

# BIAS AND HATE INCIDENTS

The term “bias and hate incidents” refers to instances of a person making bigoted, biased, or prejudiced comments to another individual based on race, religion, national origin, gender, gender identity, sexual orientation, disability, age, immigration status, or other personal characteristics. Bias and hate incidents can also include images, symbols, objects, and non-verbal communication. Bias and hate incidents are deeply hurtful and offensive, and are differentiated from hate crimes because they do not violate criminal or civil law. Rather, such incidents are generally protected free speech under the First Amendment to the U.S. Constitution.

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# Bias and Hate Incidents

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## What is the impact?

Because of the significant harm bias and hate incidents have on a university's ability to create and maintain an inclusive, equitable, and diverse campus climate, it is critical that these incidents be addressed vociferously, immediately, and directly.

Sometimes an incident will take place in a peer-to-peer context on campus; at other times, it may be committed by individuals or groups outside the campus community, but will still affect campus life. Regardless of the aggressor/perpetrator or the intent, paying close attention to the impact that incidents have on your community and mitigating that impact is vital. With social media, any incident, no matter its target, can spread across the campus and beyond within minutes, so it is important to think broadly about the impact and strategize ways to address it.

## Prevalent Themes of Bias & Hate Incidents

### **Offensive 'Jokes' and Stereotypes**

Bias and hate is not a joke. Stereotypes and poking fun at another person's culture often perpetuates the views of marginalized groups as one-dimensional characters, as "othered" outsiders to society, and sometimes even as inferior—whether intentional or not.

The language we use conveys respect to others and to the communities of which we are a part. Therefore, we may need to respond to disrespectful language as acts of bias or prejudice. These instances of hurtful language, such as slurs, stereotypes, or demeaning terms, are disrespectful to individuals in the targeted groups as well as dismissive of the history and context that creates societal inequities and systemic discrimination. Failing to address such language sends a message to others in that group, and other marginalized groups in the community, that they are less valued or less welcome in that space, even if it is unintentional.

### ○ **Common Examples**

- Slurs used to describe a marginalized identity group;
- Memes and meme groups;
- Video and blog commentary;
- Halloween costumes;
- Holiday decorations and cards;
- Dolls/mannequins dressed up
- Stereotyping party and event themes; and
- Satirical student publications.

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## Use of Hate Symbols

We see symbols every day in all aspects of our lives. Symbols are used to convey ideas, qualities, emotions, material objects/products, opinions, and beliefs. Unfortunately, symbols are also used to convey bias and hate.

A campus community's response must take into account the historical and current context of hate symbols and messages. Any message in response to hate symbols must be specific: it should name the hate and support the communities impacted. Marginalized groups beyond the targeted community will be affected by a hate symbol. If a swastika is found to be targeting a Black/African-American identity-oriented space such as a Black Student Union or African-American Studies Department, Jewish students will be affected; and vice-versa, if a Jewish identity space is vandalized, other groups are likely to feel vulnerable as well.

### o Common Examples

#### • Swastika

Since 1945, the swastika is the most significant and notorious hate symbol denoting anti-Semitism and white supremacy. Because of its direct link to the Nazi regime, Jewish communities are strongly affected by this symbol and often feel targeted by its presence. The swastika has also become a general hate symbol that is linked with white nationalism and messages of racism, homophobia, transphobia, and other forms of bigotry.

#### • Noose

The hangman's noose has come to be one of the most powerful visual symbols directed against African-American people and evokes racial history, hatred, and bigotry. Its origins are connected to the history of lynching in America, particularly in the South after the Civil War when violence or threats of violence replaced slavery as one of the main forms of social control that white people used against African-American people.

## Hate Speech

Sometimes students voice or write/post what they view as "political" messages but which, in effect, contradict or oppose an inclusive campus climate. Some examples include anti-immigrant rhetoric or commentary on gender-inclusive restroom legislation/policies. Incidents may include messaging in residence hall rooms, distribution of notes, or chalking in free speech zones.

It is important to educate students that they have a right to voice their views, and though some may consider the expression of these views to be hate speech, the First Amendment protects their right to voice them. That said, any hate-filled political speech can, and should, be countered with positive messages.

## Legal Implications – Vandalism and the First Amendment

Some political messaging or "hate speech" may cross the line into behavior that is not protected by the First Amendment. One example is vandalism, which involves destruction or damage of property. Similarly, threats and harassment are not protected hate speech under the First Amendment.

### o Common Examples

#### • Hate Speech

- Hanging/distributing of posters & fliers;
- "Chalking" in public spaces;
- Residence hall room white board messages;
- Classroom white board messages;
- Notes left on cars and personal items;
- Tables and objects arranged into words or symbols; and
- Holiday cards and "grab bags" used for hate messaging.

#### • Vandalism

- Writing on desks, bathrooms, buildings, etc.;
- Defacement of property such as cultural centers; and
- Diversity & inclusion decorative displays targeted.

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## **Technology-based Incidents**

Technology can be used as a tool to disrupt and to invade private spaces. Bias and hate can originate from internal devices and community members or from external aggressors/perpetrators. Often, it is difficult to determine that initially, but it becomes an important point for designing a response. The content may include offensive language, harassment, outing someone's personal identity, personal information shared (doxxing), threats, intimidation, or stalking.

Some groups and fringe media outlets have published lists of individuals, such as "liberal professors." On both the political left and the right, these online platforms intensify antagonistic rhetoric. Many academics on these lists experience targeted trolling and other online harassment.

### **o Common Examples**

- Hacking to rename devices and networks, and making them inaccessible;
- Hoax emails that seem as if they are coming from a person on campus;
- Hacking to send emails and messages to closed online fora from anonymous senders;
- Offensive spam messages from identified senders;
- Hacking into television monitors to show content;
- Trolling via social media; and
- Posting offensive items for sale.