

May 1, 2017

U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510-6050

Re: Hearing on “Responses to the Increase in Religious Hate Crimes” (May 2, 2017)

Dear Chairman Grassley and Ranking Member Feinstein:

The Sikh Coalition is grateful to the Committee on the Judiciary for organizing a timely and important hearing on religious hate crimes in the United States. We respectfully request inclusion of this letter in the hearing record.

On September 19, 2012, Mr. Harpreet Singh Saini – a Sikh American – testified before the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights. His mother, Paramjit Kaur Saini, was among six Americans who lost their lives on August 5, 2012 when a neo-Nazi gunman attacked a gurdwara (Sikh house of worship) in Oak Creek, Wisconsin. In his testimony, Saini made a heartfelt appeal:

Senators, I ask that you stand up for us. As lawmakers and leaders, you have the power to shape public opinion. Your words carry weight. When others scapegoat or demean people because of who they are, use your power to say that is wrong ... I know what happened at Oak Creek was not an isolated incident. I fear it may happen again if we don't stand up and do something.¹

These words are as relevant today as ever. Just last month, a Sikh American was assaulted and had his turban ripped off by attackers in New York City.² In March, a Sikh American was shot in his driveway outside Seattle by a gunman who told him to “go back to your own country.”³ Last September, a Sikh American in the San Francisco Bay Area suffered facial injuries and had his turban removed by a group of

¹ Testimony of Harpreet Singh Saini, U.S. Senate Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights and Human Rights, “Hate Crimes and the Threat of Domestic Extremism” (Sept. 19, 2012), available at <https://www.judiciary.senate.gov/imo/media/doc/9-19-12SainiTestimony.pdf>.

² Chris Fuchs, *Sikh Cab Driver Allegedly Attacked, Turban Stolen in Possible Hate Crime*, NBC News (Apr. 18, 2017), available at <http://www.nbcnews.com/news/asian-america/sikh-cab-driver-allegedly-attacked-turban-stolen-possible-hate-crime-n748021>

³ Artemis Moshtaghian, Huizhong Wu, and Susannah Cullinane, *Sikh man's shooting in Washington investigated as hate crime*, CNN (Mar. 6, 2017), available at <http://www.cnn.com/2017/03/05/us/washington-sikh-shooting>.



assailants who forcibly cut his hair, which Sikhs are religiously required to keep unshorn.⁴

These attacks are the latest, high-profile cases of anti-Sikh hate violence, a persistent challenge facing our community and nation. Although Sikh Americans were violently targeted as early as 1907,⁵ anti-Sikh hate crimes have accelerated in the post-9/11 environment. Both before and after the Oak Creek massacre, Sikh Americans have been harassed, beaten, shot, and even murdered because of their actual or perceived religion and nationality. This proves that hatred has a cancer-like quality and that all of us – government, civil society, and citizens alike – must resist its metastasis with the seriousness of purpose that it deserves.

Recommendations

1. Mandate Hate Crime Reporting

Hate crime data published by the Federal Bureau of Investigation (FBI) are based on voluntary reporting by law enforcement agencies and accordingly do not reflect the true extent of hate crime in our nation. A 2013 study by the Bureau of Justice Statistics estimated that an “annual average of 259,700 nonfatal violent and property hate crime victimizations occurred against persons age 12 or older residing in U.S. households” between 2007 and 2011.⁶ In contrast, FBI statistics report between 6,000 and 8,000 hate crimes annually during the same period.⁷ Underreporting of this magnitude hampers diagnostic and prevention efforts and signals a lack of seriousness about addressing hate crime. The only way to bridge the data gap is to mandate hate crime reporting by law enforcement.

2. Condemn Xenophobic Rhetoric

We believe that political leaders have a special responsibility to promote national unity and celebrate American pluralism. Sikhs began migrating to the United States at the end of the 19th century. Like immigrants before and after, Sikh pioneers saw America as a land of opportunity and freedom. Unfortunately, not all Americans embraced them. Ten years after Sikhs were targeted by xenophobic mobs in Bellingham, Washington, the U.S. Congress passed the Immigration Act of 1917, which established the “Asiatic Barred

⁴ Veronica Rocha, *District attorney mulling charges after Sikh man was beaten and his hair was cut off*, LA Times (Oct. 10, 2016), available at <http://www.latimes.com/local/lanow/la-me-ln-da-charges-sikh-man-hate-crime-20161010-snap-story.html>.

⁵ For more information, see South Asian American Digital Archive, “Bellingham Riot,” available at <https://www.saada.org/subject/bellingham-riot>.

⁶ Bureau of Justice Statistics, *Hate Crime Victimization, 2003-2011* (Mar. 21, 2013), available at <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=4614>.

⁷ For more information, see Federal Bureau of Investigation, “Hate Crime,” available at <https://ucr.fbi.gov/hate-crime>.

Zone” and halted immigration from India.⁸ In 1923, the U.S. Supreme Court held that a Sikh American – Bhagat Singh Thind – was ineligible for citizenship because he was not white.⁹ It was not until passage of the Immigration and Nationality Act of 1965 that Sikhs were again allowed to immigrate to the United States.

We are concerned that history is repeating itself. President Trump recently likened immigrants to snakes.¹⁰ He sought a “complete and total shutdown of Muslims entering the United States.”¹¹ His chief advisor, Steve Bannon, lamented the success of South Asian CEOs in Silicon Valley.¹² Attorney General Jeff Sessions once expressed nostalgia for the Asian-excluding immigration laws that were in effect before 1965.¹³ Such rhetoric sets a bad example for our nation’s children, pits Americans against each other, and may increase the risk of hate crime. We condemn xenophobic rhetoric and expect our national leaders, including members of this Committee, to do the same.

3. Monitor DOJ Task Force on Crime Reduction and Public Safety

On April 5, 2017, Attorney General Jeff Sessions circulated a memorandum outlining plans for a Task Force on Crime Reduction and Public Safety, which includes a subcommittee on hate crimes.¹⁴ We urge members of this Committee to exercise careful oversight over this Task Force to ensure that it does not ignore or harm immigrants, religious minorities, and the LGBT community. Notably, the Attorney General declared that the Task Force would “combat illegal immigration and violent crime,” which unfairly connects undocumented immigrants to violent criminals.

⁸ Public Broadcasting System, “Roots in the Sand,” *Asiatic Barred Zone*, available at http://www.pbs.org/rootsinthesand/a_exclusion.html.

⁹ *U.S. v. Bhagat Singh Thind*, 261 U.S. 204 (1923), available at http://www.pbs.org/rootsinthesand/i_bhagat2.html.

¹⁰ PennLive, President Trump Reads “The Snake,” available at <https://youtu.be/qXIJTa5G2Cl>.

¹¹ Donald J. Trump, *Donald J. Trump Statement on Preventing Muslim Immigration* (Dec. 7, 2015), available at <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration>.

¹² Philip Bump, *Steve Bannon once complained that 20 percent of the country is made up of immigrants. It isn’t*, Washington Post (Feb. 1, 2017), available at https://www.washingtonpost.com/news/politics/wp/2017/02/01/steve-bannon-once-complained-that-20-percent-of-the-country-is-made-up-of-immigrants-it-isnt/?utm_term=.44a3b8215e87

¹³ Adam Serwer, *Jeff Sessions’s Unqualified Praise for a 1924 Immigration Law*, *Atlantic* (Jan. 10 2017), available at <https://www.theatlantic.com/politics/archive/2017/01/jeff-sessions-1924-immigration/512591/>.

¹⁴ Office of the Attorney General, U.S. Department of Justice, Memorandum for Head of Department Components, United States Attorney (Apr. 5, 2017), available at <https://www.justice.gov/opa/press-release/file/955476/download>.

4. Make Hate Crime Prevention a Top Priority

On April 3, 2017, following the attempted murder of a Sikh American near Seattle a month earlier, Senator Maria Cantwell and 12 of her colleagues called on the White House to convene a task force to prevent hate violence.¹⁵ To date, the White House has not responded to this request. Nevertheless, the ideas expressed in the letter are broadly applicable to federal agencies and elected officials, who can use their convening power to bring stakeholders together to share resources and best practices on hate crime prevention. For example, members of this Committee can host regular town hall meetings in their states and invite school officials, parent-teacher associations, law enforcement agencies, and interfaith leaders to find ways to work together to prevent hate crimes in their local communities.

5. Make Bullying Prevention a Top Priority

Sikh Coalition community surveys suggest that a majority of turbaned Sikh youth experience bias-based bullying and harassment in our nation's public schools.¹⁶ It does not augur well for the future of our nation if our youth are taught that it is acceptable to bully and harass others on any basis, including race, religion, ethnicity, nationality, disability, gender, gender identity, and sexual orientation. Accordingly, we encourage members of this Committee to support anti-bullying initiatives that inoculate our nation's youth against bigotry of the sort that can manifest itself as hate crime later in life.

We appreciate the opportunity to share our perspectives and look forward to working with you to implement our recommendations.

Respectfully,



Sapreet Kaur
Executive Director

¹⁵ A copy of this letter, dated April 3, 2017, is attached to this testimony.

¹⁶ Sikh Coalition, *Go Home Terrorist: A Report on Bullying Against Sikh American Children* (2014), available at <http://www.sikhcoalition.org/documents/pdf/go-home-terrorist.pdf>.

United States Senate

WASHINGTON, DC 20510

April 3, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Trump:

We urge you to establish a Presidential Task Force on preventing and combating hate violence to begin an important national dialogue on how best to counter hate. As you know, there has been an alarming rise in hate violence and threats against religious and racial minorities across the United States. Jewish institutions have been the target of bomb threats and vandalism. Mosques have been set on fire. Sikh and Hindu Americans have been victimized. African Americans have been targeted. These crimes and threats of violence are unacceptable and are contrary to America's foundational values of tolerance, respect, and freedom of religion.

In 2015, there were 5,580 hate-related crimes according to the Federal Bureau of Investigation (FBI). In 2016, there were a record 139 incidents of violence against mosques in the United States. Since the beginning of 2017, Jewish cemeteries have been vandalized, synagogues have been targeted with swastika graffiti and hate fliers, and there have been more than 150 anti-Semitic threats of violence against Jewish Community Centers, schools, and other institutions across the country. Earlier this month in Washington state, a Sikh American was shot and wounded. The suspect, who reportedly yelled "go back to your country," has yet to be identified. Tragically, in Kansas, an Indian American was shot and killed by a man who allegedly shouted, "get out of my county." Recently, a white supremacist traveled to New York for the expressed purpose of a killing a black man; unfortunately he succeeded and stabbed a black man to death. We are alarmed at the growing number of hate-related crimes and threats of violence in our country. It is important to remember that these statistics represent individual lives and each incident reverberates throughout our communities.

A Presidential Task Force to prevent and combat hate violence would bring together faith leaders, community advocates, federal and local government agencies, law enforcement, and other relevant professionals to analyze the causes behind the rise in hate, identify possible solutions, and to improve access to resources to fight back. There are multiple examples of past Presidential Task Forces and Commissions that were formed to address pressing social issues. For example, the President's Commission on Law Enforcement and Administration of Justice created by President Johnson in 1967 led to improvements in the juvenile justice system and the treatment of juvenile offenders. The President's Commission on the Holocaust created in 1978 and headed by Elie Wiesel led to the creation of the United States Holocaust Memorial Museum – a living memorial to confront hatred, prevent genocide, and promote human dignity.

In 2014, the White House and the Asian American and Pacific Islander (AAPI) community established a Presidential Bullying Prevention Task Force to identify and overcome barriers to reporting and addressing the harassment that young AAPI people face. It held 29 listening sessions across the country and organized a summit with federal officials and local community members. The task force led to the development of new outreach strategies to stop bullying in the AAPI community. It also created a website

to provide a one-stop comprehensive informational tool. A similar model could be used to address the rise in hate.

A new Presidential Task Force to prevent and combat hate violence would make addressing this issue a national priority. It would promote federal interagency collaboration and more federal, state, and local cooperation. The task force would convene the brightest minds to develop solutions and enable stakeholders to share and disseminate best practices more widely. It could serve as a national clearinghouse for information and other resources. It might result in town hall meetings and create new opportunities for partnerships between federal agencies and local stakeholders. Most importantly, the task force could facilitate the broader dialogue that is needed to stop the rise in hate violence, to improve security, and to save lives.

We urge you to create a Presidential Task Force on hate violence and we hope we can work with you to stop the rise in hate across our country.

Sincerely,



Senator Maria Cantwell



Senator Edward J. Markey



Senator Kirsten Gillibrand



Senator Mazie K. Hirono



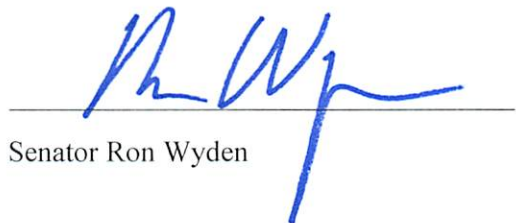
Senator Chris Van Hollen



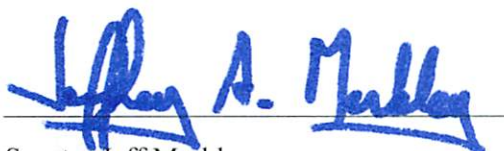
Senator Amy Klobuchar



Senator Chris Murphy



Senator Ron Wyden



Senator Jeff Merkley



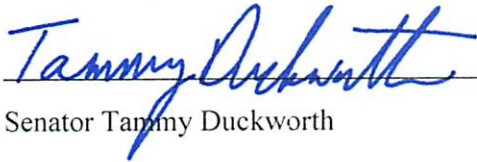
Senator Robert P. Casey, Jr.



Senator Richard J. Durbin



Senator Richard Blumenthal



Senator Tammy Duckworth