

Racist Hate Speech and Hate Crimes

Concluding Observation 9

Since 2014, the United States has experienced an alarming increase in hate crimes and violent white supremacy. The FBI’s annual hate crime statistics show the importance of addressing this pervasive problem affecting the country: 2018 and 2019 were two of the deadliest years on record for hate crimes, with the mass murders at Tree of Life Synagogue in Pittsburgh, Pennsylvania, and a Wal-Mart in El Paso, Texas. Further, President Trump’s last year in office (2020) saw the highest number of reported hate crimes since 2001. FBI Director Christopher Wray stressed the need to address white nationalism in his testimony before the U.S. Senate Committee on the Judiciary in 2021, stating that the “top threat we face from domestic violent extremists continues to be those we identify as racially or ethnically motivated violent extremists, specifically those who advocate for the superiority of the white race.”

2015 saw a nearly 7 percent increase in hate crimes from 2014. Likely correlated with the increase in racist and inflammatory rhetoric from the 2016 election cycle, this increase was driven by a sharp rise in anti-Muslim hate crimes, which increased 67 percent from 2014 to 2015. During Trump’s first year in office, reported hate crimes increased by almost 5 percent, with nearly 60 percent being motivated by race, ethnicity, or ancestry bias. This was in large part driven by increases in anti-African American/anti-Black hate crimes and anti-Asian hate crimes. Anti-African American/anti-Black hate crimes increased by nearly 20 percent from 2019 to 2020. During the global COVID-19 pandemic, anti-Asian hate crimes and hate incidents saw a sharp increase, with nongovernmental organizations documenting more than 10,000 anti-Asian American and Pacific Islander hate incidents from March 2020 to December 2021 alone.

While some progress has been made, there is a critical need for the United States to address the rise in racially motivated hate violence through both the administrative and legislative branches of government at the federal, state, and local levels.

Recommendations

Name White Supremacist Hate

- Public officials should use their positions to denounce racist speech, speak out against hate crimes, and share messages of inclusion.

Data Collection

- The Biden administration should support mandatory hate crime reporting, and Congress must pass a law mandating hate crime data collection and reporting.
- Until hate crime data collection and reporting are made mandatory by Congress, the U.S. Department of Justice (DOJ) should require law enforcement agencies that receive federal funding to report hate crime data to the Uniform Crime Report program.

Reporting and Compliance

- All civil rights offices in federal agencies should review all recipients of federal financial assistance to ensure there is language access in all materials about hate incidents.

- DOJ should use its existing Title VI enforcement authorities to confirm that all recipients of federal financial assistance are ensuring language access in all materials about hate incidents.
- Civil rights offices should address the needs of students targeted for hate and understand their obligations concerning unlawful discrimination at schools.
- The Educational Opportunities Section of the Civil Rights Division should work with the Department of Education’s Office for Civil Rights to ensure that campuses comply with hate crimes reporting requirements connected to Clery Act obligations, which require colleges to disclose crime statistics happening on campus.
- DOJ should fully implement grant provisions of the COVID-19 Hate Crimes Act and Jabara-Heyer NO HATE Act that would provide support for law enforcement agencies to transition to National Incident-Based Reporting System (NIBRS) until all law enforcement agencies are deemed NIBRS compliant.

Community-Based Organizations

- DOJ should deploy its Community Relations Service and the Civil Rights Division to ensure that civil rights and community organizations assist in defining public safety and effective hate crimes reporting methods and are included in training development.
- DOJ should create or redirect grants and discretionary funds to support local community organizations so they can continue to serve communities targeted for hate crimes.
- DOJ should support the creation of continued work of hate crimes working groups composed of community-based organizations, civil rights leaders, and police officials housed in every U.S. attorney’s office across the country.
- All Countering Violent Extremism programs and programs relying on the same flawed science must be eliminated. All Office of Community Oriented Policing Services and Office of Justice Programs funding for law enforcement should include reminders about Title VI obligations pertaining to hate crimes reporting.

Read the full report, “[Holding the Line: Combating Racial Discrimination in a Divided America](https://civilrights.org/CERD2022),” here: civilrights.org/CERD2022.