

United States Senate

May 4, 2020

The Honorable Mitch McConnell
Senate Majority Leader
United States Senate
S-230 U.S. Capitol
Washington, D.C. 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
S-221 U.S. Capitol
Washington, D.C. 20510

The Honorable Richard Shelby
Chairman
Senate Appropriations Committee
Washington, DC 20510

The Honorable Patrick Leahy
Vice Chairman
Senate Appropriations Committee
Washington, DC 20510

Dear Leader McConnell, Leader Schumer, Chairman Shelby, and Vice Chairman Leahy:

The spread of the coronavirus has been accompanied by a sharp increase in acts of hate targeting the Asian-American community.¹ There has also been a documented increase in hateful messages targeting other minority communities in the U.S. and around the world, including the LGBTQ community, Muslims, and Jews.² And just last week, civil rights groups expressed concern about the xenophobic messages within the President's recent proclamation suspending certain types of immigration, announced by a tweet that purported to connect immigrants to the "invisible enemy" and a threat to American workers.³ To address and respond to these issues, we must ensure that all communities have the resources necessary to combat hate-motivated violence. This includes ensuring that any emergency funding for law enforcement includes a long overdue appropriation of funds under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA) to help state and local law enforcement work with communities to enhance the response to hate crimes.

While data from the FBI on hate crimes over the last several months is not yet available, the FBI released an intelligence report expressing concern about an increase in hate

¹ Josh Margolin, *FBI warns of potential surge in hate crimes against Asian Americans amid coronavirus*, ABC News (March 27, 2020), <https://abcnews.go.com/US/fbi-warns-potential-surge-hate-crimes-asian-americans/story?id=69831920>; DeShawn Blanding and Danyelle Solomon, *The coronavirus pandemic is fueling fear and hate across America*, Center for American Progress (March 30, 2020), <https://www.americanprogress.org/issues/race/news/2020/03/30/482407/coronavirus-pandemic-fueling-fear-hate-across-america/>.

² *Coronavirus crisis elevates anti-Semitic, racist tropes*, ADL (March 17, 2020), <https://www.adl.org/blog/coronavirus-crisis-elevates-antisemitic-racist-tropes>; Basit Mahmood, *Rise in Anti-Muslim Hate Crimes as Islam Wrongly Blamed for Coronavirus*, Newsweek (April 18, 2020), <https://www.newsweek.com/islam-muslims-coronavirus-lockdown-ramadan-islamophobia-1498499>.

³ *The American Public Won't be Fooled by Trump's Latest Xenophobic Ploy*, The Leadership Conference on Civil & Human Rights (April 21, 2020), <https://www.newsweek.com/islam-muslims-coronavirus-lockdown-ramadan-islamophobia-1498499>; *ACLU Statement on Trump's Intended Immigration Ban*, American Civil Liberties Union (April 21, 2020), <https://www.aclu.org/press-releases/aclu-statement-trumps-intended-immigration-ban>.

crimes targeting communities that might be blamed for the spread of the coronavirus. On April 20, FBI Director Wray sent a letter to state and local law enforcement officials stating that the FBI remains “concerned about the potential for hate crimes by individuals and groups targeting minority populations in the United States who they believe are responsible for the spread of the virus.”⁴ The Asian Pacific Policy and Planning Council and its partners received more than 1,100⁵ reports of anti-Asian hate incidents over a three week period starting in mid-March.⁶ The Anti-Defamation League (ADL) has documented coronavirus conspiracy theories, threatening posts, and calls to action online from white supremacists to target Jews, Muslims, people of color, LGBTQ communities, and immigrants.⁷

In order to respond, we must ensure that resources are directed toward programs that guarantee the safety of all people, regardless of race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, or immigration status. This includes directing funds towards a long overdue appropriation under the HCPA.

Section 4704 of the HCPA authorized five million dollars from 2010 to 2012 for state and local law enforcement to investigate and prosecute hate crimes. But Congress has never appropriated funds to help states and localities conduct educational outreach and training on hate crimes, or to pay for expenses associated with investigations or prosecutions of hate crimes. Section 4704 also requires that law enforcement agencies seeking funds “demonstrate that, in developing a plan to implement the grant, the State, local, and tribal law enforcement agency has consulted and coordinated with nonprofit, nongovernmental victim services programs that have experience in providing services to victims of hate crimes.”

Law enforcement leaders across the country recognize the importance of the kind of consultation and coordination required under Section 4704 of the HCPA.⁸ Appropriating funds for this provision will help promote effective engagement with local community organizations, including civil rights and advocacy groups, which is critical to earning trust and combating hate. Because of the outsized impact of hate incidents and hate crimes on entire communities, supporting an effective response to hate crimes through this provision also helps to build the

⁴ Josh Campbell, *FBI concerned about potential for hate crimes during coronavirus pandemic*, CNN (April 21, 2020), <https://www.cnn.com/2020/04/21/politics/fbi-hate-crimes-coronavirus/>; see also Josh Margolin, *FBI warns of potential surge in hate crimes against Asian Americans amid coronavirus*, ABC News (March 27, 2020), <https://abcnews.go.com/US/fbi-warns-potential-surge-hate-crimes-asian-americans/story?id=69831920>.

⁵ While the FBI data regarding reported hate crimes will not be available until November of 2021, the latest data reported for all hate crimes committed across the entire country for 2018 was 7,120.

⁶ *Stop AAPI HATE receives over 1,100 incident reports of verbal harassment, shunning and physical assault in two weeks* (April 3, 2020), http://www.asianpacificpolicyandplanningcouncil.org/wp-content/uploads/Press_Release_4_3_20.pdf.

⁷ *Coronavirus crisis elevates anti-Semitic, racist tropes*, ADL (March 17, 2020), <https://www.adl.org/blog/coronavirus-crisis-elevates-antisemitic-racist-tropes>.

⁸ See, e.g., *Action Agenda to Enhance the Response to Hate Crimes*, International Association of Chiefs of Police, <https://www.theiacp.org/resources/document/action-agenda-for-community-organizations-and-law-enforcement-to-enhance-the>.

community relationships fundamental to effective policing, and to advancing public safety that respects the dignity of all.

Sincerely,



Kamala D. Harris
United States Senator



Richard J. Durbin
United States Senator

/s/ Tammy Baldwin
United States Senator

/s/ Richard Blumenthal
United States Senator

/s/ Cory A. Booker
United States Senator

/s/ Sherrod Brown
United States Senator

/s/ Christopher A. Coons
United States Senator

/s/ Catherine Cortez Masto
United States Senator

/s/ Tammy Duckworth
United States Senator

/s/ Kirsten Gillibrand
United States Senator

/s/ Mazie K. Hirono
United States Senator

/s/ Amy Klobuchar
United States Senator

/s/ Edward J. Markey
United States Senator

/s/ Robert Menendez
United States Senator

/s/ Jacky Rosen
United States Senator

/s/ Chris Van Hollen
United States Senator

/s/ Sheldon Whitehouse
United States Senator