade, and with one hundred thirteen attacks, ranks as the fourth most violent year since NCH began tracking the violence in 1999. NCH has found startling data in the number and severity of attacks. However, the reports also acknowledge that since the homeless community is treated so poorly in our society, many more attacks go unreported. Hate crimes against the homeless community is a growing wave in need of public attention.

- 1,184 reported acts of bias motivated violence have been committed against homeless individuals between 1999-2010.
- 312 homeless individuals lost their lives as a result of the attacks
- Reported violence has occurred in 47 states, Puerto Rico, and Washington, DC

Our data also suggests that the perpetrators of these attacks tend to be young men and teenage boys. In the twelve year history of our hate crime reports, the vast majority of the attacks against homeless people have been committed by youth as young as nine years old. In 2010:

- 72 percent of the attacks were committed by people under thirty years of age
- 88 percent of perpetrators were men
- More than one in five attacks ended in death

Hate Crimes against the Homeless: Violence Hidden in Plain View documents the known cases of violence against homeless individuals by housed individuals in 2010. The report includes descriptions of the cases, current and pending legislation that would help protect homeless people, and recommendations for advocates to help prevent violence against homeless individuals.

Purpose Statement

The main objective of this report is to educate lawmakers, advocates, and the general public about the problem of hate crimes and violence against homeless people in order to instigate change and ensure protection of civil rights for everyone, regardless of their economic circumstances or housing status. As part of its mission, the National Coalition for the Homeless is committed to creating the systemic and attitudinal changes necessary to end homelessness. A major component of these changes must include the societal guarantee of safety and protection, as well as a commitment by lawmakers to combat the hate crimes and violent acts against people who experience homelessness.

Methodology

The data on violent acts committed against homeless individuals in this report was gathered from a variety of sources. A number of narratives were derived from published news reports (nationally and locally). Information was also provided by homeless advocates and service providers across the country dedicated to raising awareness about violence against homeless individuals. Lastly, this report relied on the voices of homeless individuals and formerly homeless individuals, who self-reported incidents they had experienced first-hand.

Upon receipt of each incident, a rigorous fact-checking process was completed to evaluate and verify accuracy. This process entailed multiple follow-ups with those closely involved with the incident. Cross comparisons were also made with other news sources reporting the incident.

While we could not always identify the motive for each attack based on our sources of information, some of these attacks were perpetrated due to a bias against the victim because of his or her homeless status. Other attacks may have been perpetrated merely because the homeless person was in a vulnerable position to be attacked, due to the nature of homelessness. Only attacks committed by housed individuals against homeless individuals were evaluated. Crimes committed by homeless individuals against other homeless individuals were excluded from this report.

While the National Coalition for the Homeless has made every effort to verify the facts regarding each incident used in our report, new information about cases sometimes becomes available after publication. The National Coalition for the Homeless comprehensively researches and reviews all included data. As new, additional evidence emerges about the classification of prior, new, or previously unknown cases, it is the policy of National Coalition for the Homeless to adjust tabulations accordingly.

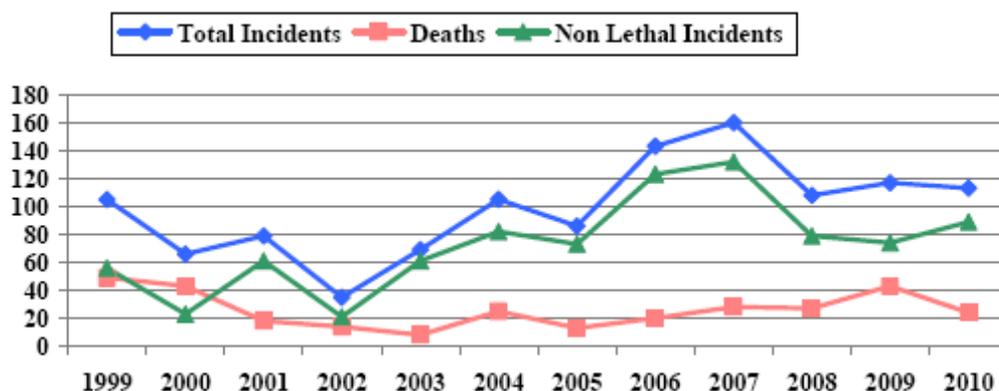
History of Hate Crimes against the Homeless

A hate crime is defined by the U.S. Department of Justice's Federal Bureau of Investigation (FBI) as a bias crime and is a "criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias"¹. Although the FBI does not currently recognize homeless individuals as a protected status, the National Coalition for the Homeless, during the past twelve years, recorded one thousand, one hundred eighty-four incidents of crimes committed against homeless individuals due to the housed offender's bias of the victim's housing status. In 2010 alone, twenty-four homeless men and women lost their lives to such violence.

These crimes of hate are committed against a community of vulnerable individuals in our country who are at risk because they live outside or in public spaces. Many of our communities do not have adequate, affordable housing or shelter space to meet the need. According to the U.S. Department of Housing and Urban Development, on any given night, over 649, 917 people are homeless, and forty percent of the homeless population is unsheltered.²

Over the past twelve years (1999-2010), hundreds of homeless people have been attacked and killed. While this report provides alarming numbers, many attacks go undocumented. Homeless people are treated so poorly by society that their attacks are often forgotten or unreported. In 2010 alone, one hundred thirteen incidents resulted in twenty-four deaths. Since 1999, The National Coalition for the Homeless has recorded one thousand, one hundred eighty-four acts of violence that have resulted in three hundred twelve deaths.

Hate Crimes 1999-2010



This graph shows that violence against homeless individuals by housed individuals is an alarming trend that is not disappearing. There was a notable drop in incidents in 2008, but the numbers show an increase in incidents since then. While the number of attacks that led to death is down since 2009, there is still an increasing trend in overall violent crimes against the

¹ U.S. Department of Justice Federal Bureau of Investigation. "Hate Crime" http://www.fbi.gov/ucr/cius_04/offenses_reported/hate_crime/index.html

² Office of Planning and Development, U.S. Department of Housing and Urban Development. *The 2010 Annual Homeless Assessment Report to Congress*. June 2011.

homeless. It is also important to remember that many violent acts against homeless individuals go unreported, so the actual number of incidents is likely to be much higher.

The deaths that the National Coalition for the Homeless has seen is alarming when compared to the number of deaths determined to be hate crimes for all of the current protected classes. The table below shows that over the past twelve years, there are more than double the amount of homeless hate crime deaths than there are for all current protected classes.

Comparison of FBI Defined Hate Crime Homicides v. Fatal Attacks on Homeless³

YEAR	Homicides Classified as Hate Crimes (FBI Data)	Fatal Attacks on Homeless Individuals (NCH Data)
1999	17 (9 racially, 2 religiously, 3 sexual orientation, 3 ethnically motivated)	49
2000	19 (10 racially, 1 religiously, 2 sexual orientation, 6 ethnically motivated)	43
2001	10 (4 racially, 1 sexual orientation, 5 ethnically motivated)	18
2002	13 (4 racially, 3 religious, 4 sexual orientation, 2 ethnically motivated)	14*
2003	14 (5 racially, 6 sexual orientation, 2 ethnically, 1 anti-disability motivated)	8*
2004	5 (3 racially, 1 religiously, 1 sexual orientation motivated)	25
2005	6 (3 racially, 3 ethnically motivated)	13
2006	3 (3 racially motivated)	20
2007	9 (5 sexual orientation, 2 racially, 2 ethnicity motivated)	28**
2008	7 (5 sexual orientation motivated, 1 racially, 1 ethnically motivated)	27
2009	8 (6 racially motivated, 1 sexual orientation, 1 ethnically motivated)	43
2010	(FBI information unavailable at this time)	24
12 Year Total	111	312

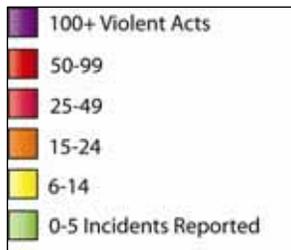
*Note: Upon receipt of further information, these numbers have been decreased by one.

**Note: Upon receipt of further information, these numbers have decreased by three.

³ Chart compiled by using data from the Center for the Study of Hate & Extremism (California State University, San Bernardino): Analysis of Data from the F.B.I. and the National Coalition for the Homeless.

Where Hate Crimes Occur 1999-2010

12 Year Map



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Bias-motivated hate crimes committed against homeless people are not isolated issues occurring once or twice a year. Homeless hate crimes are a national issue spanning every corner of our country. Over the past twelve years, NCH has documented one thousand, one hundred eighty-four attacks on homeless people with hundreds more going undocumented. These maps help to illustrate where violence against the homeless occurs most frequently.

As you can see, Florida and California are the states where violence against the homeless occurs most frequently. At the National Coalition for the Homeless, we can only speculate why this occurs.

The generally warm temperatures in these areas are conducive to outdoor living. Many homeless individuals are unable to find shelter while others elect to camp outdoors in order to obtain relative privacy. The comparatively high-housed populations in these areas inevitably interact with the homeless population at a much higher rate than in more rural states such as Vermont or North Dakota. As a consequence, the homeless population in these warmer areas is an easy target for hate crime aggressors. Generally, our data suggests that warmer year-round climates with higher concentrations of homeless individuals document more violent acts against the homeless.

Criminalizing the Homeless Community

There is a documented relationship between increased police action and the increasing numbers of hate crimes/violent acts against homeless people. Again, Florida and California are good case studies. Many cities in Florida and California have enacted severe anti-camping, panhandling, anti-feeding, and other criminalization of homelessness laws. Many of the cities mentioned in NCH's bi-annual criminalization of homelessness report are also cities where hate crimes against homeless individuals have frequently occurred.

In fact, four of the ten meanest cities identified in *Homes Not Handcuffs* were cities in Florida and three of three were in California.³ Florida and California are also the two states with the highest number of bias-motivated crimes against homeless individuals, far surpassing their closest competitors.

One possible explanation for this is the message that criminalizing homelessness sends to the general public: "Homeless people do not matter and are not worthy of living in our city." This message is blatant in the attitudes many cities have toward homeless people and can be used as an internal justification for attacking someone who is homeless.

³ The National Coalition for the Homeless & The National Law Center on Homelessness and Poverty, *Homes Not Handcuffs: The Criminalization of Homelessness in U.S. Cities*. 2009

The locations of hate crimes against the homeless in 2010 generally mirror the previous ten year figures. Again, Florida and California report the most attacks against the homeless community.

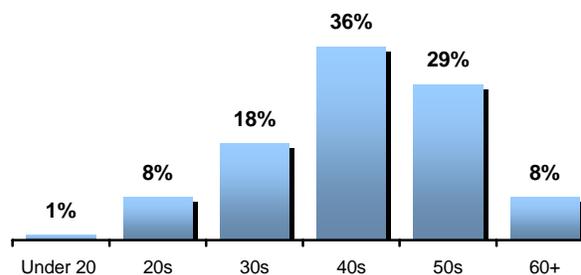


Florida	21	Georgia	3	Delaware	1
California	12	Pennsylvania	3	Illinois	1
Texas	8	Alabama	2	Iowa	1
Washington	7	Connecticut	2	Kansas	1
Ohio	6	Indiana	2	Massachusetts	1
Michigan	5	Louisiana	2	Minnesota	1
New York	5	Maine	2	Missouri	1
Oregon	5	Maryland	2	Montana	1
Virginia	5	North Carolina	2	Nevada	1
Alaska	3	South Carolina	2	No Incidents Reported	
Arizona	3	West Virginia	2		

Profile of Homeless Victim

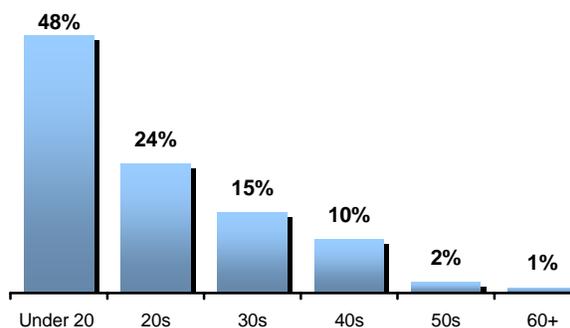
The most common victim of homeless hate crimes is a middle aged, homeless man. Between 1999 and 2010, on average, almost thirty-six percent of victims were between the ages of forty and fifty, and sixty-five percent of the victims are between the ages of forty and sixty. In 2010, the average age of the homeless victim was forty-eight. In addition to being predominantly middle-aged, a large majority (ninety-three percent) of victims were male.

Ages of Victims between
1999-2010



Profile of the Accused/Convicted Perpetrator

Ages of 2010 Accused/Convicted
Perpetrators



In contrast to the victim, the most common perpetrators of homeless hate crimes are young men. In the past twelve years, nearly eighty percent of the perpetrators were under the age of twenty-five. In 2010, nearly half of the accused/convicted perpetrators were under twenty years old. The youngest known perpetrator in 2010 was just nine years old. Almost all (eighty-eight percent) of the perpetrators of homeless hate crimes in 2010 were male.

Cases in 2010

In 2010, the National Coalition for the Homeless compiled a total of one hundred thirteen homeless victims of violence who were attacked by non-homeless perpetrators. Of the one hundred thirteen victims, eighty-nine were not fatally injured, while twenty-four of the victims lost their lives. Over the past twelve years, one in four violent attacks on homeless individuals resulted in death, and in 2010, more than one in every five resulted in death.

Examples of 2010 headlines include:

- *Man Uses Concrete Slab to Bludgeon Homeless Man*
- *Homeless Man Set on Fire While Sleeping*
- *Bottles Filled with Acid Thrown at the Homeless Community*
- *Homeless Woman Beaten with Pistol after Refusing Sex*
- *Homeless Man Beaten, Tied to Bumper of Car and Dragged Down Road*

Case Descriptions: Deaths

Total Deaths: 24

Homeless Men Found Frozen in Creek

DAYTON, OHIO–February 26, 2010

Investigators found Harvey Sims Jr., fifty-five, and Nathan Gay, forty-nine, in a creek in Jefferson Twp., half-frozen. They died from multiple gunshot wounds, and were abandoned by the creek's edge, according to investigators. Both Sims and Gay had been homeless and unsheltered. Twenty seven-year-old Gregory Leet was indicted on four counts of murder, four counts of felonious assault, one count of tampering with evidence, and one count of robbery. Investigators believe that Leet was involved in a drug deal that went wrong, causing him to lose money. Out of anger, Leet murdered Sims and Gay, two innocent bystanders.

Couple Beats Homeless Man to Death

HOWELL, MICHIGAN–April 11, 2010

Clarence Hines, seventy, was found beaten to death on Sober Road in rural Livingston County. Antoinette Bea Hix, forty-nine, and Mitchell Judd Hall, forty-three, were charged with first degree murder, as well as first and second degree abuse of a vulnerable adult. Hines was found with multiple contusions and abrasions. The cause of death was ruled as blunt force trauma, coupled with hypothermia, according to police. The crime was categorized as a crime against a vulnerable adult due to Hines' history of mental, physical, and drug-related issues. Hines had known Hall for about twenty years through area homeless shelters.

Three Teenagers Beat a Homeless Man to Death

LAKELAND, FLORIDA–April 17, 2010

Three teens, Cody Lee Osborne, fifteen, Shawn Casey Whitten, seventeen, and Shane Decatur, eighteen, have all been arrested for participating in the fatal beating of a homeless man. Fifty-two-year old Joseph Ruba was brutally beaten by the teens after a verbal disagreement arose; he pulled a knife to attempt to protect himself when the teens reacted violently. His attempt to save his life was unsuccessful. No other motives for the crime have been identified. There is no known prior relationship between the teens and the victim. Each teen was subsequently charged with second-degree murder. All pled guilty to lesser charges. Cody Osborne, sixteen, was sentenced to two years house arrest. Shawn Whitten, seventeen, received one-hundred-twenty days in jail with time served for seventy-two days. He was later sentenced to three years and ten months in prison for violating the terms of his punishment. The "main aggressor", Christopher Decatur, nineteen, was sentenced to four years in a "youthful offender" facility and two years house arrest.

Homeless Woman Discovered in Abandoned House

SPARTANBURG, SOUTH CAROLINA–April 25, 2010

Thirty-eight-year-old Joseph Creech was charged with murdering fifty-four-year-old Beverly Kimbrell, a local homeless woman. Investigators claim that she was left in an uninhabited house after being murdered. She died from strangulation and blunt force trauma to the head. Police have not released any information about the incident.

Homeless Man Stabbed to Death

SAN FRANCISCO, CALIFORNIA–May 24, 2010

Luis Alonzo Montoya, a local homeless man, was killed early in the morning around his usual place of residence, a stairwell landing located in a Mission District rooming house. Investigators stated that Mr. Montoya was bludgeoned to death. The police identified forty-two-year-old Roger Pacheco-Paz as the prime suspect. Police have deduced that Paz may have been familiar with Montoya's whereabouts before the attack. The motive for the murder remains unclear.

Homeless Man Beaten to Death behind Store

MANASSAS, VIRGINIA–June 22, 2010

Matthew Sturgill, a twenty-three-year-old homeless man, was bludgeoned to death by three suspects behind a 7-11. Jerel Antonio Morgan, twenty-two, Christopher Millsap, nineteen, and Kenneth Griffin, thirty, were originally charged with malicious wounding. Days later, Sturgill succumbed to his wounds. All three suspects were then charged with murder. All four men were originally drinking behind a 7-11. The three suspects left for their apartment, and came back because Griffin was upset with Sturgill for entering his apartment days earlier without knocking. Griffin told the others that he wanted to "mess with" Sturgill. Upon returning Millsap said that he and Griffin hit and kicked Sturgill while Morgan beat him with a bottle. Later Morgan admitted to being at the scene, but denied participating in the attack. Morgan told police that he "believed the victim was dead," but did not call police. In a plea agreement, Morgan's charge was reduced from murder to voluntary manslaughter. He was sentenced to five years in prison, with all jail time suspended, and ten years probation. Millsap pleaded guilty to all charges and faces up to forty years. Griffin was convicted of second-degree murder in June of 2011. The jury recommended that he receive twenty-five years in prison. Under Virginia State Law Griffin can receive less than twenty-five years but not more. He is scheduled to be sentenced November 3rd, 2011.

Homeless Men Beaten and Abandoned by Railroad

VALLEJO, CALIFORNIA–July 13, 2010

Fifty-nine-year-old Don L. Peterson and fifty-two-year-old Wayne Grundy were abandoned by a railroad track, having been viciously beaten. Peterson was treated for head trauma at the scene, and later died from blunt force trauma to the head; Grundy suffered facial injuries. A passerby noticed that Peterson was in a critical state while he laid by the railroad tracks. He insisted that a group of teens was responsible for inflicting the injury. The passerby, Buddy Lee, recalls witnessing a group of kids frequently harassing the homeless community. Police, however, have not identified any suspects.

Homeless Man Found Stabbed to Death

MISSOULA, MONTANA–July 18, 2010

Police searched for the suspect or suspects who were responsible for the murder of Stephen F. Diehm, a fifty-nine-year-old homeless man. He was discovered in a creek with stab wounds covering his right arm. Police have not released further information about the incident.

Man Uses Concrete Slab to Bludgeon Homeless Man

SANTA ANA, CALIFORNIA–July 18, 2010

Marco Rojo Nieto, thirty-six, was attacked by Jorge Alejandro Lopez, thirty-three, with a twenty-five-pound concrete slab. Nieto lived at a homeless encampment. He was there with some other camp residents when Nieto approached. Eye witnesses say that Lopez knocked Nieto to the ground, and then repeatedly kicked and beat him. Before the attack ended, Lopez fled the scene in a friend's car. He was later arrested leaving a relative's apartment. Lopez is charged with one count of felony murder, with an enhanced sentence for use of a deadly weapon.

Man Purchases Knife and Decides to Kill Homeless Man

LUBBOCK, TEXAS–August 7, 2010

Forty-year-old homeless man, Danny Brazeal, was beaten and stabbed to death by twenty-one-year-old Eric Perez. Earlier in the night, Perez got into an argument with his girlfriend and then decided to murder someone. He purchased a camping knife that he used during the attack at a Wal-Mart after an unsuccessful search for a hatchet. He passed Brazeal on the way to Wal-Mart and after buying the knife, he stabbed him to death. Perez then called the police to report what he had just done. Perez was charged with murder.

Intentional Hit and Run Kills Homeless Man

ST. PAUL, MINNESOTA–August 7, 2010

Danny Elwin Wright, a fifty-five-year-old homeless man, died after suffering trauma to his head from an intentional hit and run. Wright was walking near a homeless mission, where he resided, when a small dark green or blue car pulled beside him. The man in the car began to shout at him. Attempting to get away, Wright walked into a parking lot and the car followed, striking and killing him. The police are still looking for the car.

Homeless Man Dies after Severe Head Trauma

SAN ANTONIO, TEXAS–August 10, 2010

Fifty-four-year-old Michael Dean Doss died after succumbing to severe head trauma. The doctors at the hospital said it was the “most severe head trauma they had ever seen.” He had been beaten and kicked repeatedly the day before. Doss lived long enough to provide a motive for his attack. He told police that he was stabbed and robbed. The suspect fled in a truck. A month later Doss passed away. The suspect is still at large.

“It was the most severe head trauma we have ever seen.”

-Doctors on Michael Dean Doss’ Injuries

Homeless Man Beaten to Death with Wooden Plank

DALLAS, TEXAS–August 14, 2010

A fifty-eight-year-old homeless man died in a hospital five hours after being beaten with a wooden plank. Two men approached the homeless man and beat him until he collapsed. When he was on the ground, the attackers stole one-hundred-fifty dollars and fled the scene. At the hospital, the man was assessed. The victim was determined to have two punctured lungs and possible brain damage from the attack. The police are still trying to determine the cause of the attack, but they believe that the motive could have been robbery.

Loved Homeless Man Dies after Severe Beating

BRONX, NEW YORK–August 15, 2010

Billy “Peanut” Murphy, forty-seven, died after being severely beaten. He received injuries to his head, neck and ribs. Witnesses say the attack left him unrecognizable. The medical examiner’s office ruled his death a homicide, but weeks later changed the cause of death to “undetermined.” Many of his friends believe he was attacked by young adults who hang around the park where Murphy slept. He is remembered as a sweet and caring man who took care of a local church garden, and who had many friends.

Man Bludgeoned to Death in Wooded Lot

GREENVILLE, SOUTH CAROLINA–August 31, 2010

Terry Steven White, fifty-five, was beaten in a wooded lot that he called home. He was found unconscious when his employer came to pick him up in the morning. His face and eye sockets were swollen. He was transported to the hospital, where he remained in critical care until he passed away two days later. The case has been ruled a homicide. Two people were charged with murder: thirty-five-year-old Elliott Lamont Adams, who has been arrested twenty times before, and a fifteen-year-old. The man and the teenager lived next to the location of the attack. The investigation lasted for months, because witnesses feared retaliation for testifying. The police also said they believed there was a lack of information presented because the man was homeless.

Homeless Man Shot Four Times by Police Officer

SEATTLE, WASHINGTON–August 31, 2010

John T. Williams, a fifty-year-old homeless man, was shot four times by a police officer. On August 30, 2010, Williams, walked through a crosswalk like he did on a day-to-day basis, carrying a block of wood and a folding knife. The knife and wood were William’s tools of trade. After crossing the street, twenty-seven-year-old Officer Ian Birk saw Williams carrying his block of wood and knife. He was relished in the community as an outstanding wood carver. Officer Birk put on the emergency lights and exited the car. He asked the Williams to drop the knife three times and then shots were fired. One family member reported that Williams was deaf in one ear which may have lead to him not hearing the officer. When a “street brother” of Williams arrived on the scene, he was forced to the ground by three police officers. However, Birk was not criminally charged due to the Washington state law that protects police officers against homicide charges unless there is determined bad faith. After an internal investigation by the Seattle Police Department’s Firearms Review Board, the shooting was ruled unjustified. Ian Birk had his badge and gun pulled, and then resigned. William’s family received a one and a half million dollar settlement from the City of Seattle. Birk’s actions also prompted an investigation by the United States Department of Justice (DOJ) into the Seattle Police Department’s practices. In December of 2011, the DOJ concluded that excessive force was used in this incident as well as several others.

Severe Beating Leads to Death of Homeless Man

THIBODAUX, LOUISIANA–September 2, 2010

Darry Tillman Matthews, a homeless man, was found dead in his car eight days after he was severely beaten. A thirty-three-year-old man, Frederick Deboue, 112 Irish St., was charged with breaking Matthews’ nose and causing additional facial injuries. Matthews’ family members say Deboue attacked Matthews after he refused to give him ten dollars. The family also alleged that Deboue stole money from Matthews’ Social Security check, as well as some of his clothing. An autopsy performed by the Lafourche Sheriff’s Office revealed the cause of death to be subdural hematoma. Deboue was charged with second-degree battery, simple battery, and a parole violation.

Man Kills Two Homeless Men in Month of September

ROCHESTER, NEW YORK–September 8 & 21, 2010

Two homeless men, sixty-four-year-old Ulysses Miller and fifty-year-old Darryl Boswell were killed in the same month. Brandon Cochran, a twenty-two-year-old, was arrested and charged with both of their murders. Cochran was attempting to rob Boswell when he shot him. In November of 2011 he pleaded guilty to two counts of second-degree murder. He faces two consecutive sentences of fifteen years to life in prison. Miller is remembered as a man who was a good guy. He had two children. A relative of Boswell believes that Cochran intentionally targeted the homeless.

Homeless Man Shot to Death

BATON ROUGE, LOUISIANA–September 21, 2010

Douglas Arrington, a thirty-one-year-old homeless man was shot and died shortly after at the hospital. The man was found in a driveway near the house of the shooter, forty-five-year-old, Thomas Fayard. Fayard has been charged with second-degree murder. An argument between Fayard and Arrington is said to have occurred before the shooting.

Two Suspects Arrested in the Shooting Death of Orlando Homeless Man

ORLANDO, FLORIDA–October 2, 2010

Two suspects—Stephen Koon, twenty-three, and Brandon James, forty-one—were arrested in connection to the death of Michael Hutto, forty-nine. Hutto, a local homeless man, was shot in the Paramore area of Orlando. After the shooting, witnesses stated that the suspects fled the scene in a green Nissan Frontier. Police used eye witnesses' accounts and surveillance footage to track down the suspects.

Teen Shoots Homeless Man

RANDALLSTOWN, MARYLAND–November 5, 2010

Keon Rashid Cunningham, nineteen, is charged with killing thirty-three-year-old Adeolu Adedgoke Otemolu, a homeless man. Otemolu, who was also known as Kojak, was shot three times with a twenty-two caliber rifle. The crime took place behind Cunningham's home. The medical examiner ruled Otemolu's death a homicide. Cunningham is charged with first-degree murder.

Homeless Man Killed and Buried

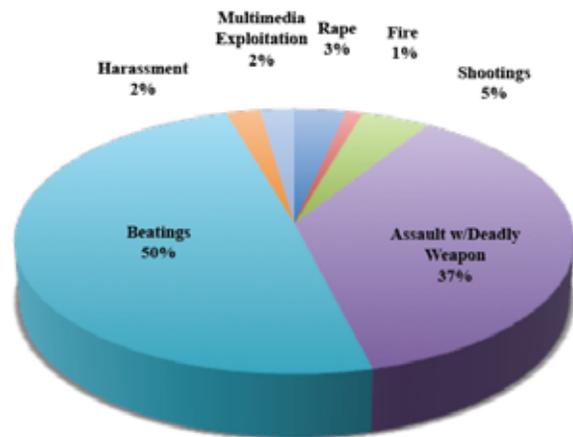
DUNNELLON, FLORIDA–November 29, 2010

James Theral “Dan” Carlton, sixty-four, has been indicted for the murder of a Florida homeless man. Michael Wayne Nichols, forty-one, was shot and buried in a secluded area behind an abandoned structure. Police say that Carlton lured Nichols into his house. Authorities captured Carlton in Caryville, Tennessee. From there, he was extradited back to Marion County, where he is currently in jail awaiting trial.

Non-Lethal Case Descriptions

The eighty-nine incidents that did not result in death in 2010 include various types of violence and have been divided into the categories:

- Rape/Sexual Assaults
- Setting on Fire
- Shootings
- Assault with a Deadly Weapon
- Beatings
- Harassment
- Multimedia Exploitation



The majority of the cases, eighty-seven percent, were incidents where the homeless individual was beaten with fists, bats, boards, belts, or even chunks of cement. In 2010, of the homeless individuals who survived their attack, three were raped and one was set on fire. Five percent of non-lethal attacks included shootings, and another four percent included harassment and multimedia exploitation of homeless persons.

Case Descriptions: Non-Lethal Rape/Sexual Assault Total Assaults: 3

Homeless Woman Sexually Assaulted by Beachgoer

JACKSONVILLE BEACH, FLORIDA—March 13, 2010

Nicholas Highsmith, twenty, was arrested for sexual assault of a homeless woman in the Jacksonville Beach area. She was reported to have suffered a severe beating during the assault. Investigators said that the woman, forty-five, was considered a nice person by fellow members of the homeless community. Highsmith went to the beach with a group of friends. There were three couples and Highsmith. The couples broke off and Highsmith was left alone, at which point he came into contact with the victim. Highsmith beat the victim and raped her. She spent months in a coma, nearly dying. Highsmith was later acquitted of rape due to lack of DNA evidence, but was convicted of battery and theft. The attack has provoked fear in the homeless community, and

leaders of the local shelter Mission House warn that being alone in the area is unsafe. Shelter leaders speculate that exposure to attacks may be avoided if homeless people gain access to overnight shelter.

Two Women Tied Up and Raped

LOS ANGELES, CALIFORNIA—August 1 & August 9, 2010

Two homeless women were raped within two weeks of each other. The first victim was thirty-seven-years-old. The rapist tied her up with duct tape and raped her multiple times over the course of three days, after promising to give her a ride in his car. She was left in Koreatown on the third day. The suspect is said to be bald and middle aged and was driving a brown van. A twenty-nine-year-old woman was picked up and driven to McDonald's by a man who fits the description of the suspect in the first case. The man also tied the woman with duct tape, raped her, and threatened her with a knife after she refused to perform a sex act. The woman was thrown into a trash can before the suspect left. The police are still looking for the rapist.

**Case Descriptions: Non-Lethal Attacks Involving Fire
Total Assaults: 1**

Homeless Man Set on Fire While Sleeping

COUNCIL BLUFFS, IOWA—May 4, 2010

Police are searching for the suspects who set fifty-eight-year-old Fred A. Ronfeldt on fire while he took an afternoon nap. Mr. Ronfeldt is reported to have suffered burns across his body and endured damage to his clothing. He claims that he has never experienced the level of pain this incident caused. Nurses in the hospital at which he was treated claim that he was a very pleasant, cooperative patient. Police have not released any information about potential suspects. Ronfeldt said he has forgiven his attackers.

**Case Description: Non-Lethal Shootings
Total Attacks: 4**

Homeless Man Shot at Bus Stop

DAVENPORT, FLORIDA—March 28, 2010

Robert Hyers, a forty-six-year-old homeless man, was shot in the lower back while he was standing at a bus stop. The incident occurred after he tried to distance himself from two men who threatened to rob him. The suspect pointed a handgun out of the window of a car and shot Hyers as he attempted to flee the scene. Hyers' injuries were treated in the emergency room. Police have been unable to identify the perpetrators, and are seeking out more information about the incident.

Homeless Man Attacked with a Paintball Gun

BATTLE CREEK, MICHIGAN–May 3, 2010

Fifty-four-year-old Steve Soderborg, a local homeless man, was shot with a paintball gun. He suffered facial injuries and needed medical services immediately after the attack. It is possible that the attack may have permanently damaged his vision and even caused him to lose an eye. Soderborg claims to have been attacked by approximately four to five men. No suspects have yet been identified by police.

Homeless Newspaper Vendor Shot with BB Gun

HOLLYWOOD, FLORIDA–July 2010

Sean Cononie runs various homeless organizations in South Florida, including one that releases a newspaper, the *Homeless Voice*, which homeless people sell. Cononie reported to the National Coalition for the Homeless that one of his vendors was shot with a BB gun by a young man in a “nice car.” He also reported that, “the [Police Department] did not even want to take a report.”

Homeless Man Shot with More than 100 Pellets

DETROIT, MICHIGAN–August 2, 2010

Thomas Bagerman, a homeless man, was shot with more than one hundred pellets. A van drove by the southwest Detroit homeless shelter where Bagerman was standing outside. Bagerman was shot repeatedly in the arms and once in the nose. The damage could have been worse had Bagerman not been partially behind a cement planter. The police are still looking for the young men who shot the pellets. Members of the homeless shelter have been attacked with pellets before, because the homeless shelter is not welcome by some members of the community.

Case Descriptions: Non-Lethal Assault with a Deadly Weapon

Total Attacks: 33

**“I wanted to know what it felt
like to kill a human.”**

-Eric Francis Sandefur,
Jacksonville, Florida

Bottles Filled with Acid Thrown at Homeless Encampment

ST. PETERSBURG, FLORIDA–January 6, 2010

Police are searching for the individuals who have been throwing acid-filled bottles at members of a local homeless encampment. Investigators have estimated that approximately three plastic bottles with such acid contents have been flung at members of the homeless community. One of these bottles struck a forty-four-year-old homeless woman while she was sleeping under several blankets. The blankets protected her from injury, and the other members of the homeless community had, likewise, escaped injury. Police have found the plastic containers that the attackers had thrown, but have not been able to identify any suspects. The homeless community and refugee workers are outraged. The executive director of a local charity was appalled by the act’s cruelty, lamenting that people would desire to harm such already disadvantaged members of society. The members of this homeless community have been pelted with objects prior to this reported incident; the acid attacks indicate that violence against the area’s homeless population is escalating.

Homeless Man Beaten with a Glass Bottle

CINCINNATI, OHIO–January 24, 2010

Thirty-eight-year-old Michael Taylor has been arrested for beating Robert Meehan, a fifty-six-year-old homeless man, in the head and face with a glass bottle, causing him to fall into a coma and suffer brain damage. Three women witnessed the attack, which investigators insist was triggered by an indefinable motive. Police investigators have further concluded that Meehan did not threaten Taylor’s well being in any manner. No argument was known to take place before Taylor began to beat Meehan over the head. The injuries that Meehan sustained after the attack were near lethal. Advocates of the homeless community speculate that Meehan’s housing status may have motivated the attack and fear that if the city fails to take action to protect the community, more attacks will occur. The Cincinnati government has tried to cooperate closely with the Greater Cincinnati Coalition for the Homeless to implement a plan that would prevent attacks against the homeless community. Taylor, also known as “Madness,” was sentenced to eighteen months in jail after pleading guilty to the aggregated assault.

Homeless Man Lands in Hospital after Beating

GILROY, CALIFORNIA—January 29, 2010

A homeless man was beaten on the head with a stick by two men who disappeared immediately after assaulting him. The search for the attackers, who are reported to be in their early 20s, continues. The homeless man was hospitalized after the attack. Police have not revealed his identity.

Homeless Man is Stomped upon and Stabbed

HUDSON, FLORIDA—March 3, 2010

Forty-five-year-old Steven J. Foster of 9405 Gray Fox Lane, Port Richey Florida was charged with second-degree attempted murder after he stomped upon forty-eight-year-old David J. Scrivani, a local homeless man, and proceeded to stab him multiple times. The attack occurred in a wooded homeless encampment. A witness was able to rescue Scrivani from the attack by alerting the police. Scrivani, however, had already suffered head trauma and multiple stab wounds.

Beating of Homeless Man Caught on Tape

WORCESTER, MASSACHUSETTS—March 27, 2010

Seven teenagers—fifteen-year-old Leroy Adams, sixteen-year-old Oscar Roman, fifteen-year-old Stevona Singleton, fifteen-year-old Winefred Cepeda, fourteen-year-old Janeva Wheeler, and eighteen-year-olds Joshua Baxter and Edwin Rosa—are suspected of beating a forty-four-year-old homeless man. Investigators claim that the teens began to attack the man after he refused to purchase alcohol for them. The man suffered head and facial injuries, after being beaten with a belt and pieces of concrete. A surveillance camera provided evidence of the beating's occurrence. Officials suspect that the incident might be gang-related, but have not released information about the victim's identity.

Skinheads Attack Homeless Man

CINCINNATI, OHIO—April 10, 2010

Fifty-two-year-old John Johnson, a local homeless man, was attacked by four men, who repeatedly struck him with a baseball bat and berated him with comments like 'get a job' and 'bum.' This attack occurred when Johnson was seen sleeping under a bridge. Two of the males were active member of the U.S. military and the other two were former members. Michael Hesson, twenty-five, Riley Feller, twenty-five, Travis Candor, twenty-six, and Matt MacMurtrie, twenty-two, were arrested for attacking Mr. Johnson. The men, according to investigators, voiced a premeditated desire to attack him. They were known to specifically state that they wanted to seek out a homeless victim. When they approached Johnson and decided that he was homeless, they ordered him to leave the area; after he refused, they proceeded to beat him with the baseball bat, injuring his cheek bone, ribs, and back. Johnson recounts the soreness of his bruised body and is relieved that none of his bones had been broken. He admits that his life on

the streets is dangerous, but claims that he has consistently been unable to find shelter elsewhere. This attack has prompted the Greater Cincinnati Coalition for the Homeless to advocate on behalf of homeless victims of violence, emphasizing the need for hate crimes legislation. Two of the attackers, Michael Hesson and Riley Feller, pleaded no contest to felonious assault charges. In October, Candor and MacMurtrie were both sentenced to 90 days in jail for the attack, while Hesson was sentenced to five years.

Homeless Man Threatened at Gunpoint

AUSTIN, TEXAS—April 30, 2010

A woman whom police have identified as Vicki Autumn, thirty-five, threatened Carlos Mares, forty-five, a homeless man. Upon seeing Mares pass by her vehicle, she ordered him to vacate the area, threatening to shoot him if he did not do so. Mares tried to distance himself from the threat after Autumn proceeded to fire warning shots into the air. Investigators claim that throughout the encounter, Mares was seriously concerned that his life was in danger.

Homeless Man Stabbed by Gang Members

LOS ANGELES, CALIFORNIA—May 8, 2010

A seventeen-year-old male has been arrested for the stabbing of a homeless man, thirty-five, over twelve times. The victim was initially not expected to survive. Investigators claim that the seventeen-year-old attacked the man in order to impress his fellow gang members and establish himself as an enforcer for the gang. The police have not released any other information about the victim, the identified perpetrator, or other potential suspects.

Homeless Man Attacked and Robbed

LAUDERHILL, FLORIDA—May 30, 2010

Roberto Rodriguez, thirty, and Neil Wilson, twenty-five, beat and robbed a sixty-eight-year-old homeless man. The victim was kicked in the head multiple times and had his wallet stolen. The attack left the victim in critical condition. Both suspects are being held without bond on attempted murder charges in the Broward County jail.

Homeless Man Attacked While Sleeping

LAUREL, MARYLAND—June 10, 2010

Forty-five-year-old Michael L. Davis stabbed, struck, and robbed a twenty-seven-year-old homeless man. Davis accused the homeless man of stealing his laptop, and initiated the attack while the man slept. Davis threatened to continue to attack before he snatched the man's cell phone and money. Police have not released more information about the perpetrator or the victim.

Three Teens Attack Homeless Man with Glass Bottle

SEATTLE, WASHINGTON–July 2, 2010

A fifteen-year-old, a sixteen-year-old, and a nineteen-year-old were arrested for attacking a thirty-eight-year-old homeless man. The man's face was struck with a broken bottle and a brick while he was sleeping. His injuries required treatment, which led to his hospitalization. Nineteen-year-old Abdirizak D. Mohamed was one of the teens arrested for attacking the man. The identities of the other teens have not yet been released. Investigators claim that the attackers voiced a desire to strike the homeless man before doing so.

Skinhead Attacks Homeless Man

SAN FRANCISCO, CALIFORNIA–July 25, 2010

Forty-year-old Matthew Swan, a self-proclaimed skinhead, attacked a fifty-six-year-old African American homeless man by slashing his face with a switchblade. The man nearly died due to blood loss. Swan, who has a history of violence, retreated to his apartment after the incident. Police recovered the knife, which was emblazoned with a swastika, used to slash the victim from Swan's apartment. The victim is expected to live.

Homeless Woman Beaten with Pistol after Refusing to Engage in Sex

PEORIA, ILLINOIS–August 12, 2010

A thirty-two-year-old homeless woman was taken to the hospital after reporting to the police that she was beaten with a pistol after refusing sex. The attacker offered the woman a place to sleep, but when she refused to have sex with him, hit her with his pistol. She ran from the scene. She was unable to identify the house or remember the attacker's name.

Homeless Man Stabbed and Robbed

SAN ANTONIO, TEXAS–August 16, 2010

Two men stabbed thirty-nine-year-old Juan Castaneda. One of the men was in his forties, and the other was twenty-five. They approached the homeless man, stabbed him, kicked him, and then stole his wallet and fled. The police are still trying to find the suspects.

Homeless Couple Attacked while Sleeping

NEW LONDON, CONNECTICUT–August 23, 2010

A homeless couple, Robert and Jenise Ladyga, fifty-five, and forty-nine respectively, were woken up, attacked and robbed in a park by a group of around six youth. The couple was sleeping in the park that night because they were turned away from the shelter. The youth demanded money and then pistol-whipped Robert when the couple did not have anything to give

them. Two of the other youth had guns as well. Robert's head hit a tree, and he had to be treated for a broken jaw in the hospital for two days. He also still suffers from a shoulder injury from the attack.

Knife Attack Leaves Man Beaten and Bloodied

KEY WEST, FLORIDA–August 29, 2010

A fifty-five-year-old homeless man was severely beaten and was left bloody from a cut on his forehead. Police are looking for a male suspect. The victim said that he was talking to the suspect when he was struck with a stick. The attack was witnessed by a bouncer who was nearby. The police were contacted. The bouncer chased the suspect when the suspect threatened him with the knife. This case is still under investigation.

Homeless Man Robbed and Cut

ATHENS, GEORGIA–September 2, 2010

A homeless man suffered an injury to the arm after being cut with a knife and pushed. Three men assaulted the homeless man, and robbed him when he was on the ground. The victim did not report the attack right away, because he believed the police would not help him. The man mentioned the incident in a casual conversation with a police officer. He refused medical treatment because he felt his wounds had already begun to heal.

Intoxicated Man Beats Homeless Man

FORT WORTH, TEXAS–September 3, 2010

Twenty-five-year-old Garrett Pletcher walked up to a forty-eight-year-old homeless man who was sitting on the steps of the courthouse. The homeless man asked if Pletcher was okay and Pletcher responded that he might have "taken too much of something." The homeless man walked away because he did not want to get involved with Pletcher, who appeared to be intoxicated. Pletcher got mad, threatened two witnesses, and began to beat the homeless man. He then began to wave a knife. The police took him into custody, and he now faces charges for aggravated assault with a deadly weapon.

Two Homeless Men in Camp Stabbed

ANCHORAGE, ALASKA–September 8, 2010

Two men, thirty-eight-year-old Tulati Muaava and twenty-eight-year-old Wilson Echin were stabbed in a homeless camp after a large fight began. Witnesses said that there was a group of men who were attacking people throughout the town. The case is still under investigation and no suspects have been identified.

Suspect Wields Machete and Destroys Bike of Homeless Man

KEY WEST, FLORIDA–September 17, 2010

Francisco Burrows, a homeless man, was riding down the street on his bicycle when a man in a silver Chevrolet van slowed down and yelled, “Do you have a problem?” to him. The van stopped and the man exited with a machete and began to wave it around. He slashed the tire of Burrows’ bike. Burrows tried to run away, but the man pursued him and threw a large piece of loose blacktop pavement at him. The man then got back in his van, rode over Burrows’ bike and drove away. The suspect is unknown.

Homeless Man Hit in Face with Gun and Robbed

KANSAS CITY, MISSOURI–September 29, 2010

A thirty-five-year-old homeless man was beaten and robbed. The victim was walking when the suspects subdued him and demanded that he hand over his wallet. A small struggle took place as the victim fought for his life. One of the three male suspects hit the victim in the face with gun, and the other two kicked and punched the man. “Just kill him!” one of the attackers allegedly yelled. The suspects made off with the victim’s white Adidas sneakers. The victim was left with several lumps on the back of his head. The victim also suffered a large bruise under his left eye and a cut over the same eye. He could not give police an accurate description of the suspects.

Homeless Man Beaten, Tied to Bumper of Car and Dragged Down Road

DETROIT, MICHIGAN–October 6, 2010

Forty-two-year-old Charles Duncan, a homeless man, was tied up and beaten with a baseball bat before being tied to a car bumper and dragged down the street by the car. The attacker was fifty-four-year-old Steve DiPonio who perpetrated the attack because he was tired of the homeless sleeping behind the school in his neighborhood. He also threatened to drag Duncan to the river. Neighbors saw the incident and came to Duncan’s aid as he was left bleeding on the road. Duncan is described as a chronic alcoholic, but a gentle man. DiPonio pled not guilty when charged. His bail was set at eighty-thousand dollars, but he was released after posting bail. He was also charged in the summer with a similar attack, but the case was dropped when the victim did not show up in court.

Homeless Man Beaten by Restaurant Manager

DALLAS, TEXAS–October 13, 2010

Sixty-one-year-old homeless man Hermilo Aguilar was beaten with a metal pipe by a pizza restaurant manager after being accused of not paying. Aguilar ordered around \$17 worth of food using someone else’s credit card. When Aguilar tried to leave the establishment, the manager ordered him to the back of the store, where Aguilar was forced to disrobe and was hit repeatedly with a metal pipe. The police reported that Aguilar ordered the food with a credit card that was not his. The beating was discovered when patrons at the restaurant heard loud moaning sounds

from the back. When the police arrived, they arrested the homeless man and put him in the police car, rather than the manager who had beaten him with a pipe.

Homeless Man Beaten in Playground

SAN FRANCISCO, CALIFORNIA–October 23, 2010

Forty-two-year-old homeless man, Jose Mineros was asleep when eighteen-year-old Maricio Carias began to kick and beat him. Mineros was also sprayed with spray paint. His injuries, which included cuts and bruises, were treated at the hospital. Carias was under the influence of alcohol during the attack. He was charged with assault with a deadly weapon and a caustic chemical.

Man Intentionally Hit and Dragged

PHOENIX, ARIZONA–November 3, 2010

When a homeless man was accused of stealing a bike, he denied that he did it. The man continued walking. The car, driven by the accuser, followed, hit and dragged his body for approximately ten feet. A witness says that the car hit the man on purpose because the car did not stop as the man was yelling in pain. The man suffered lacerations all over his body and was taken to a hospital to be treated.

Homeless Man Robbed

NEW CASTLE, DELAWARE–November 26, 2010

A sixty-seven-year-old homeless man was robbed by three men, while he was sitting in his car. One of the men asked the homeless man for a cigarette, while the second man punched him and a third pointed a gun at the man. The homeless man gave them his money and cell phone. A nineteen-year-old named Andrew Harrison was identified as a suspect and was charged with robbery.

Attack Leaves Homeless Man's Nose Broken in Five Places

PORTLAND, OREGON–November 26, 2010

Another homeless man, named Bradley, was attacked in Portland, Oregon. The attack occurred the day after Thanksgiving. Bradley was camping in his usual spot when two guys pulled up in a jeep while Bradley was asleep, and threw a brick, hitting him in the face. The two suspects then sped away. Bradley and a campmate spent the rest of the night trying to stop the bleeding. A police officer arrived the next day to make Bradley and his campmate leave. He noticed the extent of Bradley's injuries and said "What happened? Get in the car; you're going to the hospital now." Bradley found out that his nose was broken in five places and his nasal passageways were in danger. The officer reported the incident and there were a few leads. The case remains unsolved.

Homeless Man Stabbed by Juvenile

JACKSONVILLE, FLORIDA–December 4, 2010

Twenty-eight-year-old homeless man, Jason James Jerome, was sleeping on a bench when he woke up to seventeen-year-old, Eric Francis Sandefur standing over him. Sandefur stabbed Jerome multiple times in the chest, stomach, neck and hand causing three of his fingers to be sliced and one to be partially amputated. Jerome was treated at the hospital and said that he did not recognize the attacker. Sandefur stated that he “wanted to know what it felt like to kill a human” after he turned himself in to police. Sandefur was charged as an adult with attempted murder. In June of 2011, Sandefur pled guilty to attempted first-degree murder. In August of 2011, Sandefur was sentenced to forty years in prison, the maximum sentence possible. This crime has prompted community-wide conversation about the rights of homeless people in Jacksonville.

Homeless Man Beaten and Stabbed

FREDERICKSBURG, VIRGINIA–December 11, 2010

A homeless man who did not speak English was beaten and stabbed. He was attacked by three men, but did not know them before the attack. He was treated in a hospital.

**Case Descriptions: Non-Lethal Beatings
Total Attacks: 44**

Street Gang Attacks the Homeless Community

CORVALLIS, OREGON–January 2 & 4, 2010

Jonathan Appelt, eighteen, and Robert Griffin, nineteen, have been accused of intentionally targeting the homeless community. Investigators cite these attacks dating back to October 6, 2010. According to witnesses, the teens derived pleasure from attacking the homeless community and were part of a street gang that dedicated itself to such attacks. The group was notorious for painting their faces before they sought out victims, and for attacking their victims while they were asleep. Police have identified three homeless individuals who were targeted by the teens. Members of the homeless community believe that there are many more victims who have yet to come forward. The teens described their attack as fun. The Chief Deputy said that the “vulnerable victims targeted by the teens were not likely to report the crimes” and asked the judge for high bails in the case. Both suspects were held on \$325,000 bail. Jonathan Appelt was indicted by a grand jury on Jan. 14th and Robert Griffin was called as a witness for the grand jury and had all charges against him dropped.

Six People Offer Homeless Man Ride, but Instead Beat and Rob Him

ANCHORAGE, ALASKA–February 9, 2010

Alfonzo Cano, a homeless man, was beaten and robbed. His jacket and shoes were taken by a car load of people who offered him a ride. The victim stated that a light colored Chevrolet Suburban pulled up with six occupants and offered him a ride to the Red Apple Market on Braga Street. Once in the car the driver made an abrupt stop after driving only a block. Cano was then pulled out of the SUV and beaten. His jacket, shoes, and cash were stolen. Cano called police, but officers were unable to locate the suspects.

Homeless Man Viciously Attacked by Five Teenagers

RENTON, WASHINGTON–February 17, 2010

When five male teenagers began to yell at him, a homeless man told them to stop. The teenagers responded, “You can’t talk to us that way,” and then proceeded to beat him, causing a broken nose, facial fracture, and cracked orbital socket.

Homeless Man Beaten and Robbed

PORTLAND, MAINE–March/April 2010

Because homeless people often carry all of their belongings with them, homeless people are particularly vulnerable to robberies. In this particular incident, a man experiencing homelessness was jumped by housed persons who sought to steal prescription pills from the homeless man.

Young Teenagers Attack the Homeless Community in Groups

PHILADELPHIA, PENNSYLVANIA–March 13 & 19, 2010

Two young teenagers have been arrested for attacking individuals whom they perceived to be homeless. The victims of their attacks were not, in fact, homeless in this incident; however, investigators claim that the teens were committed to regularly targeting the homeless community. One twelve-year-old girl and one eleven-year-old boy have been accused of beating forty-two-year-old Belinda Moore; the same eleven-year-old boy was also charged with attacking seventy-three-year-old Vincent Poppa. Both victims were injured after the attacks during which they were both stomped upon and punched. Poppa suffered a heart attack, kidney damage, and facial swelling. Moore claims that she did not sustain serious injuries, due only to the protection of her relatively youthful age. The children considered their attacks on the seemingly homeless to be part of a game that they called ‘Catch and Wreck.’ Moore and Poppa were both attacked when they were walking around the city, directly after the teens noticed them. Philadelphia police have been claiming that children are only recently beginning to target homeless individuals, insisting that such attacks upon the homeless community are a newly emerging problem. The officers also suspect that other teens may have been involved in attacks against homeless people that had occurred throughout the city.

“You can’t talk to us that way.”

-Perpetrators to homeless man, after he told them to stop harassing him.

Homeless Man Sustains Head Injuries

TOPEKA, KANSAS—March 28, 2010

A fifty-five-year-old homeless man sustained head injuries after he was beaten in a local park. Police are currently unable to release the victim's name, and because the victim does not wish to press charges, are unable to identify the perpetrator. This homeless man was attacked in broad daylight one hundred yards from playing children. Thus far, no suspects have been identified, and no witness to the crime has been found. Unless witnesses come forward, the police will not be able to search for suspects.

A Couple Attacks Two Homeless Men

WILMINGTON, NORTH CAROLINA—April 19, 2010

A couple in Hanover County—John Ryan Doty, twenty-nine, and Alyssa Lynnette Morrell, twenty-two—brutally beat two homeless men, causing them to sustain injuries to the head and mid-section. One of the victims required hospitalization. Both perpetrators openly harassed the victims about their housing status during the beating. Both have been placed under arrest.

Homeless Man Beaten in Downtown Cincinnati

CINCINNATI, OHIO—May 17, 2010

Forty-four-year-old Charles Tallon was attacked in Downtown Cincinnati by two men in their thirties. Tallon told police that the men attacked him from behind, pushed him to the ground, beat him, and went through his pockets. Reports say that Tallon wandered six blocks until a customer at a local bar saw he needed help and called police. Tallon was taken to Christ Hospital and suffered from shoulder and arm injuries. Police are still looking for the suspect, one of which was wearing a cross and did not have a shirt on during the attack.

Teens Attack Homeless around Shopping Mall

TRAVERSE CITY, MICHIGAN—May 31, 2010

A fifty-nine-year-old homeless man was attacked by four teens while he was removing litter from the streets. Dominick Jovon Ndambuki, nineteen-years-old, and Jekirus Lajuan Chandler, eighteen-years-old were both arrested. The Traverse City police department claims that the teens never encountered the homeless man prior to the attack, and that the teens took pleasure in targeting the man. The attack damaged the man's vision. Reacting to this incident, Traverse City outreach workers claim that violence against the homeless is rare in the area and place exclusive blame upon the teens for their act, further insisting that the community's attitude toward the homeless community should not be judged by the actions of a few foolish kids. However, Traverse City citizens admit that the homeless community would be better protected against such attacks if the city was able to provide it with shelter. Ndambuki will be serving one year in jail and Chandler will be serving ninety-three days in jail.

Homeless Woman Struck with a Skateboard

FREMONT, CALIFORNIA—June 4, 2010

Police have arrested twenty-one-year-old Ian James Moore for beating a sixty-year-old woman with a skateboard, fracturing her skull. Investigators claim that Moore admitted to the beating but did not reveal his motive for beating the woman. They did, however, rule out the possibility that Moore's attack was triggered by a sexual motive.

Three People Attack a Homeless Man

BRADENTON, FLORIDA—June 24, 2010

Investigators are searching for three individuals who beat a thirty-nine-year-old homeless man, leaving him unconscious and in need of hospitalization. Ralph Perry was struck in the face with a heavy blow that almost led to his death. After the attack, Mr. Perry found that his pants had been stolen while other belonging remained intact. Investigators have not gathered any other details about the incident.

Four Boys Rob and Beat Homeless Man

ERIE, PENNSYLVANIA—July 29, 2010

A homeless man was attacked and robbed by four boys in masks. The teens approached the man on bike and demanded money. When the victim refused, he was knocked to the sidewalk and beaten. Police are unclear if the suspects took anything from the man. Police later apprehended two of the suspects, one sixteen, and the other, thirteen. According to police, they are charged with robbery, assault, and other crimes.

Early Morning Attack Leaves Homeless Man with Minor Injuries

CHARLOTTESVILLE, VIRGINIA—July 31, 2010

In the early morning, a group of teens attacked a homeless man in a parking lot. The police have not arrested anyone. The crime was categorized as an assault, and the man suffered minor injuries.

Convicted Felons Beat and Rob Homeless Man

GAINESVILLE, FLORIDA—August 12, 2010

Homeless man, John Michael Kamin was found unconscious and near two pools of blood after being beaten and robbed by three middle-aged convicted felons. The three attackers were James D. Burney, forty-four, Kent Frazier, thirty-three, and Ronald James Young, fifty. A witness at the scene said that Kamin revealed that he had some cash, and then shortly after, the four men got in an argument. The first punch was thrown by Frazier. Once Kamin was beaten, the three men robbed him of his cell phone and wallet. The attackers were charged with robbery and

battery. In addition, Young was charged with displaying a weapon. After Kamin was found, he was taken to the hospital. He is expected to make a full recovery.

Homeless Man Beaten Unconscious

CHARLOTTESVILLE, VIRGINIA–August 14, 2010

Fifty-five-year-old Robert Kartheiser, a homeless man, was beaten unconscious by what police assume to be an attack by a group of teenagers. His homeless friends said that “the homeless in Charlottesville are often the targets of violence.” Charlottesville Police are actively investigating this attack.

“The homeless in Charlottesville are often the targets of violence.”

-Homeless community,
Charlottesville, Virginia

Man Attacks Homeless Man Causing Facial Injuries

ALEXANDRIA, VIRGINIA–August 15, 2010

Thirty-year-old Marcos Campos has been known to assault people at homeless camps. He approached a forty-year-old homeless man sleeping in a homeless camp in the woods. Campos had a woman with him. The woman told the homeless man that Campos was bothering her and when he asked Campos to leave, Campos hit him multiple times causing facial injuries. The man was taken to a local hospital and treated for his injuries. Campos is wanted for malicious wounding and robbery, but police have not been able to locate him.

Multiple Homeless Beaten

TILLMAN’S CORNER, ALABAMA–August 16, 2010

A charity organization was visiting a park to distribute food when they discovered two homeless men who were severely beaten. One of the volunteers said that one man had to receive twenty staples in his head. He had been sleeping when he was attacked. Additional homeless people have ended up in the hospital in the past after having been attacked by younger kids who act violently because they “don’t like the homeless.” Stuart Roper said that there are a few car loads of kids that single out homeless individuals and attack them.

Teenager’s Attack Leaves Homeless Man in Intensive Care

SEATTLE, WASHINGTON–August 19, 2010

A fifty-year-old homeless man was attacked by a teenager. He was punched in the head, and the attacker ran when the man fell to the ground. The injuries left the man in the intensive care unit. The attacker, eighteen-year-old male, Alexei Selivanoff was charged with second-degree assault, but claims he only attacked the man to protect a woman.

Homeless Man Robbed and Injured

ATHENS, GEORGIA–September 5, 2010

A homeless man was treated at a hospital for injuries received during a robbery and assault. The robber stole the man's wallet with money and his ID cards. When the man attempted to retrieve his wallet by chasing the robber, he was pushed to the ground by the man and received an injury to his arm.

Homeless Man Beaten, Video on Facebook

HUNTINGTON, WEST VIRGINIA–September 6, 2010

A homeless man, William Mullins, was sitting near the riverfront when three teenagers approached him. He thought they were innocent until two of the teens began to kick and punch him while the third, a fourteen-year-old girl videotaped the beating. Mullins said that he knew it was an intentional act of violence when he saw the camera. As the attack was occurring, the three teenagers were laughing and making jokes. They posted their video on Photobucket and Facebook. The attack was reported by parents of friends who watched the video online. The fourteen-year-old attacker is being charged with malicious wounding and the seventeen-year-old is being charged with battery. The teen that video-taped the beating has yet to be charged, but will be charged as necessary.

Teens Attack Homeless Man, Man in Coma

AUBURN, WASHINGTON–September 14, 2010

Lonnie Johnson, a fifty-three-year-old homeless man, is in a coma after a severe beating. He was lying in the middle of the street in a pool of blood with intense head injuries. He was riding his bicycle when two teenagers stopped and attacked him. Deonte Lamont Rasul-Chiono, eighteen, and a nineteen-year-old woman who was not named because she was not charged, viciously attacked Johnson. Rasul-Chiono had previous felonies. He jumped on Lonnie Johnson's head repeatedly and the nineteen-year-old woman kicked the man's head. Rasul-Chiono was charged with second-degree assault and served three months in jail. The other attackers have not been formerly charged.

Homeless Man Attacked with Hair Clippers

DALLAS, TEXAS–September 14, 2010

Homeless man, thirty-seven-year-old Jason Jones was walking down the street when a group of four men attacked him. They punched him and then attacked him with electric hair clippers. Jones was bleeding when the police found him. He was taken to the hospital. The man recognized the attackers because he had seen them on the same street before.

Second Beating of Homeless in One Month in Huntington

HUNTINGTON, WEST VIRGINIA–September 17, 2010

Another homeless man was beaten at the Harris Riverfront Park. The man was approached by three young men on bicycles. There was a verbal argument, and then one of the teens began to punch and hit the homeless man. No charges have been made, but the police are expected to file a petition against the young attacker. Additionally, the City Council's Public Safety Committee is meeting to discuss the two attacks on the homeless that happened in the month of September.

Mob of Youth Spit on and Shove Homeless Man

PORT ANGELES, WASHINGTON–September 29, 2010

Forty-three-year-old homeless man, Kirk Thiets was spit on and shoved by a group of young people ages twelve, thirteen, and twenty-years-old after he refused to give them his beer and money. They also yelled and pushed him. He pulled out a pocket knife and held it above his head as defense, but the group continued to taunt him until a woman intervened and stood between the man and the group. A fifteen-year-old girl and a twenty-year-old woman were charged with fourth degree assault. Fourth-degree assault is defined as non-consensual touching or causing fear of bodily touching. The others involved can also be charged with fourth-degree assault, regardless if they touched the man or not.

Two Teens Beat Homeless Man

ATHENS, GEORGIA–October 2, 2010

Two teenagers yelled at a sixty-one-year-old homeless man, "We are going to kill you and take your (stuff)." The man was then attacked and knocked to the ground. The two teens continued to kick and hit him while he was on the ground. The man punched one of the attackers in self-defense and then the boys fled. The man's cuts on the hand and knee were treated at a nearby hospital.

Homeless Man Targeted and Robbed

LAS VEGAS, NEVADA–October 20, 2010

A group of people robbed a homeless man and murdered a school teacher. The group was said to have been looking for "crimes of opportunity." They specifically targeted homeless people and people waiting at bus stops during their crimes.

Homeless Man Beaten after Attempted Robbery

EVANSVILLE, INDIANA–October 21, 2010

Two men attempted to rob a homeless man, and then beat him after they realized he had no money. The homeless man, Michael Heinrick, fifty-seven, was unconscious after the attack, and was later treated at a hospital for three missing teeth and a broken nose.

Attacked Homeless Man Attempts to Find Help with Broken Call Box

INDIANAPOLIS, INDIANA–October 24, 2010

A homeless man was attacked by a group of men. When he tried to get help for his injuries by using a call box, the call box was out of service. All the call boxes in the area were out of order. The town plans on fixing these call boxes in the near future.

Man Called “Worthless Bum” and Pushed to Ground

KEY WEST, FLORIDA–October 26, 2010

Russell Benison, fifty-eight, received medical attention for a laceration to his arm after being pushed to the ground by a man. The man approached Benison and identified himself as a member of law enforcement. He proceeded to call Benison names like “worthless bum.” There was an exchange of words when Benison told him to leave. The man then pushed Benison to the ground. The suspect is said to have gone out of his way to speak to and attack Benison because the incident took place in a small area between two buildings. The police report says that Benison was chosen because of his socio-economic status.

Boys Ages 9-16 Attack and Stone Homeless Man

YOUNGSTOWN, OHIO–November 4, 2010

Fifty-eight-year-old homeless man, Tommy was beaten and stoned by a group of young boys ages nine, thirteen, and sixteen. Tommy was well known in the neighborhood and could not defend himself due to his mental illness. The injured man was found by the police sitting on the ground and was taken to a hospital to be cared for. The group of boys is expected to be charged in juvenile court. Their parents will also be held responsible in accordance with the “Parent Responsibility Act” for the delinquency of their children.

Man Beaten with Shopping Cart

ELLENVILLE, NEW YORK–November 16, 2010

Twenty-year-olds Jose Texidor and Austin Torres beat a homeless man with a shopping cart behind a McDonald’s restaurant. They approached the homeless man looking for drugs and then began attacking him when the man said that he did not have any. After they beat him, they destroyed the shelter he made for himself. Boxing gloves were also used in the attack. The police said footage of the attack was caught by a surveillance camera. The two attackers laughed about the attack afterwards. The forty-six-year-old homeless man was treated at a nearby hospital and received stitches. The two attackers were arrested and charged with assault and criminal mischief. There is a third suspect who ran from the scene, and who is still being searched for.

Couple Beats Homeless Man in Their Home

PORT RICHEY, FLORIDA–November 19, 2010

Theresa Sylvester, thirty-five, and Ronald Johal, twenty-five, picked up a homeless man who was looking for work from the side of the road and promised to pay him one hundred dollars. They took the homeless man to their house and beat him. The couple punched and kicked him, causing multiple bruises. A witness says that the woman pinned the man's head down with her foot and the other perpetrator's foot was on the homeless man's back. When questioned, the couple said that they were planning on beating the man up because he had hit their son. The couple was arrested and will face receive charges of aggravated battery and false imprisonment. The woman will also be charged with violating her probation.

Mob of Men Attack Homeless Senior Citizen

ELOY, ARIZONA–November 21, 2010

A seventy-one-year-old homeless man was preparing for sleep in his 1995 Volvo when a truck with a few men pulled up. The men began to yell at the homeless man and his dog. One man punched the homeless man and then the car drove away. Fifteen minutes later the original car returned with an additional car. A group of around eight men exited the vehicles. The homeless man tried to defend himself by taking a twenty-two caliber rifle out of his car, but the group of men attacked the homeless man. He fell unconscious and the men stole his gun and shattered the windows of his car. The victim regained consciousness and was transported to a hospital so that his broken nose and cuts could be treated.

Homeless Man Beaten and Thrown over Wall

ST. PETERSBURG, FLORIDA–November 24, 2010

A homeless man was beaten and thrown over a sea wall. The victim attempted to report the incident to the police, but they refused to take his statement.

Homeless Man Robbed of Belongings

MODESTO, CALIFORNIA–December 15, 2010

A twenty-year-old homeless man was pushed to the ground and robbed of his belongings by two men.

Youth Gang Members Rob and Attack Two Homeless Men

PORTLAND, OREGON–December 29, 2010

Four gang members, ages seventeen to nineteen, attacked and robbed two homeless men, Donald Dickerson, fifty-two and John Hammons, forty-eight. They were transported to the hospital to be treated for injuries. Another similar attack was reported a few weeks before. The four gang members were charged with two counts of third-degree assault and second-degree robbery.

Case Descriptions: Non-Lethal Harassment Total Attacks: 2

Large Group Harasses Homeless Man on Train

NEW YORK CITY, NEW YORK–March 28, 2010

A large group harassed a homeless man sleeping on a train. The same group had previously harassed a woman who left the train because she was being annoyed by the group.

Teen Harassment Targets Homeless People

PORTLAND, MAINE–June 2010

In an all-too-typical scenario of young people harassing homeless people, a group of young men were following a homeless man who was on his way to the Milestone Foundation, an emergency shelter that serves homeless people fighting their addictions through detoxification programs. A worker at the foundation chased the men away. Another employee explained, “And when [the other worker] walked up, [the young men] sort of scattered but were yelling curses as if they were really angry at losing the opportunity to roll a guy.”

Case Description: Multimedia Exploitation of Homeless People Total Attacks: 2

Homeless Men Beaten for Cash, Videotaped

ST. PETERSBURG, FLORIDA—April 2010

As of April 1, 2011, two homeless residents of St. Petersburg, Florida, George Grayson and Kyle Shaw, are suing J.P Florida Productions, its owner Jeffery Williams, as well as six female employees of the production company, who are responsible for the videos posted and sold on shefights.net. A temporary restraining order has been enacted and all eight defendants are each facing the four following charges: violation of the Florida Hate Crimes Act, violation of the Civil Remedies for Criminal Practice, Battery, and Intentional Infliction of Emotional Distress.

NCH's own former AmeriCorps*VISTA Volunteer G.W. Rolle, who is based in St. Petersburg, noticed a large number of homeless men walking around with limps, black eyes, and other visible wounds beginning early this year. After many inquiries he finally was told about a series of "beat downs" being carried out by women associated with shefights.net. This company, J.P. Florida Productions, would recruit homeless men to participate in their fights, after which they would be paid up to fifty dollars for enduring the twelve minutes of non-stop beating by scantily clad women.

Several years ago, NCH mounted a campaign against similar groups of videos that were released under the name, "BumFights." These videos included homeless men beating each other up and performing dangerous stunts like banging their heads through glass windows and going down stairs in a shopping cart. Rufus Hannah, Jr., now an NCH Speaker, and others who were compensated with a few dollars or a beer, suffered severe injuries as a result of the videos.

In a *CBS 60 Minutes* investigation in 2006, a link was made between the BumFights videos, and youth who were "copying" what they saw in the videos, leading to random violence against people who were homeless.

According to the defendant in the shefights.net case, the plaintiffs signed releases before they were beaten. However, neither Mr. Grayson nor Mr. Shaw ever had any knowledge that videos of the beatings were going to be posted or sold on the internet, in some cases for upwards of six-hundred dollars. Additionally, the severity of the beatings was far beyond the expectations of the plaintiffs. During many of the poundings the men were tied up, preventing them from protecting their selves. Both Mr. Shaw and Mr. Grayson have suffered severe injuries ranging from a dislocated jaw, to severe torso bruising, to lacerations caused by whipping. To add insult to injury, after several of the beatings, the men were not paid the money that they were promised.

According to an article published in the St. Petersburg Times on Tuesday April 12, 2011, the defendant owner Jeffery Williams was quoted saying that he planned to counter sue, claiming that the plaintiffs and their advocates lied and caused damage to his reputation. Williams also said, "These men are crack addicts, and will say anything for money."

Legal counsel for Mr. Shaw and Mr. Grayson believe that the reason shefights.net targeted these men was because they were homeless and vulnerable. Hence, Section 775.085 of the Florida Homeless Hate Crimes Statute has been invoked on behalf of the plaintiffs. Specifically, the suit claims the “defendants chose to solicit, assault, and batter Plaintiffs because they were homeless, and Plaintiffs suffered injuries so severe as to evidence a hatred and contempt for people who are homeless.” This legal action is the first time since October 1, 2010, when the Homeless Hate Crimes Act took effect, that it has been invoked.

ACROSS AMERICA

Update to “Multimedia Exploitation of Homeless People” from Hate Crimes Against the Homeless: A Growing Tide of Violence August, 2010:

The National Coalition for the Homeless (NCH) has documented over a thousand crimes committed with prejudice against America’s homeless community over the past twelve years. Since the first annual NCH Hate Crimes Report was published in 1999, internet and computer technology, such as social networking and video uploading sites, have grown and developed tremendously. Unfortunately, this technological development facilitated the advancement of the social stigmas associated with America’s homeless population.

A series of films entitled Bumfights gained significant popularity through well-known video pages such as YouTube. The initial popularity of Bumfights generated numerous copycats: each film was targeted toward a young demographic of teenage males.

A total of four Bumfights videos, selling over seven million copies, have been produced. Since then, thousands of imitation videos have been created, using websites like YouTube as the main medium for distribution. As of 2010, about 11,300 videos were tagged on the YouTube web page with the search phrase, “bum fight.” The most popular posted video, entitled “Bum Fights,” has had over 7.2 million views, garnering close to six thousand “like” responses. The growing YouTube sensation now also includes videos of homeless women fighting, tagged as, “Bag Lady Fights.”

Major news agencies such as ABC and CBS 60 Minutes have asked the question: what makes these videos so popular? Reports from both of these respected news programs identified these Bumfights videos as possible causes for the increased amount of attacks on homeless individuals. Impressionable teens may feel a sense of power over a perceived lower class of citizens. Bumfights videos falsely confirm this belief.

In a 2005 incident out of Holly Hill, Florida, Jeffrey Spurgeon, a teen sentenced to life in prison for killing a homeless man, stated that he and his accomplices watched the inhumane films hundreds of times. Spurgeon’s testimony suggests that there may be a high correlation between these videos and violent acts against homeless people.

This year, the trend continues, as the most popular video reported from last year, “Bum Fights,” has now been viewed more than 7.2 million times with more than 1500 comments posted by YouTube users. The growing YouTube sensation now also includes videos of homeless women fighting, tagged as “Bag Lady Fights.”

These popular videos either pair homeless individuals to fight each other in exchange for a few dollars, or document and exploit unfortunate, isolated instances of violence conducted by homeless individuals. Additionally, these videos often include homeless individuals self-mutilating and performing harmful stunts for the viewer's enjoyment.

While this sensation was reported as Multimedia Exploitation of Homeless People in NCH's 2009 report *Hate Crimes Against the Homeless: A Growing Tide of Violence*, it is an unfortunate, hateful occurrence that is repeated everyday by people who continue to watch such videos. The videos continue to degrade and stigmatize homeless persons by perpetuating the stereotype that homeless people are "bums" and that they have no other worth than to provide the rest of society entertainment by causing themselves and others bodily harm.

It is the decision of the National Coalition for the Homeless to include such videos in a report on hate crimes against the homeless, as there have been documented cases that show the immediate correlation between watching videos that display violence toward homeless individuals, and committing "copycat" crimes against similar people. These videos are foul, hateful, and unbecoming of a modern progressive society.

NCH includes in this report, a sampling of the worst offenders on YouTube—the following list of eight videos that have been tagged as "bum fights" and have collectively been viewed more than 15.5 million times. Of the eight videos, only four have been marked as having content inappropriate for some users, a designation that would require age verification to view the video. The others can be accessed by anyone of any age with internet access.

"Bum Fights" Videos

1. Bum Fights*
<http://www.youtube.com/watch?v=nKh2RG0NaG0>
2. Boyle Heights Bum Fights 2011*
<http://www.youtube.com/watch?v=bSxT1Zye2Wg>
3. bum fights part 1/4*
<http://www.youtube.com/watch?v=3wtstj3RDEo>
4. Bum Fights (The Original)
http://www.youtube.com/watch?v=uZUj_D13_Y&feature=related
5. Chicago heights bum fights 2 http://www.youtube.com/watch?v=H7d_WV1PIM
6. Ottawa St. Patrick's Day 2010 Bum Brawl
<http://www.youtube.com/watch?v=AzHqPiQcYyY>
7. Bum Fights 3* <http://www.youtube.com/watch?v=ITivFbFBx7c&feature=related>
8. Bum Fight Live video from streets of Chicago
<http://www.youtube.com/watch?v=IIAtZIDOjG0&feature=related>

* Denotes videos whose content has been marked as inappropriate for some users, thus requiring age verification before viewing the video.

Hate Crime Legislative Efforts

Brian Levin

Center for the Study of Hate and Extremism at California State University, San Bernardino

After a multi-year period of significant legislative momentum, measures to add homeless status to state and federal hate crime laws have plateaued somewhat in recent months. This legislative stalemate is occurring despite a continuing spate of horrendous violent attacks nationally, and impressive grassroots efforts to get critical data and victim stories to lawmakers. While the data is sometimes volatile from year to year, (there was a decline from near record highs this past year) the number and rate of anti-homeless bias motivated homicides in *every* year over the past decade has far exceeded that of *all* other hate crime victim categories covered in traditional legislation such as race, religion and sexual orientation. Hate crimes are offenses where a target is selected because of an actual or perceived group characteristic of another. Over forty states have laws that enhance possible sentences for those committing hate crime offenses, but only several of those cover homeless status. Hate crime laws often enhance penalties, but sometimes are solely focused on providing data collection, training, or civil remedies.

Several jurisdictions, including Florida, Maryland, Rhode Island, Washington, Maine and the District of Columbia, have enacted legislation that specifically covers homelessness in their hate crime penal laws. In 2006 Maine became the first state to enact a hate crime law that covers the homeless; however its wording is weak because the statute's application to an offender's sentence is discretionary. In 2009 Maryland, one of the first states to implement a statewide response to hate crimes three decades ago, became the first to enact a more potent, less discretionary law. The bipartisan Maryland legislation was spurred by Republican legislator Sen. Alex Mooney, and signed into law by Democrat Governor Martin O'Malley. Florida, the nation's fourth largest state, is the most populous state to have enacted hate crime protections for the homeless after a law there was passed there in May 2010. Rhode Island's law only covers inclusion of homeless status for data collection purpose and does not enhance criminal penalties.

In 2009, for the first time in four decades, the Shepard-Byrd Hate Crimes Prevention Act (18 U.S.C. §249) expanded the most broadly applicable federal civil rights criminal law to not only include racial, ethnic and religiously motivated crimes, but those motivated by gender, gender identity, sexual orientation and disability. Despite a spirited effort by the National Coalition for the Homeless and others, homelessness was not included in the final bill. A split in the civil rights community arose not only over the propriety of adding homeless status, but more significantly over tactical concerns that the addition of homeless status would diminish the chance of passage. However, after the passage of the Shepard-Byrd Act some key Democratic legislators indicated their willingness to support inclusion of homeless status in not only data collection efforts, but in federal criminal legislation as well.

Legislators in both the U.S. House and Senate including U.S. Senator Benjamin Cardin of Maryland and U.S. Representative Eddie Bernice Johnson of Texas have sponsored legislation covering homelessness in federal hate crime data collection laws. On September 29, 2010 Senator Cardin led hearings by the Senate Judiciary Committee's Subcommittee on Crime and Drugs to examine the issue "Crimes Against America's Homeless: Is The Violence Growing?" The hearing provided differing perspectives about the extent and possible solutions for the problem of bias motivated violence against the homeless as well as compelling law enforcement and victim perspectives. The hearings were held in conjunction with the proposed "Hate Crimes

Against the Homeless Statistics Act,” Senate Bill 1765, which would amend existing national data collection efforts to enumerate hate crimes against the homeless in addition to existing categories. Neither the Senate nor House versions made it to a full vote. Nevertheless, the hearings represented the first time that a bill related to anti-homeless hate violence got a full hearing before the Senate and the hearings enabled important research findings to reach the official record. Government data collection efforts like those proposed in the bill are crucial to enhancing statistical analysis and allocating resources, to response, training and prevention.

In addition to those states that have enacted legislation to protect the homeless in hate crime laws, many more have seen legislation introduced. These include New York, Texas, California, Colorado, and Virginia. Perhaps most disappointing was the August 2011 veto of California legislation that would enable homeless hate crime victims to obtain civil remedies like injunctions against their attackers. The veto of the bill, sponsored by Long Beach Assemblywoman Bonnie Lowenthal (D-CA), was done by a fellow Democrat, Governor Jerry Brown. This veto is the third time a California governor has vetoed legislation aimed at protecting the homeless in hate crime law since 1994. Despite receiving significant majority votes in the legislature Brown, wrote, “This bill would expand the provisions of the Ralph Civil Rights Act to include homelessness or the perception that one is homeless, thereby creating new private and enforcement remedies. It is undeniable that homeless people are vulnerable to victimization, but California already has very strong civil and criminal laws that provide sufficient protection.” Those existing protections appear not to have been very effective as California leads the nation in anti-homeless bias attacks over the last twelve years.

Colorado was another state in 2011 where promise turned to disappointment when a bill there that would enhance criminal penalties passed a legislative committee vote, but failed to garner full passage in the legislature. What is interesting about the Colorado defeat is that the arguments that prevailed in the debate there were ones that largely failed in other places. Those arguments contend that the addition of homelessness would dilute protections for existing hate crime categories, homeless status is not an “immutable” characteristic, and the homeless are victimized because they are vulnerable, rather than because of prejudice like other protected categories.

What is particularly frustrating for homeless advocates is that largely rebuttable arguments have sometimes been successful in legislative debates. For instance, there is no evidence in states where homeless status has been added to hate crime statutes of a negative effect on overall enforcement for other groups. With respect to mutability, the fact that one’s religion is a changeable characteristic has never precluded it from being a cornerstone of hate crime legislation in virtually every state that has such a law. Lastly, while homeless people are often attacked because they are vulnerable, the notion that they do not also face significant prejudice seems to strain credulity.

Most distressing for homeless advocates is a simple fact: legislative agendas are increasingly dominated by economic issues and a concomitant reluctance to entertain any bill that may have the possibility of even marginally increasing incarceration rates. This leaves little room for underfunded charitable groups that aid the homeless to stretch dwindling resources to fight protracted battles to even get a hearing of the issue. The tragedy of all this is that as legislative dockets become increasingly closed to even compelling claims, the disproportionate rate of bias motivated violence against our most vulnerable residents continues.

Legislation

The issue of homeless hate crimes is not without hope. In addition to fighting societal beliefs and bias against homeless individuals, federal and state legislation can both bring awareness to and decrease violence against homeless individuals. Federal Hate Crime legislation has a long history and saw some significant changes in 2009-2010.

Federal Legislation Proposed in 2009-2010 H.R. 3419/S. 1765

“If Congress continues to not take a stance on the issue, we send the message that we are willing to look the other way. Treating homeless individuals rudely or inhumanely is seen as acceptable by far too many Americans. How do we end this if even Congress is unwilling to treat these individuals equally?”

-Congresswoman Eddie Bernice Johnson, H.R. 3419 Sponsor

On September 29, 2010, a historic day in the fight for homeless civil rights, the Senate Judiciary Subcommittee on Crime and Drugs held a hearing entitled *Crimes against America’s Homeless: Is the Violence Growing?* To date, this meeting is the only Senate hearing to ever be held solely for the purpose of discussing the civil rights of the homeless population.

Senator Benjamin Cardin (D-MD) presided over the hearing, during which supporters and opponents of the Hate Crimes against the Homeless Statistics Act of 2009 had the opportunity to present their cases. The Act sought to amend current federal hate crimes tracking legislation to include “homeless status” as a protected class.

The National Coalition for the Homeless (NCH) was given the privilege and responsibility of recommending witnesses for the hearing. NCH Executive Director Neil Donovan submitted written testimony for the record in support of the Hate Crimes against the Homeless Statistics Act.

Senator Cardin outlined the reasons for implementing the Statistics Act and the purpose of the hearing in a clear presentation of the facts. Cardin said in his opening statement, “so here is what we do know. We know that violence is occurring against this population. We know that the un-housed population in America is growing. One can make an educated guess that these two facts may lead to more victims. But I do not want to guess. I want to get the facts. That is why I believe Congress should enact the law to allow us to get the information.”

Brian Levin, Criminologist from California State University, San Bernardino, spoke about the high victimization rates of homeless individuals. He said, “The homeless face a rate of victimization that far exceeds that of other groups. Indeed, it is probably among the highest in the Western industrialized world. Studies and surveys repeatedly indicate an annual risk of criminal victimization [of homeless individuals] as high as 66 to 82 percent.”

“It is imperative that we do everything we can to stop any and all abuses of the homeless and this bill is a crucial first step. I urge my colleagues to not forget the countless number of homeless persons living in our communities and co-sponsor this legislation. They truly have no voice whatsoever but nonetheless they should be protected by the full extent of the law.”

-Congresswoman Ileana Ros-Lehtinen, H.R. 3419 Co-Sponsor

Simone Manning-Moon, sister of a murdered homeless man named Norris Jay Gaynor (case from 1/12/2006) provided what Senator Cardin described as a necessary balance to the discussion of statistics—passion. Manning-Moon described in loving detail her brother’s relatively peaceful, calm life on the streets. Norris was a loving person, who had interests in art, politics, and general conversations like everyone else. However, he was not like everyone else because he was killed for being a member of the homeless population. Manning-Moon said, “Make no mistake: He was murdered because he was homeless. He was attacked because he was asleep on a park bench, minding his own business.”

While calling into question whether or not federal hate crime prevention legislation is the most effective way of dealing with crimes against the homeless, **Erik Luna**, Law Professor from Washington and Lee University School of Law, acknowledged that he has “no objection to homeless status being added to group characteristics in the Hate Crimes Statistics Act. Indeed, I generally and strongly encourage the collection and dissemination of empirical data as a means to inform public judgments on criminal justice policy.”

Captain Richard Wierzbicki, of the Broward County (FL) Sheriff’s Office, offered a law enforcement point of view. He said, “The true extent of bias-motivated crimes against the homeless population will never be known if we do not achieve multi-State reporting of such crimes through the existing national hate crimes data collection and reporting system. From an operations standpoint, I foresee absolutely no difficulty arising from the inclusion of the homeless population as a covered group by the Federal Hate Crimes Statistics Act.”

However, not all statements made at the hearing were in support of homeless civil rights. Present to testify against including homeless status in the Hate Crimes Against the Homeless Statistics Act of 2009 was **David Muhlhausen**, a research fellow in empirical policy analysis at the Heritage Foundation. Muhlhausen presented the case that the Statistics Act was unnecessary. He said, “While some may argue that the lack of reliable and objective data on the number of crimes committed against the homeless by domiciled individuals is justification enough for federal intervention, such logic leads the federal government down the unending road of collecting data on any perceived social problem, whether or not the problem warrants attention by the federal government.”

If you missed the Senate hearing, you can watch a full webcast of the proceedings at: <http://www.senate.gov/fplayers/CommPlayer/commFlashPlayer.cfm?fn=judiciary092910&st=xx>
[x](#)

Though the federal legislation H.R. 3419/S. 1765 died at the end of the last session of Congress, it (H.R. 3528) was reintroduced in the U.S. House in 2011. The complete text and list of co-sponsors of the Hate Crimes against the Homeless Statistics Act of 2009 is included in this report as Appendix D.

Current Federal Law Addressing Hate Crimes

The 1968 Civil Rights Act establishes a number of criminal penalties for the use of force or intimidation to prevent the free exercise of civil rights on the basis of race, color, religion or national origin. The Act provides penalties for whoever, “by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with” another (1) “because of” that person’s “race, color, religion or national origin,” and (2) “because [that person] is or has been” attending a public school, serving as a juror in state court, traveling in a facility of interstate commerce, making use of a public accommodation, seeking or taking employment, or making use of the benefits of any state program. *Id.* § 245(b) (2). The Act also establishes penalties for whoever, “by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with” another person for (1) “participating” in federal programs or civil duties “without discrimination on account of race, color, religion or national origin,” or (2) “affording another person or class of persons opportunity or protection to so participate.” *Id.* §245(4) (A), (B).

State and local law enforcement agencies are expressly authorized to enforce the Act. Federal prosecutions are also permitted, although these require “the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice....” 18 U.S.C. §245(1).

The 1990 Hate Crime Statistics Act⁴ requires the Attorney General to collect data on certain “crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.” The Act also directed the Attorney General to establish guidelines for the collection of such data. The Attorney General delegated this task to the F.B.I., which has defined a hate crime as a “bias crime”—that is, a crime “committed against a person or property which is *motivated, in whole or in part, by the offender’s bias* against a race, religion, disability, sexual orientation, or ethnicity/national origin.”⁵ Under these guidelines, crimes based on bias should be reported to the FBI by local law enforcement agencies if there is *objective* evidence that the crime was motivated wholly or partially by bias.⁶

⁵ Pub. L. No. 101-275, Apr. 23, 1990, 104 Stat. 140, as amended Pub. L. No. 103-322, § 320926, Sept. 13, 1994, 108 Stat. 2131 (inserting “disability”); Pub. L. No. 104-155, § 7, July 3, 1996, 110 Stat. 1394 (reauthorizing the Act). The Act directs the Attorney General to use authority granted under 28 U.S.C. § 534 to acquire hate crime data.

⁵ U.S. Dept. of Justice, Fed. Bureau of Investigation, Hate Crime Data Collection Guidelines 2 (1999) [hereinafter Hate Crime Data Collection Guidelines]. Notably, the Act itself refers only to “ethnicity,” however the Department of Justice has interpreted ethnicity to include both ethnicity and national origin. *Id.*

⁶ Hate Crime Data Collection Guidelines, *supra* note 2, at 4.

The Violent Crime Control and Law Enforcement Act of 1994⁷, codified as a note to 28 U.S.C. § 994, directed the United States Sentencing Commission to “promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than 3 offense levels for offenses that the finder of fact at trial determines beyond a reasonable doubt are hate crimes.” Under guidelines issued under this statute, a “hate crime” is defined as a “crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime because of the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person.”⁸

This is a far narrower definition than applies in the context of the data collection statute. In order for the enhancement to apply, the court or, in a jury trial, the jury, must find beyond a reasonable doubt that the defendant intentionally selected his or her victim because of the race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of the victim or another person. If the defendant pleads guilty or no contest, the Sentencing Guidelines recommend that the court finds such facts beyond a reasonable doubt before applying the enhancement.

As the Supreme Court has recently made clear, the Guidelines are only advisory and federal sentencing judges are required to take into account other factors when sentencing defendants.⁹ The impact of the sentencing enhancement law going forward may therefore be reduced.

The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was passed by Congress on October 22, 2009 and signed into law by President Obama on October 28, 2009. The name of the law is named after victims of hate crimes, Matthew Shepard and James Byrd. Matthew Shepard was a student who was tortured and murdered because he was gay. Since Wyoming did not recognize homosexuals as a protected population, neither perpetrator was charged with a hate crime. James Byrd, an African American, was tied to a truck and beheaded by two white supremacists. Texas did not recognize hate crimes at that time.

The bill expands the 1969 Federal Civil Rights “Hate Crime” Law to include crimes motivated by the victim’s gender, sexual orientation, gender identity, or disability. The 1969 law only protected individuals traveling or participating in federally protected activities such as going to school or voting. The Matthew Shepard Act removed this parameter, making the jurisdiction of the law far more expansive. Through a 5 million dollar allocation, federal agents are more adequately funded to assist and independently investigate hate crimes too complex for local authorities. Additionally, the bill mandates that the FBI track hate crimes committed against transgender individuals.

⁷ Pub. L. No. 103-322, § 280003, Sept. 13, 1994, 108 Stat. 2096.

⁸ United States Sentencing Guidelines Manual § 3A1.1(a) (2006). Note, however, that the Sentencing Guidelines only apply in federal court, where the defendant has committed a federal crime, a crime on federal land (including on Indian reservations), or is otherwise subject to penalties under federal law.

⁹ See *United States v. Booker*, 543 U.S. 220, 245-46 (2005) (declaring unconstitutional the statute creating mandatory Guidelines and holding Guidelines should only be applied in an advisory fashion as one of several factors to consider at sentencing); see also *Gall v. United States*, ___ S. Ct. ___, 2007 WL 4292116, at *7 (Dec. 10, 2007) (holding the Guidelines’ sentencing range is a starting point for determining a defendant’s sentence, but the district court should not presume the range is reasonable). The factors the sentencing court must consider are enumerated in 18 U.S.C. § 3553(a)(1)-(7).

Enacted Hate Crimes Legislation on the State and City Level

“While it’s too soon to claim victory, this bill is certainly moving in the right direction. Passing this bill is an important step toward protecting some of the most vulnerable members of our society.”

-Broward County (FL) Sheriff Al Lamberti, on the passing of Florida House Bill 11

Alaska now classifies homelessness as a possible aggravating factor associated with a crime. Much like Maine (below), homelessness is not categorized under hate crime protection, and therefore including homelessness as a motivating factor does not automatically result in harsher sentencing. Punishments vary depending on what degree the judge finds the victim’s homelessness as a factor in the crime.

Cleveland, Ohio passed a city ordinance in August 2008 dictating that repercussions for “intimidating” or harassing a homeless person due to their status would be elevated one higher degree than the offense.¹⁰

In **Florida**, “homeless status” has been added to state hate crime legislation. On May 11, 2010 Governor Charlie Crist signed into law Florida House Bill 11 – the Crimes Against Homeless Persons Act – which reclassified offenses targeting homeless persons as hate crimes, and permits perpetrators to receive stricter penalties.

"With the passage of this good bill, homeless individuals across Florida will now have enhanced protection from the shameful acts that once tortured their community."

- Representative Ari Porth, (D-Coral Springs, FL)

The **Los Angeles, CA** Board of County Supervisors unanimously passed a resolution in March 2009 requesting that the Human Relations Commission (1) incorporate awareness of homelessness into high school and youth programs to encourage respect and humanization of homeless people; (2) create trainings for law enforcement to investigate crimes against the homeless with an eye out for evidence of bias or discrimination against the victim due to disability; (3) track crimes of hate against the homeless in the Commissions database and monitor trends to educate the community; (4) encourage the Sheriff, District Attorney, and city/county prosecutors to track and report crimes against homeless people to help in developing actions to prevent and stop these violent acts; and (5) to work with all human relations commissions across the county to create better practices and data collection.¹¹

Maine added protection for homeless residents but did not formally add homelessness as a contributing factor under state hate crime statutes. Instead, Maine statutes allow judges to enhance sentences for crimes against certain recognized populations based on race, religion, and homelessness (aggravating factors). A judge is permitted to consider these aggravating factors

¹⁰ FindLaw. City of Cleveland Codified Ordinance No. 830-08

¹¹ Yaroslavsky and Knabe. Motion By Yaroslavsky and Knabe. Homelessness and Human Relations Committee. AGN. NO. 11. March 24, 2009.

but is not required to increase punishments. In addition to making homelessness an aggravating factor in sentencing, Maine has required the Board of Trustees of the Maine Criminal Justice Academy to provide law enforcement training programs specifically targeted toward dealing with the unique challenges associated with homelessness. The above changes are to be monitored by the Commissioner of Public Safety and the Attorney General.

Maryland law now recognizes homeless individuals as a protected class under enacted hate crime statutes. On May 07, 2009 Governor Martin O'Malley signed into law Maryland Senate Bill 151, the brainchild of Republican Senator Alex Mooney. The legislation protects homeless individuals from damage to their self and real property. If a crime was motivated by the race, color, religious beliefs, sexual orientation, national origin, or homeless status, the offense is punishable under the state hate crimes statute. If a perpetrator is convicted of a hate crime, a harsher punishment is imposed than if the crime was not motivated by hate.

Puerto Rico passed legislation in 2007 that was designed to give much-needed support to its homeless population. The law recognizes that on a daily basis homeless people are being exposed to insensible and abusive treatment.¹² Encompassed in this law is a section emphasizing the fact that homeless people should not be discriminated against for any reason. Further, anti-discrimination will be addressed through the creation of the Multi-Sector Homeless Population Support Council, which will take action to support homeless individuals.¹³

Rhode Island added homelessness as a protected class under hate crime statutes, but only for reporting purposes. House Bill 7490, and companion Senate Bill 2323, were introduced on February 11, 2010 and became effective without the governor's signature on June 25, 2010. The new law requires state police to report and monitor crimes against the homeless and changes the state definition of "hate crime" to include: "...or, motivated by prejudice against a person who is homeless or perceived to be homeless.

The **Seattle, WA** City Council amended the city's malicious harassment statute in December 2007 to criminalize particular acts, including malicious and intentional injury or threats against a person, or destruction of or damage to the person's property, because of the perception that the person is homeless.

Washington, D.C. protected their homeless population by enacting legislation in 2009 that classifies offenses motivated by the victim's homelessness as hate crimes. Bias-related crimes carry increased civil and criminal penalties.

Washington law now recognizes homelessness as a protected status under recently enacted state hate crimes legislation. On April 15, 2011 Governor Christine Gregoire signed Senate Bill 5011 into law, which adds homelessness to a list of aggravating factors for hate crime analysis, permitting a judge to impose harsher sentences. This law was sponsored by Democrat Scott White in response to the brutal murder of a homeless man named David Ballenger in 2000.

¹² Law 130. Concilio Multisectorial en Apoyo a la Poblacion sin Hogar. Approved September 27, 2007.

¹³ *Ibid.*

Proposed and Defeated State Hate Crime Legislation

California On August 5, 2011, Governor Jerry Brown (D) vetoed Assembly Bill 312 which was designed to provide homeless individuals with the right to invoke state hate crime protection when suing an assailant in civil court. In his veto message Governor Brown stated, “it is undeniable that homeless people are vulnerable to victimization, but California already has very strong civil and criminal laws that provides sufficient protection.” Assemblywoman Bonnie Lowenthal had previously introduced a similar bill, Assembly Bill 2706 in 2010, which was passed the California Legislature, but was vetoed by then-Governor Arnold Schwarzenegger.

"Homeless people have enough problems without becoming the targets of violence. This bill [A.B. 312] is the state's way of saying those kinds of attacks are especially reprehensible"

- Assemblywoman Bonnie Lowenthal, (D-Long Beach, CA)

Colorado is interested in becoming one of the few states to add homelessness to a state hate crimes statute. Senate Bill 4, sponsored by Senator Lucia Guzman (D-Denver) would expand the current definition of hate crimes to include homelessness. The bill passed the Colorado Senate, but was killed in the House Judiciary Committee on May 3, 2011.

"I think it's a human rights issue. These are vulnerable people. They're marginalized."

- Senator Lucia Guzman, (D-Denver, CO)

Illinois was debating an amendment to their Criminal Code of 1961 that would have change the definition of hate crime to include crimes against an individual or group of individuals because of their “actual or perceived homelessness” as well as status as a current or former United States armed services veteran. The bill was referred to the Rules Committee’s Judiciary Criminal Law Committee where it was left to eventually die on January 11, 2011.

In **New York**, various pieces of legislation have been proposed to address homeless hate crimes. The Homeless Protection Act is intended to amend the New York Penal Code to designate offenses against homeless individuals as hate crimes. Identical legislation was re-introduced in both the New York State Assembly and the Senate in January 2011, and both bills await committee hearings in the respective houses of the New York State Legislature.

Ohio legislation was introduced in May 12, 2010 by Representatives Dennis Murray and Mike Foley. House Bill 509 would create the offense of intimidation of a homeless person. Any offender that commits a violation with the intent to cause harm to a homeless person because of their homeless status would be charged with intimidation of a homeless person as well as the original charge. However, with the end of the assembly period in December 2010, House Bill 509 died and has not been reintroduced.

In addition to **Puerto Rico’s** 2007 legislation, PS 1477 was introduced on March 26, 2010. The bill proposes to establish penalty enhancements for anyone convicted of an attack that was motivated by a prejudice against the victim for his or her homeless status.

South Carolina's House Bill 4091 did not pass but was reintroduced in 2010 as House Bill 3141. The bill is intended to amend the South Carolina Code of 1976 by adding a two-tiered penalty system for assault and battery upon a homeless person. However the bill was referred to the Committee on Judiciary where it currently sits.

In **Virginia**, House Bill 844 was introduced on January 13, 2010 by Delegate Patrick A. Hope. The bill would amend legislation to include status as a homeless person as a protected class. The bill (1) includes harsher punishments for offenders who choose their targets based upon a person's homeless status; (2) allows homeless people to seek injunctive relief or file an action for damages for harassment; and (3) will require the State Police to include violence against homeless people as hate crimes in their data collection. House Bill 844 has been referred to the Committee for Courts and Justice and as of February 16, 2010 the bill has been left there. Delegate Hope intends to reintroduce the bill when the budget restrictions on the state legislature are lifted.

Faces of Homelessness Speakers' Bureau

In addition to advocating for legislative change, public education is a useful tool to dismantle biased beliefs about the homeless community.

The Faces of Homelessness Speakers' Bureau is one of the most effective public education and organizing tools of the National Coalition for the Homeless. Its mission is to bring people together to identify issues to be tackled in the movement to end homelessness. By discussing the stereotypes, myths, and misconceptions of homelessness, we can begin to move past our obstacles, get to the root causes of poverty, and humanize those experiencing homelessness.

We can help anyone set up a Speakers' Bureau anywhere in the nation. Staffed by AmeriCorps*VISTA volunteers, NCH has Speakers' Bureaus in five states, including Florida, Georgia, Maryland, Massachusetts, South Carolina, and Washington, DC. Using AmeriCorps*VISTA volunteers, we are planning to expand this project to other states in 2012. We can provide assistance with everything from recruiting and training speakers and moderators to planning and holding events.

Model Language for City/County/State Legislation/Resolutions

The following is proposed language to be used in whole or in part by local advocates to propose their own forms of homeless hate crime legislation. Local advocates are encouraged to use the whole body or the pieces of the model they deem most necessary. The model language was prepared by the National Law Center on Homelessness and Poverty (NLCHP) and the National Coalition for the Homeless (NCH). Advocates who have questions are encouraged to contact the National Coalition for the Homeless at info@nationalhomeless.org.

Whereas, hate crimes and violence against homeless persons has become a nationwide wave, with over a thousand reported cases of violence against homeless people over the past twelve years (1999-2010), resulting in 312 deaths;

Whereas, the scope of prohibitions against the commission of hate crimes against certain groups of persons should include homeless persons;

Whereas, understanding violent crimes committed against homeless persons and adequate punishment for such crimes play key roles in preventing and managing violence against homeless persons; and

Whereas, law enforcement needs proper training to handle and prevent violent crimes against homeless persons;

Be it enacted:

- (1) For the purposes of this legislation, a "homeless person" means an individual or member of a family as defined in 42 U.S.C. § 11302 (2009) and any regulations promulgated thereunder.
- (2) The state hate crimes statute shall be expanded to include homeless persons as a protected class.
- (3) Prohibition on Hate Crimes against Homeless Persons – The following acts shall be deemed a hate crime and prohibited when carried out against a person on the basis that person's status as a homeless person:
 - (A) Assault, aggravated assault, battery, or aggravated battery upon the person; or
 - (B) Acts that deface, damage, or destroy or attempt to deface, damage, or destroy the personal property of the person; or
 - (C) Acts that result in the death of the person; or
 - (D) Any other crime against the person.

(4) Punishments for Hate Crimes against Homeless Persons –

(A) A person convicted of aggravated assault or aggravated battery upon a homeless person based on the victim’s status as a homeless person shall be sentenced to a minimum term of 3 years and fined not more than \$10,000. The person shall be ordered by the sentencing judge to make any restitution to the victim of the offense and to perform 500 hours of community service work. Restitution and community service work shall be in addition to any fine or sentence that may be imposed and shall not be in lieu thereof.

(B) Whenever a person is charged with committing an assault or aggravated assault or a battery or aggravated battery upon a homeless person based on the victim’s status as a homeless person, the offense for which the person is charged shall be reclassified as follows:

(1) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree.

(2) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree.

(3) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree.

(4) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(5) State Office of the Attorney General Study -

(A) The Office of the Attorney General shall assess the extent of the problem of crimes against homeless persons and develop a plan to prevent these crimes and apprehend and prosecute the perpetrators of these crimes.

(B) In developing the assessment and plan, the Office of the Attorney General shall consult homeless persons, service providers and advocates for homeless persons and law enforcement agencies with experience investigating crimes against homeless persons.

(6) Law Enforcement Training on Hate Crimes against Homeless Persons –

(A) The lead state law enforcement agency shall develop a telecourse that shall be made available to all law enforcement agencies in the state. Every state, local, and correctional law enforcement agency shall certify that

each of its officers has taken the course. The telecourse shall address crimes against homeless persons and methods of dealing effectively and humanely with homeless persons. The course shall include instruction on each of the following topics:

- (1) Information about homelessness, including causes of homelessness, its impact, and solutions to homelessness.
 - (2) Indicators of hate crimes.
 - (3) The impact of these crimes on the victim, the victim's family, and the community.
 - (4) The assistance and compensation available to victims.
 - (5) The laws dealing with hate crimes and the legal rights of, and the remedies available to, victims of hate crimes.
 - (6) Law enforcement procedures, reporting, and documentation of hate crimes.
 - (7) Techniques and methods to handle incidents of hate crimes.
 - (8) The special problems inherent in hate crimes against homeless persons and techniques on how to deal with these special problems.
- (B) The lead state law enforcement agency shall develop a protocol that law enforcement personnel are required to follow, including, but not limited, to the following:
- (1) Preventing likely hate crimes by, among other things, establishing contact with persons and communities that are likely targets, and forming and cooperating with community hate crime prevention and response networks.
 - (2) Responding to reports of hate crimes, including reports of hate crimes committed under color of legal authority.
 - (3) Providing victim assistance and follow up, including community follow up.
 - (4) Reporting methods and procedures to track hate crimes against homeless persons.
- (C) In developing the telecourse, the lead state law enforcement agency shall consult subject matter experts including, but not limited to, the following:
- (1) Homeless and formerly homeless individuals;

- (2) The National Coalition for the Homeless
- (3) Other local homeless service providers and advocates for homeless people;
- (4) Experts on the disabilities homeless persons commonly experience; and
- (5) Law enforcement agencies with experience investigating hate crimes against homeless people.

Policy/Community Education Recommendations

The National Coalition for the Homeless recommends the following:

1. “Homeless status” should be included in the federal hate crimes statistics statute. Doing so would require the Federal Bureau of Investigation to collect data on hate-motivated violence targeted against individuals who are homeless.

In the 112th Session of Congress H.R. 3528 was introduced by U.S. Representative Eddie Bernice Johnson, seeking to add “homeless status” to the federal hate crimes statistics statute. H.R. 3528 is identical to two bills introduced in the previous session of Congress: H.R. 3419 also introduced by Representative Johnson and S. 1765 introduced by Senator Benjamin L. Cardin.

2. States with hate crime statutes should include “homeless status” within their current hate crimes framework.
3. The U.S. Department of Justice should issue a public statement acknowledging that hate crimes and/or violence against people experiencing homelessness is a serious national problem.
4. The U.S. Department of Justice should issue guidelines for law enforcement agencies on how to investigate and prosecute bias-motivated crimes against people experiencing homelessness.
5. Law enforcement agencies should provide awareness training for trainees and officers about the causes and solutions to homelessness and how to deal effectively and respectfully with people experiencing homelessness in their communities.
6. Advocates and homeless service providers should provide opportunities for people who have experienced homelessness and survived bias-motivated violence to tell their stories. The Faces of Homelessness Speakers’ Bureaus (made up of homeless and formerly homeless people), which visit both public and private schools in communities for the purposes of information and education, would be one method of providing opportunities for survivors to share their stories.
7. Federal, state, and local governments should assure adequate affordable housing and services to bring an end to homelessness in our communities, and thus create safe alternatives to living in homeless situations.

Conclusion

In the past twelve years the National Coalition for the Homeless (NCH) has documented over one thousand, one hundred eighty-four crimes committed against homeless people by housed individuals. These violent attacks have cost three hundred twelve homeless people their lives. In this January 2012 report, NCH has documented one hundred thirteen incidents of violent attacks against the homeless; twenty-four of which resulted in death. These statistics indicate a fairly consistent rise in crimes against the homeless since NCH started tracking such crimes in 1999.

While the number of violent attacks committed against the homeless that led to death dropped from 2009, the number of violent attacks overall remains consistent with last year's findings. In 2010, we saw the first documented perpetrator under the age of ten to be accused of a hate crime against a homeless individual. In addition, the YouTube sensation "Bum Fights" has reached a startling number of viewers in 2010, having been viewed more than 2.5 million times last year alone. This information begs the question: are videos that victimize homeless individuals influencing young viewers to commit violent acts against the homeless?

In any event, these troubling facts push the need for new, strong homeless hate crimes legislation even further into the spotlight of America. We cannot, and must not, continue to allow America's homeless to be victimized; nor can we allow our youth to be inspired to commit such heinous acts by popular media.

Hate Crimes Against the Homeless: *Violence Hidden in Plain View's* main objective is to educate lawmakers, advocates, and the general public about the problem of hate crimes and violence against homeless people. The hope is to instigate change and ensure protection of civil rights for everyone, regardless of their economic circumstances or housing status. Although some communities are taking positive steps toward protecting homeless individuals, NCH believes that violence against the homeless is a trend that will continue to grow unless there is true accountability for crimes committed, established effective methods of prevention, and positive action taken by advocates, legislators, and community members.

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Appendix C: H.R. 3528

Hate Crimes Against the Homeless Statistics Act of 2011

A BILL

To amend the Hate Crime Statistics Act to include crimes against the homeless.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Hate Crimes Against the Homeless Statistics Act of 2011'.

SEC. 2. INCLUSION OF HOMELESS.

Section (1)(b) of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended--

- (1) in paragraph (1), by inserting 'homeless status,' after 'sexual orientation,'; and
- (2) by adding the the [sic] end the following:

`(6) As used in this subsection, the term 'homeless status' with respect to an individual, refers to an individual who--

- `(A) lacks a fixed, regular, and adequate nighttime residence; or
- `(B) has a primary nighttime residence that is--
 - `(i) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
 - `(ii) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including motels, hotels, congregate shelters, and transitional housing; or
 - `(iii) housing of other persons in which the individual is temporarily

Staying due to loss of housing, economic hardship, or a similar reason.’

H.R. 3528 Co-sponsors:

Rep. Steve Cohen (TN), Rep. Danny Davis (IL), Rep. Eddie Bernice Johnson (TX), Rep. Gwen Moore (WI), Rep. Grace Napolitano (CA), and Rep. Debbie Wasserman Schultz (FL).

Appendix D: H.R. 3419/S. 1765 [sic]

Hate Crimes Against the Homeless Statistics Act of 2009

A BILL

To amend the Hate Crime Statistics Act to include crimes against the homeless.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Hate Crimes Against the Homeless Statistics Act of 2009'.

SEC. 2. INCLUSION OF HOMELESS.

Section (1)(b) of the Hate Crime Statistics Act is amended--

(1) in paragraph (1), by inserting `homeless status,' after `sexual orientation,'; and

(2) by adding the the [sic] end the following:

`(6) As used in this subsection, the term `homeless status' with respect to an individual, refers to an individual who--

 `(A) lacks a fixed, regular, and adequate nighttime residence; or

 `(B) has a primary nighttime residence that is--

 `(i) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

 `(ii) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including motels, hotels, congregate shelters, and transitional housing; or

 `(iii) housing of other persons in which the individual is temporarily staying due to loss of housing, economic hardship, or a similar reason.'

H.R. 3419 Co-sponsors:

Rep. Steve Cohen (TN), Rep. Danny Davis (IL), Rep. Marcia Fudge (OH), Rep. Alcee Hastings (FL), Rep. Eddie Bernice Johnson (TX), Rep. Dennis Kucinich (OH), Rep. Zoe Lofgren (CA), Rep. James McGovern (MA), Rep. Gwen Moore (WI), Rep. Grace Napolitano (CA), Rep. Eleanor Holmes Norton (DC), Rep. Ileana Ros-Lehtinen (FL), and Rep. Debbie Wasserman Schultz (FL).

S. 1765 Co-sponsors:

Sen. Sherrod Brown (OH), Sen. Roland Burris (IL), Sen. Benjamin Cardin (MD), Sen. Robert Casey, Jr. (PA), Sen. Susan Collins (ME), Sen. Dianne Feinstein (CA), Sen. Patrick Leahy (VT), Sen. Jeff Merkley (OR), Sen. Barbara Mikulski (MD), Sen. Charles Schumer (NY), Sen. Arlen Specter (PA), and Sen. Sheldon Whitehouse (RI)

REWARD
\$1,000

CRIME STOPPERS WILL PAY UP TO \$1,000

**FOR INFORMATION LEADING TO THE ARREST AGAINST
PERSON(S) RESPONSIBLE FOR COMMITTING:**

HATE CRIMES

**A HATE CRIME IS DEFINED AS ANY CRIME
COMMITTED "BASED ON RACE, COLOR, ANCESTRY,
ETHNICITY, RELIGION, SEXUAL ORIENTATION,
NATIONAL ORIGIN, HOMELESS STATUS, MENTAL
OR PHYSICAL DISABILITY, OR ADVANCED
AGE OF THE VICTIM." (F.S. 775.085)**

**ANYONE WITH INFORMATION ABOUT THE IDENTITY OR
LOCATION OF ANYONE INVOLVED IN OR COMMITTING HATE
CRIMES IS ASKED TO CALL CRIME STOPPERS.**

WE DO NOT WANT YOUR NAME, JUST YOUR INFORMATION!



**CALL (954) 493-TIPS (8477) • 1 (866) 493-TIPS (TOLL FREE)
www.browardcrimestoppers.org**

Funded wholly or in part by the Office of the Attorney General, Crime Stoppers Trust Fund.