



**Statement of the Virginia Advisory Committee to the U.S. Commission on Civil Rights
Condemning the Rise in Hate Crimes and Violence Targeted at Asian-Americans and
Pacific Islanders and in Anti-Semitic Incidents in the U.S.**

May 25, 2021

We, the members of the Virginia Advisory Committee to the U.S. Commission on Civil Rights, are shocked and saddened by the recent spike in hate crimes targeting the Asian-American and Pacific Islander (AAPI) and Jewish communities, and we stand in solidarity with all those affected by these crimes—both the victims themselves and the communities they represent. The targeting of AAPI and Jewish communities for violent assaults, racial slurs, and property damage is reprehensible and must be unequivocally condemned. The targeting of any individual or community on the basis of race, religion, creed, ethnicity, or sexual orientation is antithetical to the core principles of the Commission, and thus the civil rights implications of these hate crimes must be clearly articulated. Our Advisory Committee recently conducted an examination of trends in hate crimes and identified certain expert recommendations that can be useful to the Commission to contextualize the wave of anti-Asian and anti-Semitic hate crimes and the subsequent congressional response.¹

In light of our recent focused study of hate crimes, we appreciate the pernicious effect these types of crimes have not just on the immediate victim but on the entire targeted community. As one of our expert witnesses noted in his testimony, “[Hate crimes] are intended to intimidate, not only the individual victim of the crime, but also members of the victim’s community...Failure to properly address hate incidents often causes a single event to explode into widespread community tension. The damage is done by bigotry, therefore it cannot be measured solely in terms of physical injury or dollars and cents harm to institutions.”² In the present instance, the fact that these crimes against the AAPI and Jewish communities are not geographically contained but rather appear from coast to coast creates an even more pervasive fear as individual members of these communities everywhere may believe themselves to be a potential target simply due to their race, ethnicity, or religion. Therefore, we must draw attention to these crimes, prosecute them appropriately, and devote adequate resources to help the targeted communities.

Hate crimes are generally underreported for the same reasons that cause the community to be initially targeted: differences in language, religion, race, or ethnicity that lead the targeted victims and their community to be fearful, intimidated, or sometimes unable to solicit help from authorities. While it is important to devote additional resources to the gathering and analysis of

¹Virginia State Advisory Commission to the U.S. Commission on Civil Rights, *An Advisory Memorandum of the Virginia Advisory Committee to the U.S. Commission on Civil Rights*, Nov. 2020, <https://www.usccr.gov/files/2020-11-23-Hate-Crime-Statistics-and-Incidence-in-Virginia.pdf>.

² Ibid, Appendix B: Doron Ezickson Testimony, 2019 Transcript, p. 36 lines 13-16.

data on hate crimes, more must be done to ensure that communities are empowered to report such crimes accurately and openly, and that law enforcement and community organizations are positioned and trained to recognize, document, and report these crimes as well.

While shocked and saddened by these crimes, as a Committee we are also heartened by the recent signing of the Covid-19 Hate Crimes Act.³ Among other things, this legislation requires the U.S. Department of Justice to prioritize and expedite the review of reported hate crimes, and to issue guidance to state, local, and tribal law enforcement agencies on establishing online hate crime reporting processes.⁴ The Act also calls for improved collection of hate crime data disaggregated by protected characteristic, and funding the expansion of education campaigns to highlight the threat of hate crimes and offer guidance on reporting such incidents.⁵

Just as hate crimes are intended to send a message beyond the harm of the immediate crime, the political messaging around the approval of such legislation also transcends its immediate impact. After last-minute bipartisan negotiations led by Sen. Mazie Hirono (D-HI) and Sen. Susan Collins (R-ME), the revised legislation was passed in the Senate by an overwhelming vote of 99-1. The legislation passed the House by a similarly overwhelming margin of 364-62, and was promptly signed by President Biden. This type of bipartisan, bicameral consensus sends a powerful message repudiating the hate, bias, and discrimination embodied in all of the recent hate incidents against the AAPI and Jewish communities.

While we are encouraged by the strong support for this legislation, our study of hate crimes also shows us that this is but a first step. There is no doubt that this legislation will bring material improvements to the federal oversight of hate crimes and the collection of hate crimes data, both of which were identified as important factors by the experts who testified before our Committee. Our survey of experts drawn from law enforcement, academia, and community service providers showed broad consensus around certain core components needed to effectively address hate crimes. These included targeted training for first responders and law enforcement to equip them with the knowledge and skills necessary to handle delicate situations that often involve cultural or linguistic barriers.⁶ Similarly, the experts articulated a need for focused education and information for targeted communities to equip them to understand and trust available resources, and the integration of community service organizations in the effort to build relationships with law enforcement.⁷ Taken together, these recommendations bridge the gap between law enforcement and the targeted communities by addressing cultural and linguistic issues, and positioning first responders to understand the sensitivities related to hate crimes.⁸

This law omits several of our study's central recommendations, including specifically the inclusion of focused training for law enforcement and first responders and the comprehensive

³ COVID 19 Hate Crimes Act, Pub. L. No. 117-13, 135 Stat. 265, (codified at 34 U.S.C. § 30501 statutory notes), <https://www.congress.gov/bill/117th-congress/senate-bill/937/text>

⁴ Id. at Sec. 3 (a).

⁵ Id. at Sec. 4 (a).

⁶ Ezickson Testimony, 2019 Transcript, Pg. 37, lines 3-5. See also Coston Testimony, 2019 Transcript, Pg.34, lines 31-33. (Appendix B), <https://www.usccr.gov/files/2020-11-23-Hate-Crime-Statistics-and-Incidence-in-Virginia.pdf>

⁷ McDevitt Testimony, 2018 Transcript, pp. 9-10. (Appendix A), <https://www.usccr.gov/files/2020-11-23-Hate-Crime-Statistics-and-Incidence-in-Virginia.pdf>

⁸ Ibid.

engagement of community service providers. Instead, the law emphasizes improving data collection and directs additional resources to law enforcement. These are important and worthy elements, but in and of themselves are insufficient. The AAPI and Jewish communities need and deserve more support and resources targeted at the most effective means of identifying, measuring, reporting, preventing, and ultimately prosecuting, hate crimes. As a civil rights advisory committee, we stand vigilant against all forms of prejudice, hate, and bigotry, and reiterate our condemnation of the crimes committed against members of the AAPI and Jewish communities. As an Advisory Committee to the U.S. Commission on Civil rights, we would like to invite the Commission to revisit our recently published report on Hate Crimes in Virginia in light of this current context. We further request that the Commission forward the report and its recommendations, along with this statement, to the White House, members of the U.S. Congress, and the U.S. Department of Justice, Civil Rights Division.

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U.S. Commission on Civil Rights**

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