

December 17, 2020

Re: Support for Jabara-Heyer NO HATE Act, S. 2043

Dear Senator:

We, the undersigned 26 Jewish organizations, write to draw to your attention the urgent, worsening need, further illuminated by the FBI's recently-released 2019 Hate Crimes Statistics report, to meaningfully address hate-motivated criminal behavior. We urge the Senate to take swift action to enact the Jabara-Heyer NO HATE Act (S. 2043), in response, to demonstrate Congress's commitment to fighting hate crimes and understanding of the paramount importance of documenting as accurately as possible the nature and scope of this problem, which continues to threaten the security, health, and prosperity of too many marginalized communities in our country today.

The Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2019 (NO HATE Act) would significantly enhance the accuracy, and therefore increase the utility, of the FBI's hate crimes statistics by authorizing new streams of funding and technical support from the Department of Justice to state and local governments to improve their collection of hate crimes data and ensure their robust participation in the FBI's data compilation. This legislation would also secure DOJ's active encouragement of and support for state and local initiatives to prevent hate crimes and mitigate their destabilizing effects on victims and the social fabric of communities. If enacted, the Jabara-Heyer NO HATE Act would move DOJ beyond simply compiling information and toward the crucial next step of analyzing the conditions that produce and forestall hate crimes, promoting proven interventions to eliminate the multifaceted harm that hate crimes cause.

For nearly three decades, the FBI's Hate Crimes Statistics program has improved our understanding of hate crimes. Although it excludes some incidents that are not recorded or reported as hate crimes, and is affected by year-to-year changes in participating agencies, the program has consistently provided the most comprehensive snapshot available of bias-motivated criminal activity in the United States. As you know, data drives policy: we cannot hope to fix a problem that we have not quantified and measured over time.

Our review of the 2019 Hate Crimes Statistics report validates our view that Congress must prioritize combating hate crimes. According to FBI data, reported incidents increased by 2.7 percent from 2018 to 2019, and included the highest number on record – 51 – of hate crime murders. Consistent with the national reckoning with anti-Black violence that accelerated after George Floyd's murder, anti-Black hate crimes accounted for a majority of race-related reports in 2019. Bias on the basis of race was the most common motivating factor in the 7,314 incidents reported. We were particularly alarmed to find that crimes directed at Jews/Jewish institutions increased by 14 percent in 2019, and all religion-based crimes increased by 7 percent. Absolute numbers of reported hate crimes motivated by gender identity bias and anti-Latinx bias likewise increased in 2019 by 18 percent and 8.7 percent, respectively. If

unaddressed, these trends will continue to exacerbate the alienation of many millions of individuals who already feel singled out for negative attention by policies, including bans on the entry of nationals of certain majority-Muslim countries, and the 2017 prohibition on transgender individuals' service in the military.

The International Association of Chiefs of Police, as the world's largest professional association for police leaders, recognizes the importance of effective law enforcement response to hate crimes, and that strong policies and the implementation of those policies can help build trust between police and the communities they have sworn to serve and protect. The attention and efforts to combat hate crimes by many in the law enforcement community are appreciated and constructive. Nonetheless, it remains clear that the FBI's hate crimes statistics understate the true number of hate crimes committed in our nation: for example, in its 2019 report "In the Name of Hate: Examining the Federal Government's Role in Responding to Hate Crimes", the U.S. Commission on Civil Rights noted that "massive underreporting" remains a major barrier to effective redress of bias-motivated violence. Our organizations are dismayed that for the second year running, the number of law enforcement agencies that contributed data to the FBI's report declined. In addition, in 2019, 86 percent of participating agencies, including police forces from 71 cities with populations over 100,000 people, affirmatively reported that no hate crimes had occurred in their jurisdictions. Underreporting is attributable to many reasons, including a failure by some agencies to prioritize hate crime tracking and to comprehensively identify and record the bias element of some reported crimes, as well as the barriers in place that cause victims to fear coming forward.

The damage done by hate crimes cannot be measured solely in terms of physical injury or dollars and cents. Hate crimes can make members of targeted communities afraid, angry, and suspicious of other groups – and of the power structure that is supposed to protect them – thereby exacerbating tensions and fragmenting communities. Attacks on the Jewish community and Jewish institutions are especially frightening to our people who carry the memory, and are acutely aware of the enduring painful consequences, of centuries of vicious antisemitic sentiment and actions. At this pivotal moment for our national conversation about the meaning and importance of justice for communities of color, religious minorities, the LGBTQ+ community, and other targets of prejudice-driven attacks, we simply cannot tolerate hate, nor fail to demonstrate with words and actions that combating hate crimes is a top priority.

We appreciate your attention to this critical matter and your support for responsive legislation that expresses Congress's strong condemnation of hate crimes and commitment to ending their malign influence on our communities.

Sincerely,

National and International Organizations  
Agudath Israel of America

ALEPH: Alliance for Jewish Renewal  
American Jewish Committee  
American Zionist Movement  
Anti-Defamation League  
Aytzim: Ecological Judaism  
B'nai B'rith International  
HADASSAH The Women's Zionist Organization of America, Inc.  
J Street  
Jewish Council for Public Affairs  
Jewish Federations of North America  
Jewish Labor Committee  
Jewish Women International  
Keshet  
MERCAZ USA  
Moving Traditions  
National Council of Jewish Women  
Rabbinical Assembly  
Reconstructing Judaism  
Reconstructionist Rabbinical Association  
T'ruah  
Union for Reform Judaism  
The Workers Circle

State-Based Organizations

Jewish Community Relations Council of the Milwaukee Jewish Federation (Wisconsin)  
Jewish Community Action (Minnesota)  
Kavod Boston (Massachusetts)

*The Zionist Organization of America (ZOA), a member of the American Zionist Movement, disagrees with portions of this letter and has certain concerns regarding the act, and accordingly is not signing this letter.*