

## **Statement for the Record**

### **Combatting the Rise in Hate Crimes**

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*Working to stop the defamation of the Jewish people and to secure  
Justice and fair treatment to all since 1913*

## **INTRODUCTION TO ADL**

Since 1913, the mission of ADL (the Anti-Defamation League) has been to “stop the defamation of the Jewish people and to secure justice and fair treatment to all.” Today, ADL is a global leader in exposing extremism, delivering anti-bias education, and monitoring and fighting the spread of hate in our communities and online. For decades, one of the most important ways in which ADL has fought against bigotry and antisemitism has been by investigating extremist threats across the ideological spectrum, including white supremacists and other far-right violent extremists, producing research to inform the public of the scope of the threat, and working with law enforcement, educators, the tech industry and elected leaders to promote best practices that can effectively address and counter these threats.

Hate crimes and domestic violent extremism have been on the rise in recent years in the United States. Reported hate crimes targeting Black and Asian American and Pacific Islander (AAPI) individuals and communities increased significantly over the last two years, including the ongoing bomb threats against Historically Black Colleges and Universities (HBCUs). The Jewish community continues to be a primary target of extremists. Our hearts are with the Colleyville, Texas community that was recently shaken by the trauma of being targeted by a terrorist who took worshipers hostage during a Sabbath service at a local synagogue.

These crimes not only target and terrorize members of already-marginalized and vulnerable communities, but also contribute significantly to the weakening of democracy in this country, as voices are silenced and participation in public spheres diminished as a result of fear and intimidation. In a country already polarized along many lines, including ethnonational fractures, this is all the more concerning.

We know there is not one single solution for effectively preventing and responding to hate crimes and violent extremism – this is a multifaceted problem that requires not only a “whole of government” approach but, in fact, a “whole of society” approach. ADL is uniquely suited to aid in these efforts with our broad focus on combatting violent white supremacy, holding the tech industry accountable for their role in allowing hate to proliferate online, and providing educational materials and training to assist law enforcement officers, public officials, and community leaders to identify and protect against emerging threats. Our ultimate goal is a world in which no group or individual suffers from bias, discrimination, or hate.

## **CURRENT TRENDS**

### **Overall Rise in Hate Crimes**

As an initial matter, we know from the available data that hate crimes overall were at historic highs in 2020 as the pandemic raged. The FBI’s annual hate crimes report revealed that 2020 saw a 13 percent increase in reported hate crimes from the previous year and represented the highest total in almost two decades. A total of 8,263 hate crime incidents were reported, an increase from 7,314 in 2019. As has been the case consistently since hate crimes reporting began, race-based, and specifically anti-Black hate crimes represented the largest portion of reported hate crimes. In 2020, there was a sharp increase in reported hate crimes targeting Black people; that number rose approximately 49 percent, from 1,930 in 2019 to 2,871. The number of reported anti-AAPI hate crimes increased significantly as well from 179 to 294. Reported gender-identity-based hate crimes

also rose, from 198 to 266, which is the highest it has been since the FBI began collecting data on this category of hate crimes in 2013. Although reported “anti-Hispanic-or-Latino” hate crimes decreased slightly, the number is still the second highest it has been since 2010. Hate crimes targeting the Jewish community made up nearly 55 percent of all religion-based hate crimes in 2020.

The increase in reported hate crimes came even though, for the third straight year, the number of law enforcement agencies providing data to the FBI declined. According to data from the FBI, there has been a consistent decline in the number of law enforcement agencies participating in the federal hate crime reporting program since 2018. Furthermore, even among agencies that are in theory participating in the program, far too many report zero hate crimes, raising concerns about the accuracy of the numbers. In 2020, 10 cities with a population over 100,000 did not report and 59 cities with a population over 100,000 reported zero hate crimes. Because of this inconsistent reporting across the country, experts, including at ADL, know that the real volume and scope of hate crimes targeting all marginalized communities is even higher than the FBI reporting indicates.

Data collection efforts by other organizations also reveal significantly higher numbers of hate-motivated incidents, many of which do not rise to the level of a crime. For example, [Stop AAPI Hate](#) counted more than 10,000 hate incidents between March 2020 and September 2021 targeting AAPI persons and conducted a survey finding that nearly one in five Asian Americans experienced a hate incident during the past year. The potentially deadly nature of the attacks on this community was brought into stark relief in March 2021 when a shooter targeted three spas in the Atlanta metropolitan area, killing eight people, including six Asian women.

A recent disturbing trend in hate is the widespread and repeated targeting of HBCUs for bomb threats. While the cases are still under investigation, law enforcement authorities reportedly believe the threats are racially motivated. It is no coincidence that HBCUs, a longstanding symbol of Black resilience and excellence, were targeted at the start of Black History Month and during a time of widespread and “equal opportunity” hate, which has affected marginalized communities nationwide.

## **Hate Online**

One urgent aspect of hate crimes is the proliferation of hate and harassment online. The ADL Center for Technology and Society conducts an [annual survey](#) to assess bias-motivated online harassment and, in 2021, found disturbing results. Overall, 41 percent of Americans reported having experienced some form of online hate and harassment, with 33 percent of respondents attributing their harassment to an identity characteristic, defined as their sexual orientation, religion, race or ethnicity, gender identity, or disability. Twenty-eight percent of respondents who were harassed reported being targeted because of their race or ethnicity. Asian-Americans experienced the largest single rise in severe online hate and harassment year-over-year in comparison to other groups, with 17 percent having experienced sexual harassment, stalking, physical threats, swatting, doxing or sustained harassment compared to 11 percent in the previous year’s survey. Fully half of Asian-American respondents who were harassed reported that the harassment was because of their race or ethnicity. The nationally representative survey also found a sharp and deeply concerning rise in online harassment of African Americans based on their race, from 42 percent attributing their harassment to their race last year to 59 percent in the most recent survey.

Disturbingly high rates of bias-motivated online harassment were found for nearly every historically targeted group in this survey. For the third consecutive year, LGBTQ+ respondents reported higher rates of overall harassment than all other demographics, at 64 percent. Over a third of Muslim respondents, 36 percent, reported severe harassment online. And 36 percent of Jewish respondents experienced online harassment, compared to 33 percent the previous year.

## **Rising Antisemitism**

Antisemitism is an ongoing threat to the American Jewish community. According to the FBI's annual data on hate crimes, crimes targeting the Jewish community consistently constitute over half of all religion-based crimes. The number of hate crimes against Jews has ranged between 600 and 1,200 each year since the FBI began collecting data in the 1990s. There were 683 hate crimes against Jews in 2020, 963 in 2019 and 847 in 2018. The violent nature of the threat against the Jewish community and institutions was brought into stark relief with the January 15, 2022 hostage-taking at Congregation Beth Israel in Colleyville, Texas during Shabbat services.

In addition to the FBI data, the ADL Center on Extremism tracks incidents of antisemitic harassment, vandalism, and assault in the United States each year. Since 1979, we have published this information in an annual [Audit of Antisemitic Incidents](#). In 2020, ADL tabulated 2,024 reported antisemitic incidents throughout the United States. This is a 4 percent decrease from the 2,107 incidents recorded in 2019 but is still the third-highest year on record since ADL began this tracking. Known extremist groups or individuals inspired by extremist ideology were responsible for 331 incidents in 2020, up from 270 incidents in 2019. This represents 16 percent of the total number of incidents in 2020. Another analysis from the ADL Center on Extremism reveals that antisemitic incidents in the U.S. more than doubled during the May 2021 military conflict between Israel and Hamas and its immediate aftermath compared to the same period in 2020. After peaking during that period, incident levels gradually returned to a baseline level.

While antisemitism has commonalities with racism, anti-Muslim bias, xenophobia, homophobia, transphobia, misogyny and other forms of hate and discrimination, it also has certain unique characteristics as a specific set of ideologies about Jews that has migrated across discourses – and across centuries. In almost every part of our society, this hatred has been conjured and adjusted to suit the values, beliefs, and fears of specific demographics and contexts. Thus, the underlying conspiracy theories employing Jew-hatred morph to fit the anxieties and upheavals of the time – for example, compare the antisemitic trope that Jews were responsible for the Black Death in medieval times and for “inventing,” spreading, or profiting from COVID-19 in the 21<sup>st</sup> century. Or that Jews exercise extraordinary power over governments, media, and finance – from the charges of a conspiracy to achieve world domination first set forth over 100 years ago in the Protocols of the Elders of Zion and used by the Nazis, to today's thinly veiled antisemitism blaming “globalists” and “cosmopolitan elites” for all the ills of the world and for conspiring to impose a “[New World Order](#).” Jews are posited as being both superhuman in their malevolence and power, and subhuman in their “racial” and other attributes. We cannot fight antisemitism without understanding how it is both intertwined with other forms of prejudice and how it is unique. ADL's resource, [Antisemitism Uncovered: A Guide to Old Myths in a New Era](#), offers comprehensive information about the history and current manifestations of antisemitism.

## **Murder and Extremism: By the Numbers**

[New research](#) from the ADL Center on Extremism finds that, in 2021, domestic extremists killed at least 29 people in the United States, in 19 separate incidents. This represents a modest increase from the 23 extremist-related murders documented in 2020 but is far lower than the number of murders committed in any of the five years prior (which ranged from 45 to 78). While this could be cause for optimism, more likely it is the result of COVID-19 lockdowns reducing mass gatherings and the increased attention of law enforcement following the January 6<sup>th</sup>, 2021 insurrection.

Virtually all of the murders (26 of 29) were committed by right-wing extremists, consistent with trends lasting more than a decade in this country. Of the 333 right-wing extremist-related killings over the last 10 years, at least 73 percent have been at the hands of white supremacists. It is for this reason that the Biden administration, joining other national security and domestic extremism experts, [deemed](#) “the two most lethal elements of today’s domestic terrorism threat [to be] (1) racially or ethnically motivated violent extremists who advocate for the superiority of the white race and (2) anti-government or anti-authority violent extremists, such as militia violent extremists.”

## **White Supremacist Propaganda**

The ADL Center on Extremism has tracked a substantial increase in white supremacist propaganda efforts in the past two years, which includes the distribution of racist, antisemitic and anti-LGBTQ+ fliers, stickers, posters, banners and stenciled graffiti by various members of far right and white supremacist groups. According to [new research](#), last year marked the second-highest level of incidents reported since ADL began tracking such data – with an average of about 13 incidents per day in 2021, and nearly double the 2,724 cases reported in 2019. These incidents involved at least 38 known white supremacist groups across 49 states and the District of Columbia. In just the past few weeks dozens of additional incidents have been reported in at least 15 states, on college campuses and across entire neighborhoods. Most of those incidents were perpetrated by the virulently antisemitic Goyim Defense League, whose fliers blame Jews for spreading COVID, threatening the “white race” through increasing diversity, and having too much power, among other hateful tropes.

Propaganda gives white supremacists the ability to maximize media and online attention, while limiting the risk of individual accountability, negative media coverage, arrests, and public backlash that often accompanies more public events. The barrage of propaganda, which overwhelmingly features veiled white supremacist language with a “patriotic” slant, is an effort to normalize white supremacists’ message and bolster recruitment efforts while targeting marginalized communities including Jews, Black people, Muslims, non-white immigrants and LGBTQ+ people.

## **POLICY RECOMMENDATIONS: Implementing a Comprehensive Approach to Preventing and Responding to Hate Crimes and Violent Extremism**

Congress took a significant step forward in improving our nation’s response to hate crimes by passing the COVID-19 Hate Crimes Act in 2021, which incorporated the Jabara-Heyer NO HATE Act. The new law includes crucial measures to expedite an Attorney General review of hate crimes

nationwide and requires the promulgation of guidance to law enforcement agencies regarding best practices for establishing hate crime reporting tools and collecting data on these crimes. It also created new grant programs to provide much-needed resources to establish state-run hate crime hotlines and improve hate crime reporting to the FBI. The Department of Justice has already made strong progress in implementing provisions of this law; however, full implementation of all of the important new grant programs requires that Congress appropriate funds for them. ADL urges Congress to appropriate \$15 million for grant programs to implement the National Incident-Based Reporting System, to create State-run hate crime reporting hotlines, and to conduct training and develop protocols for identifying, analyzing, investigating, and reporting hate crimes.

Passing the COVID-19 Hate Crimes Act should not represent the end of Congressional efforts to address hate crimes. There remains significant work to do to implement a comprehensive and data-informed approach to this devastating problem.

### **Improving Hate Crime Data Collection and Reporting**

A necessary prerequisite to developing such an approach is having complete and reliable data about hate crimes – data that does not currently exist. Multiple factors contribute to deficits in our knowledge about the full scope and nature of hate crimes, including victimized communities’ distrust and avoidance of law enforcement agencies; lack of training for officers in recognizing and investigating bias motivations; and frontline agencies’ limited capacity to maintain and share records with the FBI. Some of these challenges can begin to be addressed through full implementation of the NO HATE Act; however, there remains one key weakness in the current hate crime data collection program – it relies on voluntary participation by state and local law enforcement. Congress must evaluate options for making hate crime reporting mandatory by all law enforcement agencies, such as by leveraging federal criminal justice grants provided to state and local law enforcement agencies through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

### **Supporting Communities**

In addition to ensuring a robust system of hate crime reporting, we must also invest in community-centered approaches to preventing hate crimes from occurring in the first place. The communities that are most impacted by hate crimes must be positioned to lead efforts to develop policies and programmatic approaches to address this problem. One way that the Administration can immediately support this community-focused preventative work is through a revitalized Community Relations Service (CRS) at the Department of Justice. CRS is the only federal agency dedicated to working on the ground with community groups to resolve local conflicts and prevent and respond to hate crimes and incidents. CRS works to build relationships with community stakeholders before tragedy occurs, helping ensure that crisis response can be both timely and meaningful. CRS’s focus on prevention provides a unique value-add to communities, bringing experts to help problem-solve and build local capacity to prevent and respond to conflict, tension, and bias-motivated incidents.

CRS also provides crucial relationship-building programs designed to strengthen relationships between law enforcement and the community. Through the years this work has proven to be vital in effectively preventing and responding to hate crimes, as many of the communities targeted by

such violence often have mistrust of law enforcement rooted in historical and ongoing police harassment of, and even violence against, marginalized communities. ADL applauds the Administration's early efforts to revitalize this crucial agency and urges Congress to increase the annual funding for this agency to \$40 million.

In addition, DOJ can help support community-led efforts to prevent hate crimes and address their root causes by giving priority for federal grant funding to those qualified institutions of higher education and nongovernmental organizations that propose to use funding to provide services that reduce the risk of hate crimes or to provide legal, material, social, and other support to people and institutions affected by hate crimes.

### **Address Gaps in Federal Laws**

There are a few remaining gaps in federal hate crime laws that should be addressed to ensure the law is providing the intended full protection to targeted individuals and communities. Congress should pass the bipartisan [Justice for Victims of Hate Crimes Act](#), which would clarify the legal standard required for proving that a hate crime occurred and ensuring that victims of hate crimes do not face an insurmountable burden of proof in these cases. Congress should also pass the [Prevention of Anti-Immigrant Violence Act of 2021](#), which would enact crucial provisions to protect non-citizen victims of hate crimes.

### **Confronting Hate Online**

ADL has consistently stated that there is no single fix to the phenomenon of online hate. Whether it is in the dark corners of the internet, on the chats used by hundreds of millions of people on online multiplayer games, or a social media post that goes viral, the impact of online hate reverberates both on and offline. This is especially true for those targeted by extremists, who are disproportionately women and members of marginalized communities. The public agrees: according to 2021 ADL data, 77 percent of Americans think new laws are needed to hold social media platforms accountable for recommending that users join extremist groups.

In March 2021, ADL announced the [REPAIR Plan](#), which offers a comprehensive framework for platforms and policymakers to take meaningful action to decrease online hate and extremism. REPAIR focuses on domestic extremism and terrorism, but goes beyond these issues to address other manifestations and harms of online hate, including online harassment, antisemitism, racism and extremist disinformation.

To push hate and extremism to the fringes of the digital world, we all must prioritize:

- **Regulation and reform:** Government must carefully, but significantly, reform, not eliminate, Section 230 of the Communications Decency Act (CDA 230). ADL supports significant reform of Section 230 to end wholesale immunity of platforms—especially with respect to content or online conduct that platforms create, control, contract, or amplify that results in egregious violence, discrimination, and terrorism. It is past time for social media platforms to be accountable for their role in fomenting violence, extremist recruitment and disinformation, and other forms of hate leading to harm.
- **Enforcement at scale:** It's time to expose platform deception about policies and practices that are supposed to protect users but, when not comprehensive or enforced at



scale, can allow for serious harms to take place. Government must protect consumers by holding platforms accountable for adopting and equitably enforcing policies designed to identify and combat hate and harassment across sites and platforms. Platforms must establish and enforce anti-hate policies and platform infrastructure at scale and regularly evaluate and report on how product features and policy enforcement fuel discrimination, hate and extremism. Platforms must stop hiding hate. They must be transparent about the functions and impact of their algorithms and engagement features, agree to independent verification, adopt a civil rights lens, and involve the communities that are targeted by hatemongers and extremists.

- **People over profit:** Government must focus on how consumers—and advertisers—are impacted by business models that optimize for engagement and must consider how both algorithmic amplification and monopolistic power impact the prevalence, virality and impact of online hate. Platforms must stop recommending or amplifying organizations or content to users when they are associated with hate, misinformation or conspiracies even if it results in less engagement from users.
- **Access to justice:** Government must advocate for targets of harassment. Government can and must close gaps in state and federal laws that deny victims redress for serious digital-abuse crimes such as doxing, swatting and non-consensual distribution of intimate imagery. Platforms must provide effective assistance and resources to users so they are better protected from cyberhate and harassment and report violative content. They must immediately take down content found to pose serious harm to targets of abuse.
- **Interrupting disinformation:** Government must investigate the nature and impact of product designs that allow hatemongers and extremists to exploit platforms and spread dangerous and hate-based disinformation. Platforms must incorporate anti-hate-by-design practices to mitigate the exploitation of social media to spread disinformation, invest in strategies to off-ramp those on the path to radicalization, and work with civil society to mitigate the threat.
- **Research and innovation:** Government must invest in adequate resourcing so that we can start to approach these issues from ahead of the curve, not behind, when it comes to combatting online hate. Platforms must focus on research and innovation to slow the spread of online hate, including, but not limited to: (1) measurement of online hate; (2) hate and extremism in online games; (3) methods of off-ramping vulnerable individuals who have been radicalized; (4) the connection between online hate speech and hate crimes; (5) new methods of disinformation; (6) the role of internet infrastructure providers and online funding sources in supporting and facilitating the spread of hate and extremism; (7) the role of monopolistic power in spreading online hate; (8) audio content moderation.

## **Addressing Modern Terrorist Threats**

We need a whole-of-government approach to address the domestic extremist threat that the Jewish community, and many others, are facing and will continue to face in the years to come. The framework that ADL has created – the [PROTECT plan](#) – is a comprehensive, seven-part plan to mitigate the threat posed by domestic extremism and domestic terrorism while



protecting civil rights and civil liberties. Together, focusing on these seven categories can have an immediate and deeply significant impact in preventing and countering domestic terrorism – more so than any one action, policy, or law – and can do so while protecting civil rights and liberties and ensuring that government overreach does not harm the same vulnerable people and communities that these extremists target.

- **Prioritize Preventing and Countering Domestic Terrorism:** We urge Congress to adopt a whole-of-government and whole-of-society approach to preventing and countering domestic terrorism, such as raising the cap on the Nonprofit Security Grant Program.
- **Resource According to the Threat:** We must ensure that the authorities and resources the government uses to address violent threats are proportionate to the risk of the lethality of those threats. In other words, allocation of resources must never be politicized but rather based on transparent and objective security concerns. Legislation that facilitates transparency in resourcing can help ensure this crucial oversight, such as the transparency mechanisms and related measures in the Domestic Terrorism Prevention Act, H.R. 350 (DTPA). We urge Congress to pass the DTPA immediately; doing so can help lay a foundation on which to build an effective and comprehensive approach to addressing the threat.
- **Oppose Extremists in Government Service:** It is essential that we recognize the potential for harm when extremists gain positions of power, including in government, law enforcement, and the military.
- **Take Domestic Terrorism Prevention Measures:** We must not wait until after someone has become an extremist or a terrorist attack has happened to act. Effective and promising prevention measures exist, which should be scaled.
- **End the Complicity of Social Media in Facilitating Extremism:** Congress must prioritize countering online extremism and ensuring that perpetrators who engage in unlawful activity online can be held accountable. Online platforms often lack adequate policies or enforcement practices to mitigate extremism and hate equitably and at scale. Federal and state laws and policies require significant updating to hold online platforms and individual perpetrators accountable for enabling hate, racism, and extremist violence across the internet. In March 2021, ADL announced [the REPAIR Plan](#), which offers a comprehensive framework for platforms and policymakers to take meaningful action to decrease online hate and extremism.
- **Create an Independent Clearinghouse for Online Extremist Content:** Congress should work with the Biden Administration to create a publicly funded, independent nonprofit center to track online extremist threat information in real-time and make referrals to social media companies and law enforcement agencies when appropriate.
- **Target Foreign White Supremacist Terrorist Groups:** Congress must recognize that white supremacist extremism is a major global threat of our era and mobilize with that mindset.

## **CONCLUSION**

In order to make all of our communities safe from hate crimes and violent white supremacy, it is imperative that policymakers at all levels of government continue to prioritize this issue and work with marginalized communities to develop comprehensive and sustainable approaches to addressing hate-motivated violence – both online and off. There is no single solution to the scourge of hate crimes in this country. But by coming together to implement a “whole of society” approach, we can continue to strive for a future where every community is safe from these pernicious attacks.