

AJC Policy: Hate Crimes

More must be done to combat domestic hate crimes. In recent years, the U.S. has experienced an alarming rise in violent extremism, often targeted at religious minorities. The FBI's latest *Hate Crimes Statistics* report released in November 2019 shows that Jews were the target of 57.8% of all religiously motivated hate crimes in 2018 while accounting for less than 2% of the U.S. population. What's more, fatal attacks against the Jewish community have occurred with horrifying frequency: the shooting at the Tree of Life Synagogue in Pittsburgh; the attack at a Chabad in Poway; the shooting at a kosher supermarket in Jersey City; the stabbing at a Hanukkah party in Monsey. In 2019, AJC issued a landmark Survey of American Jewish Attitudes about Antisemitism which found that not only do 84% of American Jews feel antisemitism in our country has increased over the past 5 years, 68% avoided publicly wearing, carrying, or displaying things that might help people identify them as Jewish. Hate-related atrocities have also affected other minority communities: the massacre of African American congregants at AME Episcopal Church in Charleston; the fatal shooting of Khalid Jabara in an anti-Arab attack in Tulsa; a mass shooting targeting Latinos at a Walmart in El Paso; and far too many others.

Since the first hate crimes statute was passed in 1968, the federal government has ushered in additional legislation to help law enforcement effectively arrest, prosecute, and record the actions of hate crime perpetrators. In 1990, Congress passed the Hate Crimes Statistics Act. This act granted the FBI oversight of the Uniform Crime Reporting Program that collects hate crime data voluntarily submitted by state and local law enforcement agencies. In 2009, Congress made necessary additions to the law by passing the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which allows federal authorities to investigate and prosecute hate crimes committed on the basis of actual or perceived "race, color, religion, national origin, gender or gender identity, sexual orientation, or disability."

While these laws signified a desire to address hate crimes in the United States, today only 13% of the nation's law enforcement agencies submit *any* hate crimes data to the FBI. This number accounts for more than 85 cities with at least 100,000 residents whose law enforcement agencies fail to report or report zero hate crimes to the FBI. Moreover, it is widely acknowledged that the majority of hate crimes go unreported to law enforcement. AJC's 2019 Survey found that 75% of those who were the target of an antisemitic attack or remark did not report it. This, coupled with inaccurate and incomplete hate crimes data to the FBI, limits federal, state, and local governments' and institutions' abilities to address hate crime related issues – the scope, location, and severity of the problem.

Bills like the NO HATE Act are an essential first step. This bill would leverage existing grant money to help local law enforcement improve hate crime reporting through training, set up reporting hotlines, enhance relations with targeted communities, and host public educational forums on hate crimes. In exchange for these resources, the FBI would receive hate crime data from the law enforcement agency voluntarily enrolled in the program. While the NO HATE Act would leave state and local government compliance voluntary, it would provide necessary resources to make identification, tracking, and hate crime reporting easier. Because gathering accurate hate crime data will not happen overnight, we must ensure that targeted minority communities are protected and trained to respond to hate crimes.

There is a clear and urgent need for additional resources for community protection – building on the 50 percent increase in DHS security grants for nonprofits provided by Congress in Fiscal Year 2020 appropriations. In addition, our government can ward off potential hate crimes by: calling out hateful rhetoric proliferated through religious, political, and cultural movements; implementing programs to rehabilitate hate-crime perpetrators during and following incarceration; pressing social media platforms to ratify and enforce community standards; and implementing specialized curricula in schools where hate crime incidents are most prevalent.

In addition, there needs to be greater consistency in the prosecution of hate crimes. Dr. Ahmed Shaheed, the UN Special Rapporteur on Freedom of Religion or Belief, who submitted a groundbreaking study on global antisemitism to the UN General Assembly last fall, noted that there must be “a consistent expectation by perpetrators that they will be prosecuted.” Law enforcement does not consistently prosecute hate crimes. Police and other law enforcing agencies must learn what constitutes a hate crime to accurately prosecute and report an incident.

In addition to a focus on the sources of and contributors to hate crimes domestically, it is essential that we recognize the transnational nature of hate. Numerous white nationalist extremist groups based abroad have successfully found sympathizers and supporters in the United States, with terrifying consequences. These groups are engaged in transnational radicalization, recruitment, training, and violence. Experts have pointed to white supremacist violent extremism as one of the leading threats to our homeland. Those that qualify should be designated as Foreign Terrorist Organizations (FTOs), a move that will allow the U.S. government to take action to curb financing and enable prosecution. In recent weeks, the State Department has moved to designate Russian Imperial Movement (RIM) as an FTO. There are additional white supremacist groups abroad that qualify for FTO designation; this move should be considered to protect American values abroad and lives at home.

Hate crimes threaten the rights and security of all Americans, their freedom to worship freely and express beliefs without fear. As a nation that has always recognized the strength in our diversity, hate crimes undermine the values that underpin our democracy. As violent attacks against Jewish and other religious minority communities continue to surge, more must be done to better understand and prevent acts of bigoted hate.

This policy paper is meant to be a resource for candidates. It is one of several that outlines AJC standpoints and policies on issues of core concern to our organization and our community.

AJC, founded in 1906, is the Jewish community’s global advocacy organization. Its mission is to enhance the security and well-being of the Jewish people and Israel, and to advance human rights and democratic values around the world. In addition to its New York headquarters and its Office of Policy and Diplomatic Affairs in Washington, D.C., AJC has 24 U.S. regional offices, 12 overseas posts, and 37 partnerships with Jewish communities and institutions worldwide.

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