

Vietnamese Americans

LESSONS IN AMERICAN HISTORY

LESSON 4

Hate Crimes

SUBJECTS

World History, American Experience, World Literature, American Literature and Multicultural Education

OBJECTIVES

1. To understand and differentiate between prejudice and discrimination.
2. To see how multiple forms of discrimination work often together against people.
3. To understand institutionalized discrimination, as opposed to acts based on personal or individual prejudices and experiences.
4. To understand the nature of hate crimes and hate-motivated behavior.
5. To examine a case study of a hate crime victim, Thien Minh Ly.
6. To make a commitment to stop racism and hate crimes.

STANDARDS SUPPORTED

This lesson supports nation social studies standards, Strand X: Civil Ideals and Principles.

WHAT YOU WILL NEED

3-4 class periods

Copies of Handout: Working Definitions of Hate Crimes and Bias Incidents

Copies of Handout: The Murder of Thien Minh Ly

Copies of Handout: Personal Action Plan

HOW TO DO IT

Activity One: Class Discussion on Prejudice, Discrimination and Hate Crimes

Have students brainstorm definitions of prejudice and discrimination. Ask them how they would differentiate one from the other.

- Prejudice is usually described as an individual or group's belief, view or judgment of another group or certain characteristics of that group. For instance, Individual/Group A can be prejudiced against Individual/Group B's religious practice of burning incense in public, viewing them in a negative light.
- Discrimination is usually described as an action or actions based on existing prejudice. For instance, if Individual/Group A acts upon its prejudice of Individual/Group B's religious practice, then the action(s) would be considered a form of discrimination. Individual/Group A could discriminate against Individual/Group B by attempting to pass a local ordinance to prohibit the public burning of incense.

- One can be prejudiced and not be discriminatory. But one who is engaged in discrimination cannot deny having prejudice.

Ask the students to give examples of prejudice and discrimination, such as those on the basis of race, ethnicity, age, gender, religion, class (socioeconomic status), or sexuality.

After the class discussion on various forms of prejudice and discrimination, ask the students if a particular individual or group of people can be discriminated against because of multiple social traits or characteristics. For instance, can a person or group be discriminated for both socioeconomic status and racial background?

Provide this example:

In the early 1990s, some Vietnamese American community members accused local police in Southern California of the “racial profiling” of Asian American and Pacific Islander youth. Civic groups charged the police of stopping young Asian American and Pacific Islander motorists, searching their vehicles, and taking their photographs without probable cause.

The Polaroid photographs were allegedly used as part of a mug shot book to identify local Asian American youth gang members. Many youth, without prior criminal records, complained of police misconduct and expressed discomfort with having their picture included in a criminal identification book.

Asian American and Pacific Islander youth accused law enforcement of discriminating against them because of their race, age, and preference in clothing. In other words, the police officers were discriminating against Asian American and Pacific Islander youth by stopping innocent youth and taking their pictures based on the prejudicial assumption that most Asian American and Pacific Islander youth who look and dress in certain ways are potential gang members.

Ask the students to give other cases or examples that involve multiple forms of discrimination.

Next, ask the students if they can differentiate between certain acts of discrimination. Imagine a white father who doesn’t support his daughter’s marriage to her Asian American boyfriend. What is the difference between the father’s stance and U.S. anti-miscegenation laws (prohibiting marriage between whites and people of color) that lasted until the 1950s?

The anti-miscegenation laws are “institutionalized” forms of discrimination, supported by the power of society. Institutionalized discrimination can be both formal and informal. For example, a company’s tradition of promoting only male employees to upper management, despite laws prohibiting such discrimination against women, is informal discrimination. Anti-miscegenation laws, on the other hand, were formal discrimination.

Ask the students to give examples of contemporary institutionalized discrimination, formal or informal.

Next, have the students brainstorm a definition of a hate crime. Hate crimes and behaviors are clearly forms of discrimination. What prejudices are some hate crimes based upon? Can hate crimes be institutionalized? (Some would argue that the deliberate introduction of foreign diseases by the U.S. government into certain Native American tribes in America’s early quest for expansion and the racial lynchings committed by the Ku Klux Klan are clear examples of institutionalized hate crimes.)

Hand out copies of the working definition of hate-motivated crimes and behaviors (see attachment to this lesson.) Ask the class for input in refining definitions.

Next, read the handout about the murder of Thien Minh Ly.

After the class has read the handout, have students respond in a journal to two prompts.

- First: Do you agree that the murder of Thien Minh Ly was a hate crime? Why?
- Second: Is there is a difference between a hate-motivated murder and an “ordinary” robbery-motivated murder? Should society deem one more “heinous” than the other? Why?

ACTIVITY TWO: SHOULD IT BE CLASSIFIED AS A HATE CRIME?

After students have written a few thoughts, open the class up for discussion. Bring the discussion to a close by reminding them that Thien Minh Ly’s murder was, in fact, tried as a hate crime and that the perpetrator, Gunner J. Lindberg, was sentenced to death. His accomplice, Domenic Christopher, who helped trap Ly, then cheered on the attack and kicked Ly during his final breaths, was sentenced to 25 years to life in prison.

Additional information for teachers:

In most crimes, the victim and perpetrator are likely to know one another. Hate crimes are overwhelmingly committed by strangers, however, and most hate crime perpetrators are under the age of 20.

Hate crime statutes, which usually cover race, religion and ethnicity, and, in some states disability, gender and sexual orientation, allow judges to stiffen sentences against already-convicted defendants, given that someone who seeks to harm a large group of people poses an arguably greater threat than one targeting a specific individual. Hate crimes also have an exponentially greater power to spread fear.

In 1997, the Federal Bureau of Investigation tallied 8,049 incidents. From 1991 to 1997, 40 percent of hate crimes were committed against African Americans and 15 to 20 percent involved religion. Anti-Asian crimes accounted for almost 10 percent of the total.

Advocates at the National Asian Pacific American Legal Consortium say those figures are only the tip of the iceberg. In 1997 alone, it says, at least five Asian Americans have lost their lives to hate: Kanu Patel and Mukesh Patek of Maryland; Won-Joon Yoon of Indiana; Naoki Kamijimi of Illinois; and Joseph Iletto of California.

For more information on the underreporting of hate crimes, visit www.tolerance.org/evc

ACTIVITY THREE: PERSONAL EXPERIENCES

Ask the students to respond individually to the following prompts on a piece of paper:

- What I want others to know about my group
- What I never want to see, hear or experience again as a member of this group

Give students about 5 minutes to complete their thoughts. Pair up students, and have them share their writings. After sharing in pairs, have the entire class come back together so each individual or volunteer can share their writings. Sharing should be voluntary.

First, review the following guidelines:

- Remember that individuals are speaking from their own experiences and do not represent all members of their ethnic group. The personal lists represent realities for the group and should not be doubted or challenged.
- This is an opportunity to learn from each other. Listen carefully and with respect.
- When each group has finished reading and explaining their list, there will be an opportunity for questions.

Questions should be asked to clarify, not to challenge.

When the pairs have shared their lists, create a discussion about the presentation. Here are some suggested questions:

- What are your initial reactions to the activity?
- Which group(s) did you feel you learned the most about?
- Did any of the statements surprise you?
- Did you notice any similarities between the groups?

SOURCE: ACTIVITY ADAPTED FROM AN ORIGINAL LESSON PLAN BY THE TODOS INSTITUTE.

ACTIVITY FOUR: AWARENESS TO ACTION

Remind participants that each of us is responsible for eliminating the discrimination around us. To do this, we each need to set up an action plan.

Pass out copies of the Personal Action Plan Handout. Students should have about 10 minutes to answer the questions. Then they will be asked to share their answers with a partner. When sheets are completed, ask participants to pair up and discuss their action plans with their partners.

When pairs have completed their discussion, bring the whole group back together. Take time to remind the group of the importance of taking responsibility for our own knowledge and actions. Finally, encourage them to work to accomplish every item on their worksheet.

Variations:

- Instead of asking participants to share plans with a partner, ask for volunteers to share with the whole group.
- Create your own version of the worksheet that is more specific to your school, organization, or community.
- Rewrite the worksheet to include other forms of diversity.

SOURCE: ACTIVITY ADAPTED FROM AN ORIGINAL LESSON PLAN BY SHERI LYN SCHMIDT.

Lesson 4: Hate Crimes
Handout 4(a)

Working Definitions of Hate Crimes and Bias Incidents

What is a hate crime?

A hate crime must meet two criteria:

- A crime must happen, such as physical assault, intimidation, arson or vandalism; and
- The crime must be motivated by bias.

The list of biases included in state hate crime statutes varies. Most states include race, ethnicity and religion. Some also include sexual orientation, gender and/or disability. In some cases, these statutes apply only to specific situations, such as housing discrimination.

Bias can be actual or perceived, as when an attack is directed at someone perceived to be gay.

Hate crimes, when prosecuted, typically carry enhanced penalties such as longer sentences.

What's a Bias Incident?

A bias incident is conduct, speech or expression that is motivated by bias or prejudice but doesn't involve a criminal act. Bias incidents may, however, violate school codes or policies. Check with your district office to see what anti-harassment policies exist.

What's the Difference?

Hate crimes, if charged and prosecuted, will be dealt with in the court system.

Bias incidents may occur with no clear path or procedure for recourse, because no law has been broken.

Because perpetrators frequently aren't identified, both hate crimes and bias incidents often go undocumented and unpunished. Both, however, demand unified and unflinching denouncement from the community.

SOURCE: 10 WAYS TO FIGHT HATE ON CAMPUS, TOLERANCE.ORG, A PROJECT OF THE SOUTHERN POVERTY LAW CENTER, WWW.TOLERANCE.ORG/CAMPUS

Lesson 4: Hate Crimes
Handout 4(b)

The Murder of Thien Minh Ly

On Super Bowl Sunday in 1996, Thien Minh Ly followed his usual exercise routine, taking his in-line skates to the tennis courts at Tustin High School, his alma mater.

By late evening, after the tennis court lights had been turned off, neighborhood kids had gone home, leaving Ly alone on the courts.

Sometime between 11 p.m. and 7:45 a.m., when a janitor discovered the body, Ly was stomped, kicked, slashed and stabbed to death, a trail of blood running across two tennis courts. Investigators later would count more than 50 stab wounds on Ly's body, including 14 to the heart.

Thien Minh Ly died with his skates on, his body left lying on the grounds of the high school where he had graduated in the top 10 of his class with a 4.53 grade-point average.

The 24-year-old Vietnamese man left behind his parents and two younger siblings. The first in his family to attend college, Ly graduated from UCLA with a double major in biology and English. He then completed a master's degree in physiology and biophysics at Georgetown University in Washington, D.C. He had returned temporarily to his family's home in Southern California just weeks before his death. Contemplating attending law school, Ly dreamed one day of becoming the U.S. ambassador to Vietnam.

For many weeks, the motive in the killing was assumed to be robbery, though all Ly carried on him was a house key that remained at the murder site.

Then a letter surfaced that included a chillingly casual reference to the killing. Sandwiched between chatty news about birthdays and travel plans was this line: "Oh, I killed a jap a while ago ... "

The four-page letter, riddled with misspellings and grammatical errors, was written by fugitive ex-con Gunner J. Lindberg, 21. Written on Feb. 23 and addressed to a prison buddy, it was given to police by a confidential informant, leading investigators to Lindberg's Tustin apartment — and to Lindberg's accomplice, 17-year-old roommate and co-worker Domenic M. Christopher.

The two were charged with Ly's murder in March 1996.

Lindberg, Christopher and a cousin of Lindberg's were part of a self-styled hate group called the "2/11 Insane Criminal Posse." (The date, Feb. 11, is tied to an earlier stint in prison by Lindberg.)

Lindberg sought to create white supremacist gangs in Missouri and California, according to evidence presented in the trial. He had corresponded with Canadian and U.S. neo-Nazi organizations and had been linked to violence against minorities on at least three occasions. Other letters of Lindberg's revealed a hatred for nonwhites, and at the trial, a cousin of Lindberg's testified that Lindberg claimed the killing was motivated by a "racial movement."

Police found a variety of white supremacist materials in the pair's apartment, including a poster celebrating

the assassination of the Rev. Martin Luther King Jr., symbols of Nazi Germany and, tucked inside a Bible, handwritten addresses for the Ku Klux Klan and other hate groups.

The brutality of the crime is matched by the complete callousness of the Feb. 23 letter, in which Lindberg recounts putting a butcher knife to Ly's throat and growing angry that Ly was looking at him:

"[He was] trying to get a description of me so I stomped on his head 3 times and each time said 'stop looking at me' then he was kinda knocked out Dazzed then I stabbed him in the side about 7 or 8 times he rolled over so I stabbed his back about 18 or 19 times then he layed flat and I slit one side of his [throat] on his jugular vain."

Lindberg's letter also revealed Christopher's role in the killing. Spelling Domenic Christopher's first name wrong, Lindberg said the younger accomplice cheered him on during the attack:

"Then Domminic said 'do it again' and I said 'I already Did, Dude' 'ya. Do it again' so I cut his other jugular vain, and Dominic said 'Kill him Do it again' I said 'he's already Dead' Dominic Said 'Stab him in the heart', so I stabbed him about 20 to 21 times in the heart."

Christopher, who had helped trap Ly and then kicked him repeatedly in the head as he took his final breaths, was convicted in April 1997 of first-degree murder and sentenced to 25 years to life in prison.

Later that year, in his own trial, Lindberg became the first person in California to receive the death penalty for a racially motivated murder. The jury concluded "the victim was intentionally killed because of his ... race, color, religion, nationality or country of origin," using the words of California's hate crime law.

Lindberg's callousness carried through the trial. Each day he wore a faded blue and white Dallas Cowboys jersey, the same shirt he had worn the day he murdered Ly.

Family members testified prior to Lindberg's sentencing, calling him a "monster."

Thu Ly, the victim's 24-year-old sister, said the family had been "living in a nightmare. The unimaginable pain and devastation is beyond words."

A sobbing Dao Huynh, the victim's mother, added, "I miss him every minute."

SOURCES: LOS ANGELES TIMES, UCLA DAILY BRUIN AND VARIOUS OTHER NEWS REPORTS

Lesson 4: Hate Crimes
Handout 4(c)

Personal Action Plan

Fighting racism is difficult work and requires a plan of action. This worksheet helps you identify specific actions you can take to help further your own education and create change in your community.

1. Information I plan to seek out to further my understanding of racism:

2. A topic of conversation I would like to have with my friends, colleagues, or family about racism:

3. The ethnic groups I feel I still need to gain a great deal of knowledge about:

4. Events or activities I plan to participate in to increase my understanding of ethnic groups:

5. An action I can take (through a leadership position, organization, or project) to enhance ethnic/race relations in my school, organization, or community: