



HOUSE COMMITTEE ON THE JUDICIARY

CHAIRMAN JERROLD NADLER

TALKING POINTS: S.937, THE COVID-19 HATE CRIMES ACT

As the entire country grapples with the COVID-19 pandemic, the Asian American community is also facing an alarming rise in anti-Asian violence, hate, and discrimination.

- In 2020, nearly one in three Asian Americans [reported](#) experiencing racial slurs or jokes, measuring from the start of the COVID-19 pandemic.
- Stop AAPI Hate [documented](#) over 6,600 incidents against the Asian American community since March 2020, ranging from violent attacks to verbal harassment.
- There was a [1,900% increase](#) in violence against Asian Americans in New York City in 2020 and there has been a [150% increase in hate crimes](#) against Asian Americans in America's major cities.

Asian Americans are the target of violent assault, traumatic verbal harassment, and startling discrimination that aims to devalue their citizenship and place in our society.

- An 84-year-old Thai man, was brutally assaulted and shoved to the ground by his assailant in San Francisco [on January 28, 2021](#). He died from his injuries two days later.
- An 89-year old woman was [slapped in the face and lit on fire](#) while outside her home in New York City.
- Eight people were murdered [on March 16, 2021](#), when a mass-killer attacked three different massage parlors in Atlanta. Six of the victims were women of Asian descent.
- A 31-year-old was attacked in the head with a hammer as she and her 29-year old friend walked through Hell's Kitchen in New York City on [May 3, 2021](#).
- Two women, including an 85-year old, were [savagely stabbed](#) while waiting for a bus in San Francisco on May 4, 2021.
- A 66 and a 67-year-old were brutally attacked by a man wielding a cinderblock as they closed up their shop in Baltimore on [May 4, 2021](#).

Hate crimes overall are also on the rise. Communities across the country are facing a dangerous rise in violent hate crimes, including deadly assaults, mass shootings, and attacks on community centers, religious institutions, and private property. This increase in bias-motivated crimes is mirrored by a surge in white supremacist organizations, propaganda, and violence from right wing extremists.

- [Between 2018 and 2019](#), bias-motivated criminal incidents rose from 7,120 to 7,314—the highest number in over a decade. Hate-driven homicides reached a record 51 murders, including the tragic mass shooting of 23 individuals at a Walmart in El Paso, TX.
- The available data tells a story of rising instances of violent hate crimes in 2019, with higher rates of assaults against most groups. Aggravated assaults are up 5.9% from 2018 and are at their highest level since 2001.
- The Southern Poverty Law Center (SPLC) [reported](#) that the number of white nationalist groups grew 55 percent between 2017 and 2019, noting that the rise in hate-based attacks coincides with growth in the white nationalist movement.

- Between January 1st and May 2nd of 2021, New York City saw 180 hate crimes—a [73% increase](#) from the year before.

Despite the rise in documented hate crimes and hate incidents—both in the media and by non-profit groups—hate crimes are chronically underreported and incredibly difficult to track.

- Even though federal law requires the FBI to track crimes in cases of “manifest evidence of prejudice” against various protected groups, the FBI cannot compel law enforcement agencies to collect and submit such data.
- In fact, thousands of law enforcement agencies also opt not to participate in the FBI’s hate crime reporting program at all or even attempt to collect hate crime data. 17 states [do not require](#) local law enforcement to collect data on hate crimes, and three states have no statutes governing the treatment of hate crimes.
- We only have some idea as to the extent of the problem because of online self-reporting and tracking tools like Stop AAPI Hate, which give individuals the opportunity to self-report crimes or incidents committed against them.

The COVID-19 Hate Crimes Act would help facilitate the DOJ’s collection of data on hate crimes against Asian Americans.

- By designating an individual at DOJ to expedite review of COVID-19 hate crimes, S. 937 ensures that hate-driven violence in America is not ignored and left for individual communities to bear in silence.
- The bill will also work to fix reporting problems at the local level by requiring the Attorney General issue guidance for the creation of online reporting mechanisms and the collection of disaggregated data.
- Finally, the COVID-19 Hate Crimes Act takes steps to reverse the trend of anti-Asian bias and hate by directing the Attorney General to create guidelines for awareness of hate crimes during the COVID-19 pandemic.

This crucial legislation also includes the Jabara–Heyer NO HATE Act, which will help drastically improve hate crime reporting and accountability within law enforcement.

- It improves hate crime reporting by supporting the full implementation of the National Incident-Based Reporting System (NIBRS), a system which allows law enforcement agencies to report hate crimes to the FBI.
- It authorizes pre-existing grant money to be used in support of the creation of state-run hate crimes hotlines and local law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crimes.
- It supports law enforcement agencies that establish a policy on identifying, investigating, and reporting hate crimes; train officers on how to identify hate crimes accurately; develop a system for collecting hate crimes data; and establish a hate crimes unit within the agency.
- It strengthens the Attorney General’s ability to ensure law enforcement grantees report on their progress reporting hate crimes and requires the Attorney General to collect and analyze the information to better mitigate hate crimes.

Prepared by House Judiciary Committee Staff