

Senator Richard J. Durbin – Statement for the Record
Senate Judiciary Committee Hearing on Responses to the Increase in Religious Hate
Crimes
Tuesday, May 2, 2017

I thank Chairman Grassley and Ranking Member Feinstein for holding this hearing and I thank the witnesses for sharing their testimony and insight on this important issue with the Committee. I look forward to working with my colleagues to address the troubling increase in hate crimes and protect vulnerable communities.

In 2011, I became Chairman of the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights. The first hearing that I convened focused on the civil rights of American Muslims. This hearing, the first ever Congressional hearing on this subject, documented an alarming increase in anti-Muslim bigotry. In testimony before the Subcommittee, Farhana Khera, the Executive Director of Muslim Advocates, noted:

Anti-Muslim bigotry has been simmering and growing since the tragic events of September 11th—a terrorist attack that was an attack on all Americans, Muslims included. But in the last several months, anti-Muslim rhetoric has reached a disturbing new level. Prominent religious, military, and even political leaders have joined the fray, feeding fear and hysteria, with some going so far as to say Islam is a cult, not a religion.

A year later, I held a hearing on hate crimes and the threat of domestic extremism after the horrific massacre at a Sikh gurdwara in Oak Creek, Wisconsin by a white supremacist. Harpreet Singh Saini, who lost his mother in the attack, testified:

Senators, I ask that you stand up for us. As lawmakers and leaders, you have the power to shape public opinions. Your words carry weight. When others scapegoat or demean people because of who they are, use your power to say that is wrong. So many people have asked Sikhs to simply blame Muslims for attacks against our community or just say, “We are not Muslim.” But we will not blame anyone else. An attack on one of us is an attack on all of us.

Unfortunately, in the years since those hearings, the environment of hate and bigotry that these witnesses described has not dissipated. Law enforcement and civil rights organizations have identified a surge in hate crimes targeting individuals not only on the basis of religion, but also race, national origin, sexual orientation, and gender identity.

For example, the Southern Poverty Law Center found that more than 1000 bias-motivated incidents occurred in the month after the 2016 presidential election—including more than 400 incidents motivated by anti-immigrant or anti-Muslim bias.

This post-election spike followed an already disturbing trend. In November, the FBI released its annual hate crime incident report, which found that in 2015, hate crimes increased by 6%. Much of the increase came from attacks on Muslim Americans. Local police departments reported a 66% increase in hate crimes targeting the Muslim-American community.

The actual numbers are likely far higher. We know that victims of hate crimes often decide not to report these incidents to police due to reasons ranging from distrust to language barriers. And even when the incidents are reported to police, there is no guarantee or requirement that law enforcement will report the incident to the FBI as part of the annual, nationwide collection of hate crimes data.

In recent months, these terrible incidents of hate have continued. A mosque in Victoria, Texas was set on fire hours after President Trump signed his original Muslim ban executive order. More than 100 Jewish Community Centers and Jewish schools and institutions across the United States and Canada received bomb threats. An Indian immigrant was allegedly shot and killed by a man who shouted “get out of my country.” A Sikh American was shot in his driveway by an assailant who reportedly told him to “go back to your own country.” And a white supremacist has been charged with stabbing and killing an African-American man in New York.

The increase in hate crimes is deeply troubling, but not entirely a surprise. For years, many of us have decried the incendiary rhetoric and bigotry that appeared to be fueling these incidents of hate, knowing that inflammatory speech creates a fertile ground for discrimination.

We must do more to combat this environment of hate. President George W. Bush and I did not agree on many issues, but I will always appreciate the leadership he showed after 9/11, when he made it clear that our war was with the terrorists who perverted the teachings of Islam—not with Muslims who were faithful to what he called “a faith based upon love, not hate.”

Congress too spoke with a clear voice at the time. I cosponsored a resolution with John Sununu, who was then the only Arab-American in the Senate, that condemned anti-Muslim and anti-Arab bigotry and said that American Muslims “are vibrant, peaceful, and law-abiding, and have greatly contributed to American society.” Our resolution passed both chambers of Congress unanimously.

Today’s hearing is a step in the right direction, but it cannot be our only response. We need to condemn rhetoric that demeans our diverse communities and sows bias and suspicion. We need to provide the resources and tools necessary to assist law enforcement as they work to investigate, reduce, and prevent these crimes—and ensure that when these crimes do occur, they are reported. We must ensure that the Justice Department and the Federal Bureau of Investigation are aggressively enforcing hate-crimes laws and working with state and local law enforcement to improve hate-crime reporting and prevent hate crimes from taking place in the first instance. And we need to demonstrate through action that we are a nation of tolerance, inclusiveness, and respect.