

## Talking Points

# Hate Crimes

The National Council of Jewish Women (NCJW) works to guarantee all individuals live free from violence and persecution. From the Civil Rights Act of 1964 to the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009 and beyond, NCJW has been and continues to be on the front lines helping to enact landmark civil rights legislation. Our unique history compels us to protect and defend marginalized communities from acts of hate and bias. That is why we continue to advocate for laws and policies that strengthen hate crime laws and data collection to ensure all communities can live free from hate.<sup>1</sup>

**Hate crime laws punish violent acts, not beliefs or thoughts.**

- A hate crime is any crime motivated in whole or in part by bias, prejudice, or bigotry.
- Hate crime statutes increase the sentence if the crime was motivated by the victim's actual or perceived personal characteristics such as race, religion, ethnicity, sexual orientation, or disability. These protected categories vary by state.
- The US government, 45 states, and the District of Columbia have hate crime laws.

**HATE CRIMES PREVENTION ACT**

The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, signed into law in 2009 by President Obama, expands federal hate crime law to include religion, national origin, gender, sexual orientation, gender identity, and disability.

**The patchwork of state hate crime laws hurts marginalized communities.**

- 5 states — Wyoming, Arkansas, Georgia, South Carolina, and Indiana — do not have hate crime statutes.
- Nearly one-quarter of the LGBTQ community lives in states with hate crime laws that do not include gender identity and sexual orientation as protected categories.
- Since 2013, at least 102 transgender people, disproportionately women of color, were victims of fatal violence.

**PREVENTING HATE AND BIAS**

NCJW is a proud partner in Communities Against Hate, a diverse partnership of civil rights organizations whose goals are to document stories, provide resources, and respond to incidents of violence, threats, and property damage motivated by hate in the United States.

<sup>1</sup> Data and evidence below cited come from Anti-Defamation League ([www.adl.org](http://www.adl.org)), Federal Bureau of Investigation (<https://www.fbi.gov/news/stories/2016-hate-crime-statistics>), the Movement Advancement Project ([http://www.lgbtmap.org/equality-maps/hate\\_crime\\_laws](http://www.lgbtmap.org/equality-maps/hate_crime_laws)), and the Human Rights Campaign ([www.hrc.org](http://www.hrc.org)).

### Religiously motivated hate crimes are increasing.

- An analysis of the Federal Bureau of Investigation's (FBI) 2016 report on hate crime statistics shows that hate crimes increased nearly 5% in 2016.
- Reported hate crimes against Jews increased 3% in 2016. Of religious-based hate crimes, more than half of the crimes committed targeted Jews or Jewish institutions.
- Reported crimes against Muslims increased 19% in 2016.

#### FEDERAL HATE CRIME STATISTICS ACT (HCSA)

The HCSA requires the FBI to issue an annual report detailing the total number of hate crimes reported by law enforcement agencies nationwide.

### Significant gaps remain in hate crime data collection.

- Approximately 1,500 law enforcement agencies did not report any data to the FBI (including 22 cities with populations over 100,000).
- 88% of agencies who reported hate crime data reported having zero hate crimes.
- Inaccurate reporting undermines law enforcement agencies' ability to adequately protect communities.
- Accurate reporting allows the government and nonprofits to know where and when to provide community resources.

#### NO HATE ACT (S 662/HR 1566)

The National Opposition to Hate, Assault, and Threats to Equality (NO HATE) Act was introduced by Sen. Blumenthal (D-CT) and Rep. Beyer (D-VA) in 2017. The bill requires state and local governments to report hate crimes to the Department of Justice.

**NCJW supports this bill.**