





# EXECUTIVE SUMMARY

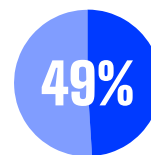
More than 11,000 acts of hate against Asian Americans and Pacific Islanders have been reported to the national coalition Stop AAPI Hate since March 2020 and the start of the COVID-19 pandemic. This includes thousands of parents, siblings, friends, and neighbors who are simply going about their everyday lives — commuting to work on public transit, taking their kids to school, shopping for groceries or running errands — only to suddenly face discrimination, bullying, harassment, shunning, or assault. Some of these acts of discrimination may be violations of civil rights laws.

To better understand these troubling, and at times illegal, experiences with hate, Stop AAPI Hate commissioned the nonpartisan and independent research organization NORC at the University of Chicago to conduct a nationally representative survey of Asian Americans and Pacific Islanders. This landmark survey adds to community-generated data at Stop AAPI Hate and existing research to provide a more complete picture of the discrimination that impacts Asian Americans and Pacific Islanders and the changes needed to uphold the civil rights that protect us all.

## Key Findings

### 1. Nearly half (49%) of Asian Americans and Pacific Islanders nationwide have experienced discrimination or unfair treatment that may be illegal.

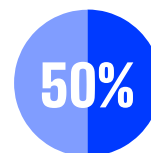
- This discrimination, which is usually based on race or ethnicity, happens when they dine at restaurants, shop for groceries, and ride public transit, as students at school and employees at work, when renting and buying homes, when voting, and when interacting with government employees, including members of law enforcement or staff at the Department of Motor Vehicles.



of Asian Americans and Pacific Islanders nationwide have experienced discrimination or unfair treatment that may be illegal

### 2. Discrimination negatively affects the mental health and well-being of Asian Americans and Pacific Islanders.

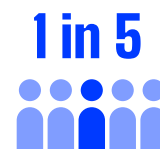
- Half (50%) of Asian Americans and Pacific Islanders experiencing discrimination report feeling sad, stressed, anxious, or depressed as a result.
- 45% say it negatively changed their sense of belonging to their school, workplace, or other community, and nearly a third (31%) say it negatively changed their behavior, such as switching schools, jobs, or where they shop.



of Asian Americans and Pacific Islanders experiencing discrimination report feeling sad, stressed, anxious, or depressed as a result

### 3. Asian Americans and Pacific Islanders know they have rights and want accountability for unlawful discrimination, yet few who experienced what they believed to be a civil rights violation report it.

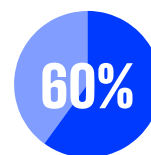
- Only one in five (21%) Asian Americans and Pacific Islanders who experienced discrimination said they reported it.
- A majority (60%) of those who experienced discrimination and reported it say the reporting process was difficult.
- Half (52%) of those who experienced discrimination but did not report it thought reporting would not make a difference.



Asian Americans and Pacific Islanders who experienced discrimination reported it

### 4. Asian Americans and Pacific Islanders want a better understanding of how to enforce their rights and want new laws to protect their civil rights.

- A majority (60%) of Asian Americans and Pacific Islanders want to learn more about their rights and how to enforce them.
- Asian Americans and Pacific Islanders trust community, advocacy, and civil rights organizations serving their respective communities (57%) and government agencies responsible for enforcing civil rights (54%) to learn more about their rights.
- A majority (67%) believe new civil rights laws are needed.



of Asian Americans and Pacific Islanders want to learn more about their rights and how to enforce them

## Recommendations

Stop AAPI Hate joins the ranks of Asian Americans and Pacific Islanders nationwide who believe that new and more comprehensive civil rights laws are needed to address the ongoing, pervasive, and unchecked discrimination against our communities. This report offers policy recommendations for federal and state governments to address the discrimination that plagues all communities of color and other historically marginalized groups, as well as reflections and recommendations for researchers looking to study our diverse communities.

More information is available at [https://stopaapihate.org/civil\\_rights\\_report](https://stopaapihate.org/civil_rights_report).

## INTRODUCTION

“I was at an auto repair shop and the guy at the desk really didn’t seem to want to help me (kept making excuses for why they couldn’t fix my car: telling me it would be too expensive for me to fix my tail light, telling me that it could take a really long time to order and get my tail light in stock, etc.). But as I was leaving, I heard one of the mechanics say to the guy at the desk, ‘Oh, I’m glad you got rid of her. I’m not working on a coronavirus car.’”

- Woman, Texas\*

“Was kicked off a bus and told I should go back to China with the ch-nky corona spreaders.”

- Woman, Ohio

“There’s been several incidents. But the most common and recent was racial slurs screamed at me for bringing Filipino food to work for my break along with sexist comments and name calling ‘wh-re’ & ‘sl-t’ for being a woman along with ‘f-g’ for being a gay woman in my workplace. It’s becoming more frequent and the higher ups are doing nothing about my complaints and rather joining in with these men.”

- Woman, Maryland

Asian Americans and Pacific Islanders face racism and discrimination in everyday life — at home, work, and school, in businesses where we shop and dine, and on public transit. Like other communities of color, we are treated unfairly for who we are, the way we look, the languages we speak, and who we love or worship. This everyday degradation has devastating consequences. It harms our mental health, sense of belonging, and close relationships and forces us to take steps to protect ourselves, like changing jobs or taking self-defense classes.

Discrimination against Asian Americans and Pacific Islanders *is* hate. And it is illegal. Today, civil rights laws protect the rights of everyone, including Asian Americans and Pacific Islanders, to live free from discrimination and to participate in civil society and political life. Even if these laws are not widely known or easily visible, their presence is felt. They make it possible to live, work, learn, travel, shop, and vote without being unfairly diminished by those with power over us. Without these laws, opportunities are not fair or equal.

Unfortunately, the existence of these laws, on their own, is not enough. They must be enforced, and the burden of starting the enforcement process usually rests on the person whose rights are violated to challenge the individual or institutional offender. The process can be long, difficult, and alienating. Sometimes the laws themselves do not go far enough in protecting people from discrimination when and where it happens, and sometimes they are weaponized against the marginalized communities they were intended to protect.

\*Excerpts taken from reports shared by Asian Americans and Pacific Islanders with Stop AAPI Hate. We share only where individuals explicitly gave permission to share their story. To protect the privacy of individuals reporting to us, we provide the state where we have received at least 100 reports and we provide the region of the country (e.g., West, Midwest, South) where we have received fewer than 100 reports from that state. Reports are lightly edited for clarity and length.

How do we close the gap between the laws that protect the civil rights of Asian Americans, Pacific Islanders, and others, and the promise of justice for those whose lives are disrupted by discrimination? To better understand what it takes, Stop AAPI Hate commissioned the nonpartisan and independent research organization NORC at the University of Chicago to conduct a nationally representative survey of Asian American and Pacific Islander adults on discrimination and civil rights. This landmark study supplements community reporting to Stop AAPI Hate and existing research. It illuminates what illegal discrimination against Asian American and Pacific Islander communities looks like and what changes to our laws and systems are needed to vindicate our rights.

Today's civil rights laws are the hard-fought victories of the Civil Rights Movement of the 1950s and 1960s: decades of Black-led resistance, supported by allies from all walks of life, to centuries of unequal and inferior treatment of all communities of color rooted in white supremacy. We hope that this report is a useful resource to the leaders of today's movements fighting for tomorrow's civil rights laws and for communities that are more just, safe, and free.

“We are Indian Americans. My husband had booked a room at a hotel ahead of time. When we reached there at 6:30 pm, the front desk person ignored us and attended white people who came in after us and when we asked him about it, he said you don't have a booking as I am canceling it right now. He was very rude and made a shooting sign with his fingers. He pushed the cart which had our bags outside and said you are not citizens and hence can't stay at the hotel. He threw us out in the below freezing temperature. We were terrified for our life and safety. We had to go to another hotel.”

- Man, South



## KNOW YOUR RIGHTS

**You are protected against discrimination on the basis of certain personal characteristics, such as your race or gender, under civil rights laws. This report highlights federal laws that protect you throughout the United States. You may be protected by more laws at the state or local levels. Check out the Stop AAPI Hate website at [https://stopaapihate.org/civil\\_rights\\_report](https://stopaapihate.org/civil_rights_report) to learn more.**



# BACKGROUND

Existing research on Asian Americans and Pacific Islanders, discrimination, and civil rights is limited, and much of it focuses on Asian Americans and not Pacific Islanders. The “Asian American and Pacific Islander” identity is a contested one in part because it has resulted in the historic erasure of Pacific Islander communities, including in research.<sup>11</sup> As the national organization Empowering Pacific Islander Communities notes, “civil rights violations against NHPs have been poorly documented by the government and in the independent research literature.”<sup>12</sup>

Research in the last three decades makes visible some, though not all, of the longstanding discrimination experienced by Asian Americans. After the racially motivated murders of Vincent Chin, Jim Loo, Navroze Mody, Hung Truong, and others in the 1980s, the independent and bipartisan U.S. Commission on Civil Rights held a series of three roundtables with Asian Americans and conducted a subsequent investigation that culminated in the 1992 report *Civil Rights Issues Facing Asian Americans in the 1990s*.<sup>13</sup> The report found that Asian Americans faced widespread prejudice, discrimination, and denials of equal opportunity. Many Asian Americans, particularly immigrants, were deprived of equal access to public services, including police protection, education, health care, and the judicial system.<sup>14</sup> Subsequent studies confirm discrimination against Asian Americans in the workplace.<sup>15</sup>

Research since the start of the COVID-19 pandemic sheds more light on the discrimination that Asian American and Pacific Islander communities continue to experience. For example:

- A February 2023 report by AAPI Data<sup>16</sup> provides insight into the “everyday discrimination”<sup>17</sup> of Asian Americans in California.<sup>18</sup> Discrimination is defined broadly to include a range of mistreatment from intentional name mispronunciation to being threatened or harassed. The most commonly cited reason for discrimination is race or ethnicity.
- A 2022 national multilingual study of Asian Americans and Pacific Islanders<sup>19</sup> conducted in English, Chinese (simplified and traditional), Korean, Samoan, and Vietnamese reports that nearly 61% of respondents experienced discrimination, defined as a range of behaviors from being treated with less respect to being treated unfairly at restaurants or stores,<sup>20</sup> with numbers as high as 80% among Hmong participants.



## Diversity in Asian American and Pacific Islander Communities

The United States is home to 24 million individuals identifying as Asian and 1.6 million people identifying as Native Hawaiian or other Pacific Islander (NHPI), in whole or in part.<sup>1</sup> Asian American and Pacific Islander communities come from over 95 countries or ethnic groups.<sup>2</sup> Around six in 10 Asians are born outside the United States,<sup>3</sup> and one in five Pacific Islanders.<sup>4</sup> A majority of persons identifying as Asian or NHPI are also U.S. citizens by birth or naturalization.<sup>5</sup>

Asian Americans and Pacific Islanders speak more than 100 languages.<sup>6</sup> Asian Americans are “the most likely to speak a language other than English at home (74%),” compared to 71% of Latinos and 41% of NHPs; have the highest level of language assistance needs, compared to 29% of Latinos and 12% of NHPs; and experience the highest levels of linguistic isolation, “with nearly 17% of Asian American households not having any member 14 years or older who speaks English very well.”<sup>7</sup>

Pacific Islander communities, which have a diverse and complicated set of relationships with the U.S. government, face both challenges with language access as well as with language preservation, following a legacy of native language suppression and bans.<sup>8</sup> Language bans in Hawaii and Guam — home to Indigenous communities who have long grappled with the impacts of U.S. colonization — are examples of anti-Indigeneity, or opposition to Indigenous peoples’ right to “self-determination, political and cultural autonomy, and the right to maintain, use and protect traditional territories and resources.”<sup>9</sup> Anti-Indigeneity persists in state-sanctioned and everyday treatment of Pacific Islander communities.<sup>10</sup>

- A March 2022 poll conducted by AAPI Data and Momentive<sup>21</sup> shows that Pacific Islanders experience nearly every instance of unfair treatment at higher rates than Asians and Asian Americans. Unfair treatment includes experiences like receiving poorer service at restaurants and stores, being unfairly fired, being insulted or called names, and being unfairly targeted by the police.
- According to a nationally representative study from 2021,<sup>22</sup> 24% of Asian Americans reported experiencing discrimination during the first year of the pandemic.

Little research is available when it comes to Asian Americans and Pacific Islanders and reporting discrimination: how often they report, their attitudes toward reporting, and potential barriers. Some research examines Asian American and Pacific Islander attitudes towards reporting harm when it occurs, but this research primarily focuses on hate crimes, not discrimination or civil rights.<sup>23</sup> A 2021 survey by the nonprofit Act to Change found that “80% of Asian American teens have experienced bullying, in-person or online,” yet they are “significantly less likely to report bullying to an adult than non-Asian Americans.”<sup>24</sup>

Some government agencies enforcing civil rights laws collect and publish data regarding complaints of discrimination by race and ethnicity. This data is piecemeal, covering a limited range of issues and geographies, not disaggregated to reflect disparities within diverse constituencies like Asian Americans and Pacific Islanders, and likely underreported. For example, in 2014, Asian Americans filed roughly 3% of complaints alleging race and national origin discrimination, which make up 45% of all cases, to the Equal Employment Opportunity Commission (EEOC), a federal agency that enforces civil rights in employment.<sup>25</sup> According to the U.S. Department of Education’s Office for Civil Rights, 6% of racial harassment or bullying nationwide involved an Asian student victim in 2017-18.<sup>26</sup> (To put these figures in context, Asian people were nearly 5% of the national population in 2010 and 6% in 2020.<sup>27</sup>) In California, annual reports from the state’s Department of Fair Employment and Housing, now the Civil Rights Department, in 2018,<sup>28</sup> 2019,<sup>29</sup> and 2020<sup>30</sup> show that Asian people make up 8% and NHPs make up 1% of complainants each year. (Asian people are 16% and NHPs are 0.5% of the state’s population.<sup>31</sup>)

Taken together these studies highlight the pain and indignity that Asian Americans and Pacific Islanders continue to endure from discrimination.

“In front of an entire class, a college professor accused a Chinese student of being from Wuhan and bringing COVID to the United States. The professor stated that the student ‘doesn’t speak American.’”

- Woman, West



# FINDINGS

More than 11,000 acts of hate against Asian Americans and Pacific Islanders have been reported to Stop AAPI Hate since the start of the COVID-19 pandemic.<sup>32</sup> Many more acts continue to go unreported, making the actual number much higher — potentially in the millions.<sup>33</sup> The vast majority of reports to Stop AAPI Hate do not involve a crime, let alone a hate crime. Instead, they are hate incidents involving harassment, bullying, shunning, and discrimination.

To better understand experiences with discrimination showing up in our data, Stop AAPI Hate commissioned the nonpartisan and independent research organization NORC at the University of Chicago to conduct a nationally representative survey of Asian American and Pacific Islander adults.<sup>34</sup> (For more information, see [Reflections on the Research](#) in this report.) This landmark study confirms what community reporting to Stop AAPI Hate tells us: Asian Americans and Pacific Islanders face discrimination in their everyday lives.

## Nearly half (49%) of Asian Americans and Pacific Islanders nationwide have experienced discrimination or unfair treatment that may be illegal.

This discrimination, which is usually based on race or ethnicity, happens when they dine at restaurants, shop for groceries, and ride public transit, as students at school and employees at work, when renting and buying homes, when voting, and when interacting with the police, Department of Motor Vehicles (DMV), and other government employees.

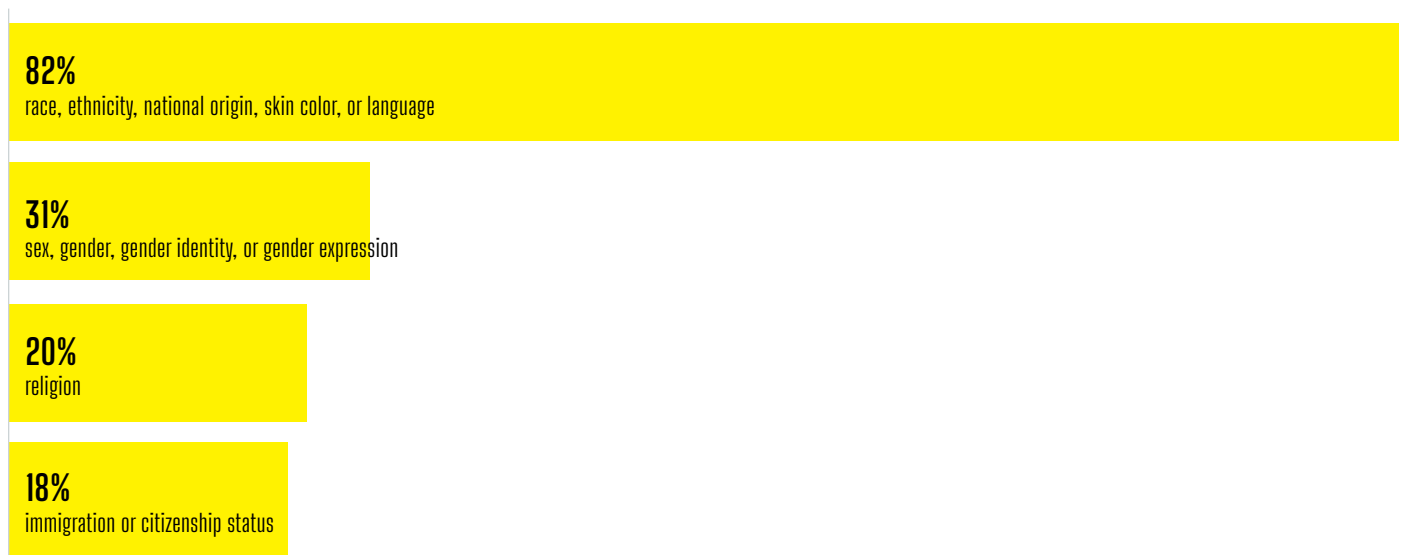


### What is discrimination?

“Discrimination” can mean a range of different, inferior, and prejudicial treatment that harms a person, from being called names to denied services. Not all discrimination is illegal under civil rights laws. The Stop AAPI Hate survey conducted by NORC defined discrimination to mean experiences of discrimination that may violate civil rights laws: being discriminated against or treated unfairly because of a protected characteristic, such as race or sex, in a specific setting, such as a customer at a store or an employee at work.

## WHY DO AAs AND PIs FACE DISCRIMINATION?

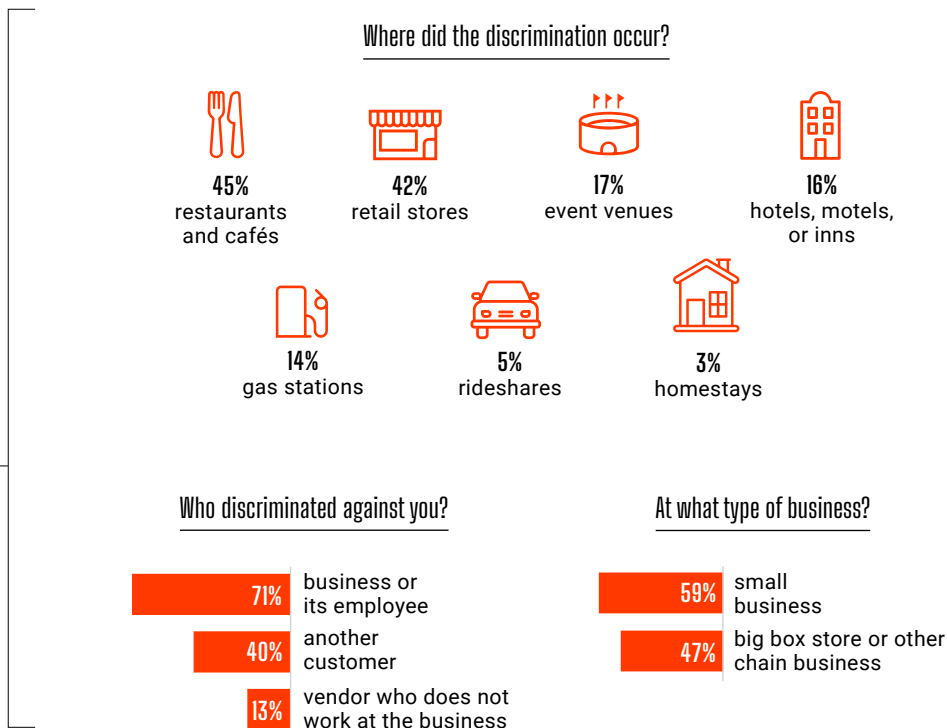
Of the 49% of Asian Americans and Pacific Islanders who report experiencing discrimination, they say they were discriminated against because of their:\*



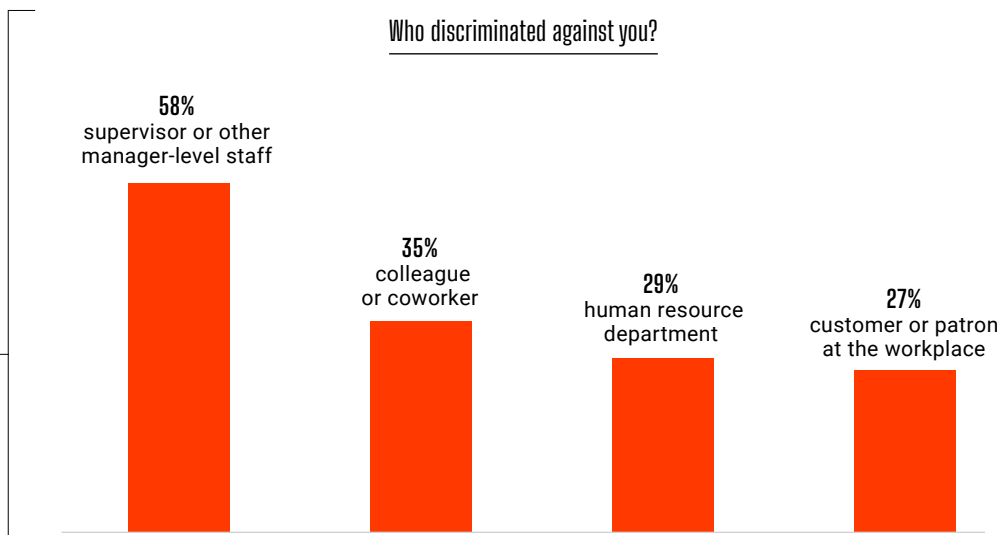
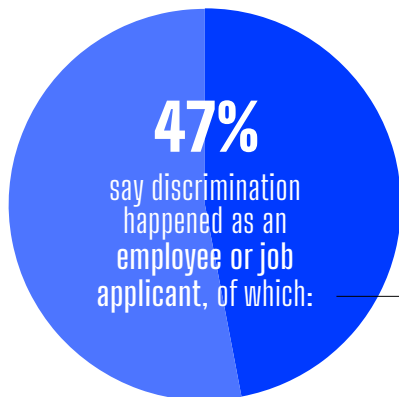
\* Percentages may add up to more than 100 where survey takers could select more than one option.



OF THE ASIAN AMERICANS AND PACIFIC ISLANDERS WHO EXPERIENCED DISCRIMINATION:\*

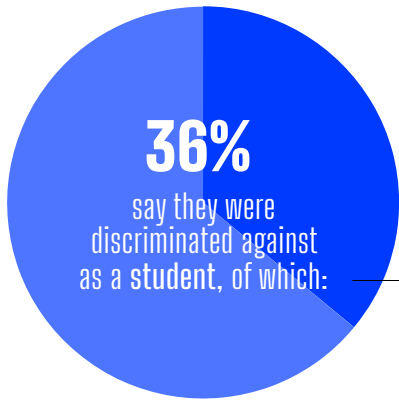


**Title II of the Civil Rights Act of 1964 is a federal law that protects you as a customer from discrimination based on race, color, religion, or national origin (including language) at businesses called “public accommodations,” such as restaurants and hotels.<sup>35</sup>**



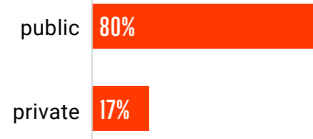
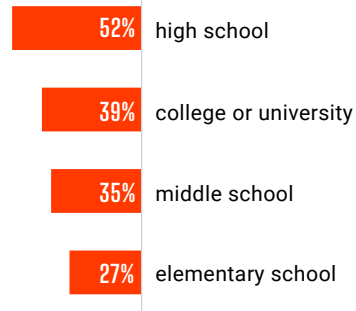
**Federal law protects you as a job applicant or employee from being discriminated against at work based on your race, color, national origin (including language), religion, sex, disability, and age.<sup>36</sup>**

\* Percentages may add up to more than 100 where survey takers could select more than one option.

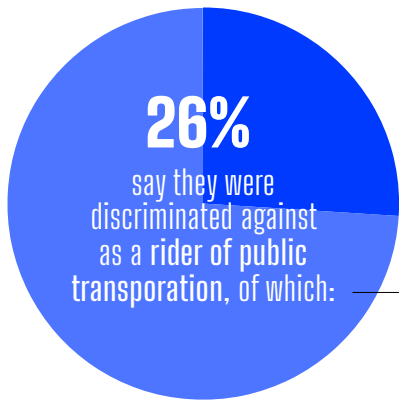


The vast majority say the discrimination occurred in public school, which most AA and PI students attend<sup>37</sup>

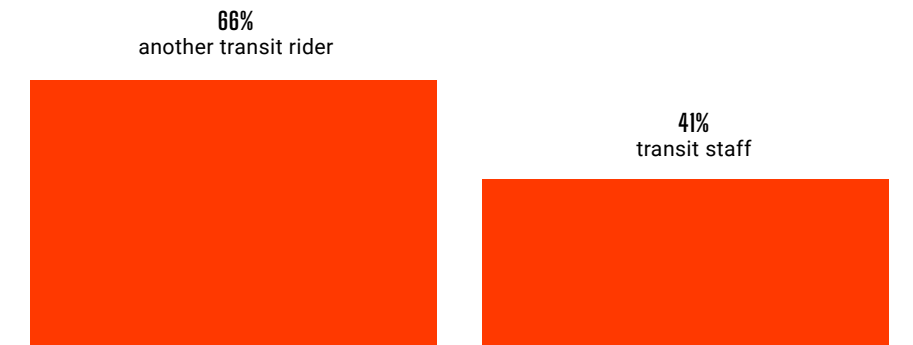
Where did the discrimination occur?



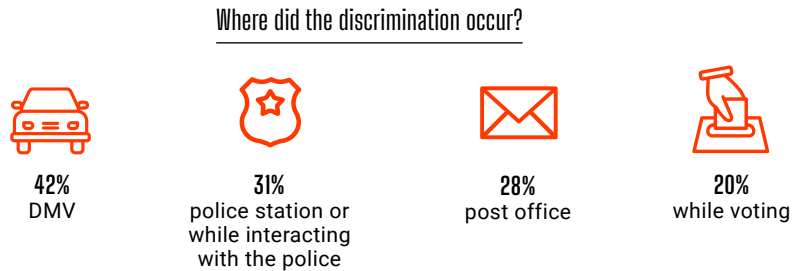
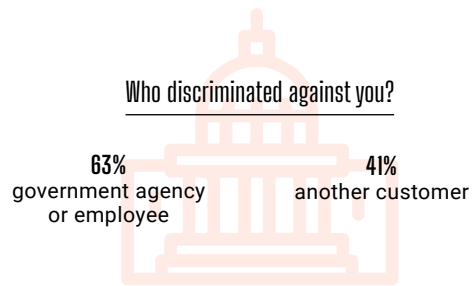
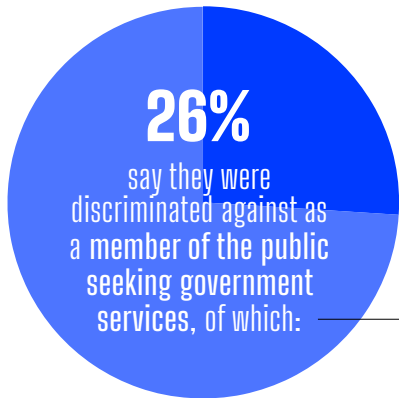
**Federal law protects you as a student from discrimination at school based on your race, color, national origin (including language), sex, disability, and age.<sup>38</sup>**



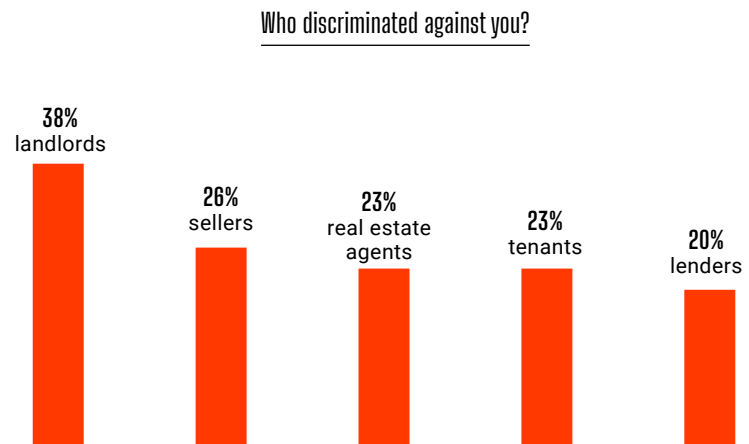
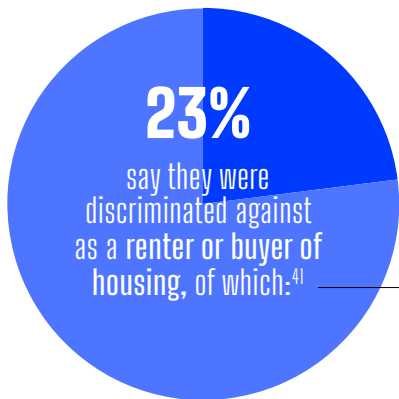
Who discriminated against you?



**Federal law protects you from discrimination on public transit.<sup>39</sup>**



**! KNOW YOUR RIGHTS** Federal, state, and local governments may not discriminate against you when you are seeking services or benefits.<sup>40</sup>



**! KNOW YOUR RIGHTS** Federal law protects you from discrimination based on race, color, national origin (including language), religion, sex, familial status, and disability, when you are renting or buying a home, getting a mortgage, and seeking housing assistance.<sup>42</sup>

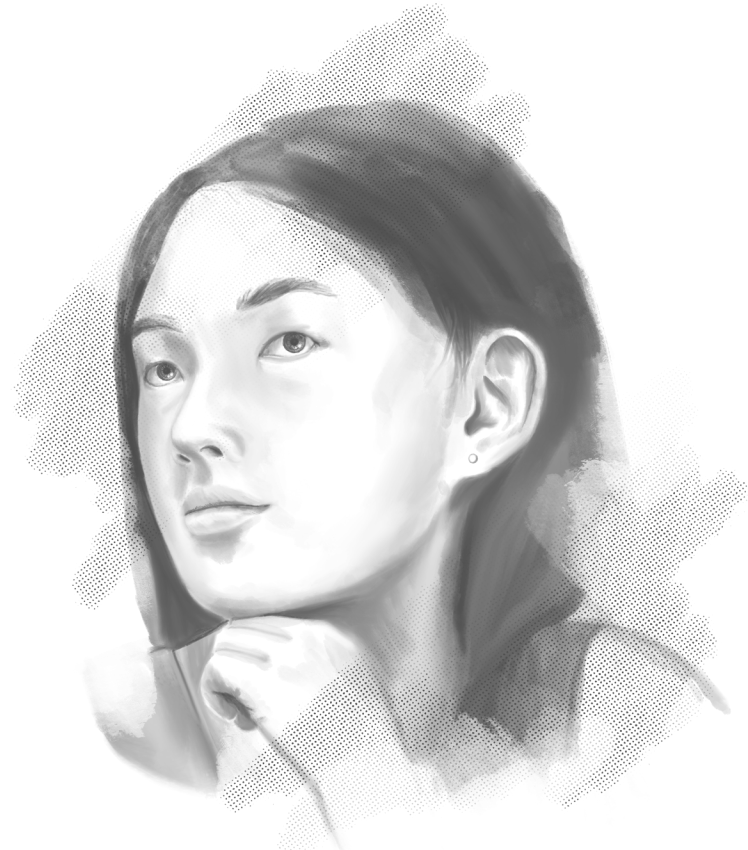
## Discrimination has devastating consequences for Asian Americans and Pacific Islanders and their loved ones.

Half (50%) of Asian Americans and Pacific Islanders experiencing discrimination report feeling sad, stressed, anxious, or depressed as a result.<sup>43</sup> Nearly half (45%) report that it changed their sense of belonging to their school, workplace, or other community. This finding may be related to the pernicious yet persistent myth that Asian Americans are “perpetual foreigners” who do not belong in the United States.<sup>44</sup>

Too often, those who are discriminated against feel compelled to make adjustments in their own lives, even though they are not at fault and addressing racism and discrimination requires systemic solutions. Nearly a third (31%) of Asian Americans and Pacific Islanders who experienced discrimination report changing their behavior, such as switching schools, jobs, or where they shop, and the same proportion report feeling less safe or taking steps to feel safer, such as taking a self-defense class.

The impact of discrimination is not limited to those who personally experience it. A quarter (26%) say the experience of discrimination strained personal relationships with family, friends, classmates, and colleagues.

Lastly, the experience of discrimination inspired 15% of Asian Americans and Pacific Islanders to become more civically or politically active.



## Asian Americans and Pacific Islanders know that they have rights and want accountability for unlawful discrimination.

The survey yields insights into what Asian American and Pacific Islander communities already know about civil rights. Large majorities correctly identify many commonly protected personal characteristics, such as race, gender, religion, disability, and sexual orientation, though fewer than half know that citizenship, language, and veteran status are protected by law. Large majorities are also able to identify settings where their rights are protected, ranging from 65% knowing they are protected as a customer at a business to 84% knowing they are protected in the workplace.

Civil rights complaints can be resolved through the civil legal system, which can result in remedies that Asian Americans and Pacific Islanders say they want. More than three-quarters know that when their rights are violated they can notify the person in charge of the place where the violation occurred (e.g., school principal, human resources, etc.) (77%) or report it to a government civil rights agency (e.g., the Department of Justice) (76%), and a majority know they can sue the offender (56%).

When asked what a satisfactory outcome would look or feel like if their rights were violated, more than six in 10 Asian Americans and Pacific Islanders want to hold the offender accountable (64%), whether they are an individual or an entity, and to make a difference for others going through the same thing (61%).



## How are civil rights enforced?

A person who believes they have experienced unlawful discrimination may report it to a person or entity who is required by law to handle the complaint, which may include a supervisor at work, a school, or a government agency that enforces civil rights laws.<sup>45</sup> Civil rights laws also prohibit retaliation against a person for reporting discrimination. Any retaliation which occurs can be a new complaint of discrimination.

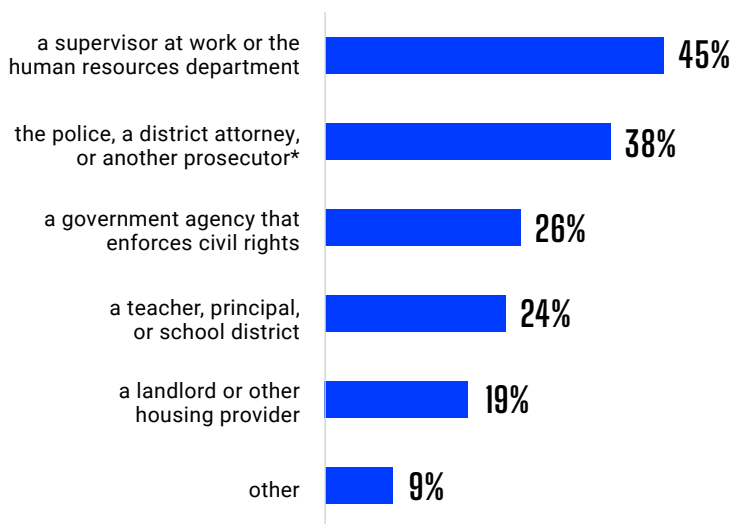
### But only one in five (21%) Asian Americans and Pacific Islanders who experienced discrimination said they reported it.

For those who experienced discrimination and reported it to a person or entity with a legal obligation to address the complaint, six in 10 (60%) say the reporting process was difficult.

For those who experienced discrimination but did not report what they thought was a violation of their rights, half (52%) say they did not think reporting would make a difference.

## WHO DO ASIAN AMERICANS AND PACIFIC ISLANDERS REPORT TO?

Of those Asian Americans and Pacific Islanders who experienced discrimination and reported it to someone with a legal obligation to address the complaint, they reported to:



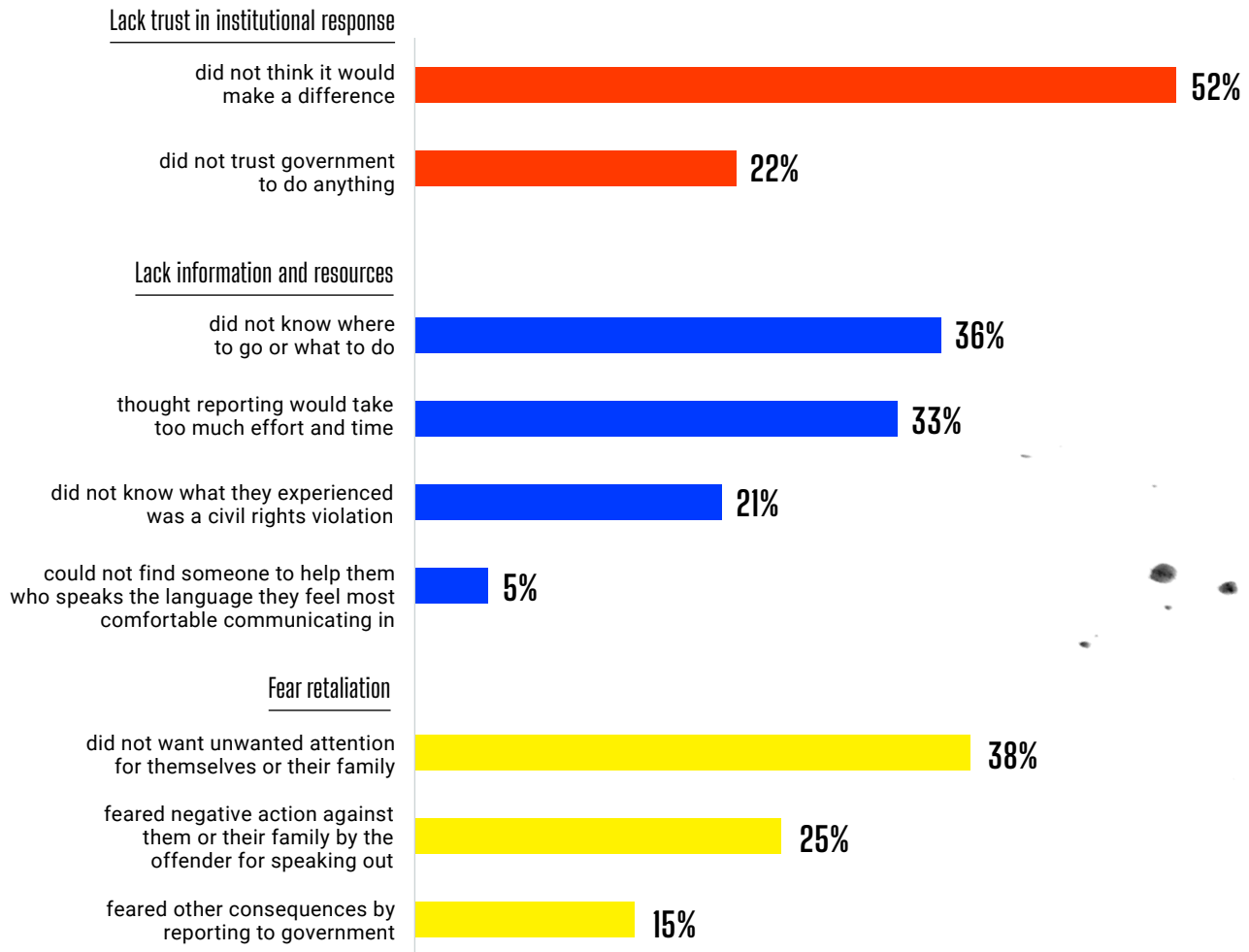
\*Although the police do not enforce civil rights laws, some prosecutors investigate and prosecute discrimination when it is criminalized, such as hate crimes.

## Spotlight on Youth

Younger Asian Americans and Pacific Islanders aged 18 to 29 were most likely to report experiencing discrimination (63%), including sex or gender discrimination (47%). They were least likely to say they feel comfortable reporting civil rights violations to government agencies that enforce civil rights (35%).

## BARRIERS TO REPORTING

Of those Asian Americans and Pacific Islanders who experienced discrimination but did not report it:\*



\* Percentages may add up to more than 100 where survey takers could select more than one option.

When asked what would make them feel more comfortable reporting a civil rights violation, more than half (56%) of Asian Americans and Pacific Islanders say they are more likely to report if they know nothing bad may happen to them or their family as a result. Many also say they want someone in government to assist them (44%) and someone in their community to support them (40%) when reporting a civil rights violation.

## Some Asian Americans and Pacific Islanders mistakenly rely on the criminal legal system instead of civil rights laws to address unlawful discrimination.

Asian Americans and Pacific Islanders know that discrimination is unlawful, but the distinction between civil and criminal legal systems is confusing, and this confusion leads to an overreliance on the criminal legal system.

In order to better understand how Asian Americans and Pacific Islanders think about hate and civil rights violations, the survey presented four hypothetical scenarios:

- **Refusal of service:** A restaurant employee refuses to serve an Asian American family, kicks them out, and says, “No Chinese allowed. We don’t want COVID-19 here.”
- **Vandalism:** A person breaks the windows of an Asian-owned business and writes racial slurs all over the walls.
- **Physical assault:** A person punches a Samoan woman on the sidewalk, yelling racial slurs.
- **Verbal harassment:** A person repeatedly screams racial and sexual slurs at a Vietnamese woman waiting for a bus on the sidewalk, without physically hurting or threatening to physically hurt her.



### Crimes vs. Civil Rights Violations

Crimes and civil rights violations are both harms defined by laws, which are enacted by elected representatives. Crimes are punishable by imprisonment and enforced by the police, prosecutors, and others in the criminal legal system. Civil rights violations are enforced by people whose rights are violated when they report complaints or sue offenders, and by government agencies that enforce civil rights such as the U.S. Department of Justice or Equal Employment Opportunity Commission. Consequences for offenders can include paying fines, providing an in-kind benefit to the person who was harmed, being required to do something to stop or address the harm to anyone impacted, including and not limited to the person who was directly harmed (e.g., a business training employees on their duties towards customers), and being monitored by the government to prevent further discrimination.

### Differences by Country of Birth and Language

Asian Americans and Pacific Islanders born in the United States are more likely than those born in another country to say they experienced discrimination (56% vs. 43%). Asian Americans who took the survey in Chinese (simplified or traditional), Vietnamese, or Korean, and Asian Americans and Pacific Islanders born outside the United States, feel more comfortable reporting to someone who speaks their language. They are also more likely to want to learn more about their rights. 75% of survey takers who completed the survey in Chinese (simplified or traditional), Vietnamese, or Korean want to learn more about their rights, compared to 59% of those who completed the survey in English. 66% of respondents born outside of the U.S. want to learn more about their rights, compared to 54% of respondents born in the U.S. Finally, Asian Americans and Pacific Islanders born outside the U.S. are more likely to identify ethnic media as a preferred place to learn about their rights, compared to those born in the U.S. (28% vs 18%).

Survey takers were asked to identify whether the scenario was a hate crime, a violation of the person’s civil rights, or a non-criminal hate incident, and they were able to choose more than one option (e.g., a survey taker was able to say a scenario was both a hate crime and violation of a person’s civil rights).

Overall, Asian Americans and Pacific Islanders over-identified scenarios as hate crimes. The vandalism and physical assault scenarios are both crimes motivated by bias, and more than eight in 10 Asian Americans and Pacific Islanders accurately identified these scenarios as hate crimes. However, Asian Americans and Pacific Islanders inaccurately identified the refusal of service and verbal harassment scenarios as hate crimes (66% and 56%, respectively). In contrast, they were less likely to accurately identify potential civil rights violations among the refusal of service (57%), physical assault (55%), and vandalism (52%) scenarios, which can all be violations of civil rights laws. (A scenario may be both a hate crime and a civil rights violation.)

The over-identification of hate crimes may lead people to seek recourse in the criminal legal system, which does not enforce civil rights laws. When asked whom they would turn to if their civil rights were violated, the top choice was the police (78%), who do not enforce civil rights laws or get involved in civil rights matters like refusal of service at a restaurant. Enduring discrimination is painful, and this pain is compounded when seeking help from those who do not have authority to provide a remedy.

## Asian Americans and Pacific Islanders want a better understanding of how to enforce their rights and trust organizations serving Asian Americans and Pacific Islanders and civil rights agencies to help protect their rights.

A majority (64%) of Asian Americans and Pacific Islanders say that having a better understanding of their rights and how to enforce them would help them feel more comfortable reporting a civil rights violation. Similarly, six in 10 (60%) Asian Americans and Pacific Islanders want to know more about their civil rights as a general matter.

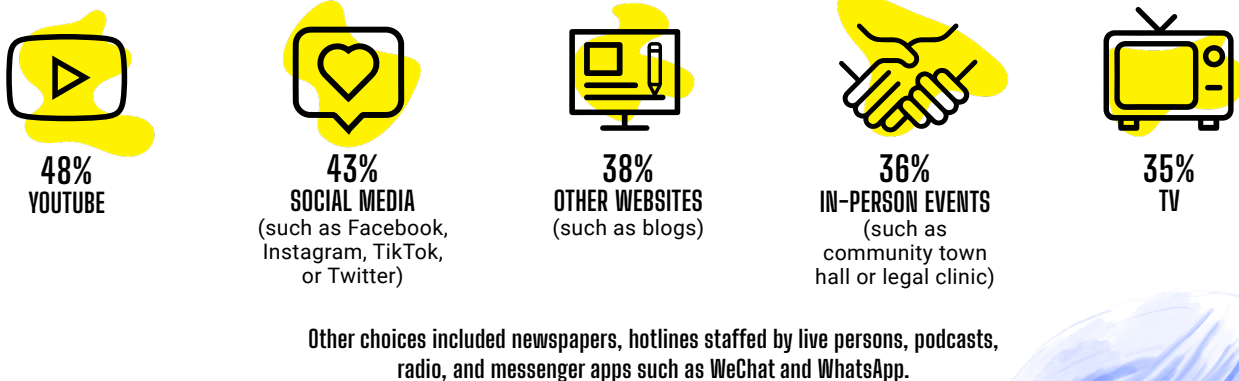
When looking at Asian Americans and Pacific Islanders as a whole, they most trust community, advocacy, and civil rights organizations serving their respective communities (57%) and government agencies enforcing civil rights (54%) to learn more about their rights and how to enforce them, but there is some variance by subgroup.<sup>46</sup> Similarly, Asian Americans and Pacific Islanders feel most comfortable reporting a civil rights violation to community, advocacy, and civil rights organizations serving their respective communities (49%) and government agencies enforcing civil rights laws (44%), followed closely by the human resources department at work (43%).<sup>47</sup> Other, less popular options include private lawyers, police or prosecutors, teachers or other school staff, and religious leaders.

## Asian Americans and Pacific Islanders want new laws to protect their civil rights.

Ultimately, Asian Americans and Pacific Islanders, like all Americans, want to live free from discrimination. In order to achieve this goal, a majority of these communities believe new civil rights laws are needed (67%).

### HOW DO ASIAN AMERICANS AND PACIFIC ISLANDERS PREFER TO LEARN ABOUT THEIR RIGHTS?

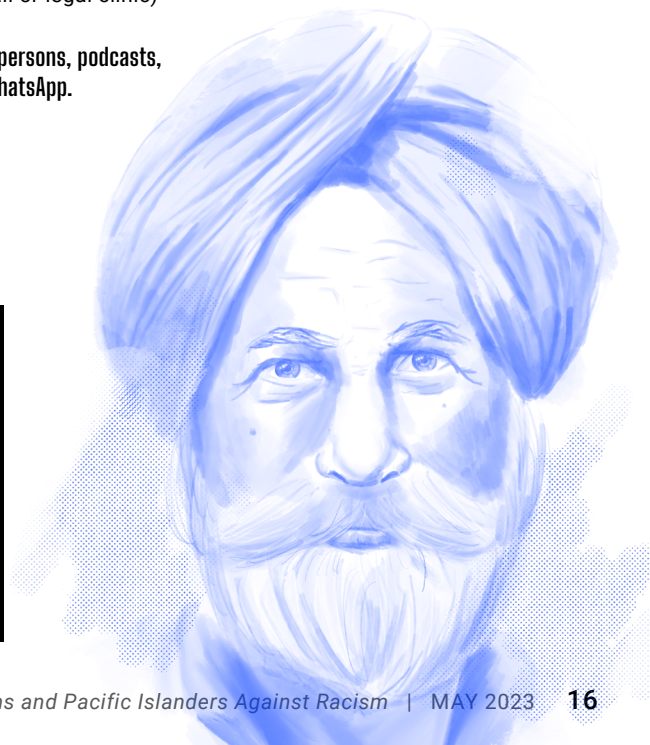
Among Asian Americans and Pacific Islanders who want to learn more about their civil rights, they prefer learning via:\*



\* Percentages may add up to more than 100 where survey takers could select more than one option.

### Spotlight on Seniors

Comfort reporting to a government agency that enforces civil rights laws increases with age. 57% of Asian Americans and Pacific Islanders aged 60 or above feel comfortable reporting civil rights violations to government agencies. This group also preferred to learn about their rights from TV, in-person events, and newspapers.





## POLICY RECOMMENDATIONS

Stop AAPI Hate believes that policy should be made, influenced, and informed by the people who are directly impacted by it. When we develop and advocate for policy change, we center the Asian Americans and Pacific Islanders who are directly impacted by harm. We rely on what communities experience and tell us in their own words, including in their own languages, through our reporting center. We supplement community reporting by engaging in survey work with independent research organizations like NORC and conducting additional research. We use these inputs to propose solutions.

We agree with the Asian Americans and Pacific Islanders nationwide who believe new civil rights laws are needed to address the ongoing, pervasive, and unchecked discrimination against our communities. We offer the following policy recommendations for federal and state governments. These recommendations are not specific to Asian American and Pacific Islander communities, as discrimination plagues all communities of color and other historically marginalized groups. Some recommendations are the first of their kind, while others build on existing models. Where we have been unable to identify a legislative model, we offer bill language as a way to codify these recommendations through legislation. See [Appendix A](#) (sample Congressional findings and federal bill language).

Importantly, we focus on solutions outside of the criminal legal system. Acts of discrimination, verbal harassment, and other hate incidents are often not crimes. We also reject a reflexive overreliance on policing, prosecution, and punishment as the solution to complex social problems. This overreliance comes at the cost of the murders,<sup>48</sup> mass incarceration,<sup>49</sup> and mass deportation<sup>50</sup> of Black, Latinx, Pacific Islander, Southeast Asian, and other communities of color by law enforcement agencies. These injustices contribute to a mistrust of law enforcement. Finally, Asian Americans and Pacific Islanders want comprehensive solutions. They see civil rights legislation and enforcement as among the top three effective solutions to address hate against Asian Americans and Pacific Islanders, along with education equity and community-based solutions for safety.<sup>51</sup>



## Recommendations for Federal Government

### 1. Fund state and local government efforts in partnership with community groups to address discrimination and other hate incidents.

Federal funding for addressing hate, when it is not a hate crime, is uneven. For example, the U.S. Department of Justice administers an array of federal grants to support state, local, and tribal law enforcement and assist victims of crimes,<sup>52</sup> including hate crimes,<sup>53</sup> such as the new grant opportunities created by the COVID-19 Hate Crimes Act.<sup>54</sup> But there is no federal grant program dedicated to addressing hate incidents that are not crimes.

Despite the lack of dedicated federal funds, state and local governments have led in addressing hate incidents, including discrimination. For example:

- Los Angeles County administers LA vs Hate, a program through which residents can report hate incidents to a multilingual hotline staffed by live persons and connect with a care coordinator who facilitates services from the county or a network of local community-based organizations.<sup>55</sup> This model is being replicated at the state level in CA vs Hate.<sup>56</sup>
- Washington, D.C. is the first and only jurisdiction in the country to pass a law tackling street harassment: statements or other conduct directed at a person based on their personal characteristics and without their consent.<sup>57</sup> The law, which focuses on prevention through education instead of criminalization, is implemented through a partnership between D.C. government and community representatives serving on an advisory committee.<sup>58</sup>
- Some cities, including New York City,<sup>59</sup> Los Angeles,<sup>60</sup> and Philadelphia,<sup>61</sup> enforce local civil rights laws prohibiting discrimination by investigating complaints and holding offenders accountable outside of the criminal legal system.
- Many states have departments enforcing civil and human rights laws. For example, the Minnesota Department of Human Rights enforces the state's Human Rights Act, including against government actors. After the murder of George Floyd by Minneapolis Police Officer Derek Chauvin, the Department launched an investigation that culminated in a court-enforceable agreement for the city to make policy and other changes addressing racial discrimination in policing.<sup>62</sup>

We recommend federal legislation creating a new demonstration program at the U.S. Department of Justice to financially support state and local governments doing this work. See [Appendix A](#). As one of the most significant sources of funding for state and local governments, the federal government should do more to seed and nurture innovations that partner with impacted communities to track, prevent, and respond to hate incidents.

Critically, federal support should prioritize state and local programs in which governments can provide accountability and partner with community-based organizations that provide in-language and culturally relevant support to communities disproportionately impacted by hate incidents. Asian Americans and Pacific Islanders most trust these two groups to protect their rights. This trust is critical to reporting. Civil rights laws do not enforce themselves, and the burden often lies with the person who is harmed to begin the process of enforcement by reporting the discrimination.

“A security guard at a big-box store targeted me as soon as I walked in the store. He was harassing me and telling me I have to leave the store in 30 min or less. Then, as I was leaving the store and walking past him he called me ‘kung-flu Asian b-tch.’ The next time I went in the store a week later, he targeted me again and had me followed throughout the store by one of his fellow security guards, and he was intimidating me.”

- Woman, California

For those Asian Americans and Pacific Islanders who report discrimination, a majority of whom say the process was difficult, this may be because enforcement processes, without adequate funding, can be slow, difficult to navigate, and focused on the highest profile bad actors. Federal funding could help make the process more nimble and responsive. For the half of Asian Americans and Pacific Islanders who do not report the discrimination they experienced because they do not think it will make a difference, federal funding could help all levels of government, in partnership with trusted community groups, make the case to traumatized individuals and communities that reporting makes a difference.

“I lost my social services job after I reported several men for sexualizing my Asian heritage. They indirectly asked about my race and then made advances which I rejected. They expected docility. When I did not comply with their expectations, they humiliated and ostracized me. After pressure from human resources, management, and friends of the men I reported, I was terminated.”

- Woman, Maryland

## 2. Codify the language access coordinator at the U.S. Department of Justice.

Language access is a critical issue for Asian Americans and Pacific Islanders. Language barriers harm the health, safety, and well-being of a community by impeding access to essential information, which is especially dangerous during a natural disaster or public health emergency, and to public services, from health care to policing. The Stop AAPI Hate survey conducted by NORC suggests that language may be a barrier to reporting illegal discrimination. Those who took the survey in Chinese, Vietnamese, or Korean, and those born outside of the United States, feel more comfortable reporting to someone who speaks their language. Language barriers can themselves be civil rights violations. Persons with limited English proficiency are owed meaningful access to federally funded services<sup>63</sup> and discrimination on the basis of language is illegal under certain federal and state civil rights laws.<sup>64</sup>

The U.S. Department of Justice has taken important steps to reduce language barriers in its response to hate crimes and hate incidents, notably with the appointment of its first full-time language access coordinator.<sup>65</sup> This step is consonant with a recommendation from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders calling for a Language Access Coordinator position for each federal agency and department,<sup>66</sup> reinforcing earlier calls for this position.<sup>67</sup>

We recommend legislation codifying the language access coordinator at the U.S. Department of Justice. See [Appendix A](#). Effective civil rights enforcement for linguistically diverse communities like Asian Americans and Pacific Islanders depends on language access. As the Department says, language access helps to “ensure that individuals with limited English proficiency can effectively access DOJ programs or activities, communicate public safety concerns, or vindicate their rights.”<sup>68</sup> Moreover, as the survey shows, Asian Americans and Pacific Islanders born outside the United States and Asian Americans who completed the survey in Chinese, Vietnamese, or Korean are more likely to want to know more about their rights, highlighting the importance of outreach and education in languages other than English. Finally, enshrining a language access coordinator in federal law elevates its importance and protects it from changes in administration. For millions of Asian Americans and Pacific Islanders and others, access to justice and important federal programs, services, and benefits should not depend on who occupies the White House.

### 3. Update Title II to include retail stores and other businesses where discrimination occurs.

Title II of the Civil Rights Act of 1964 bans discrimination on the basis of race, color, religion, or national origin in places of public accommodation.<sup>69</sup> “Places of public accommodation” include “restaurants, hotels, and places of exhibition or entertainment (for example, a bar with live music, a sports stadium, or a movie theater).”<sup>70</sup> Excluded from the protections of Title II are retail stores, such as grocery markets,<sup>71</sup> banks,<sup>72</sup> beauty salons,<sup>73</sup> and other businesses, unless they are located in, or contain, an establishment already covered by Title II.<sup>74</sup> Recent Congresses have introduced bills to update Title II.<sup>75</sup> Some states prohibit discrimination in businesses not captured by Title II.<sup>76</sup>

We recommend legislation amending the definition of “places of public accommodation” in Title II to expressly include retail stores, such as grocery markets, and other places where professional services are provided, such as banks and salons. These are places where Asian Americans and Pacific Islanders report experiencing discrimination. Discrimination-free shopping should not turn on whether these businesses are incidentally captured by Title II or whether the person lives in a state whose civil rights laws capture these businesses. An update to the law is overdue to fulfill the promise of equal access to businesses serving the public.<sup>77</sup>

### 4. Improve civil rights data nationwide.

Federal and state agencies responsible for enforcing civil rights laws receive hundreds of thousands of complaints every year and uncover additional civil rights violations through proactive investigations, known as compliance reviews. Yet, according to the U.S. Commission on Civil Rights, “few agencies engage in the type of public data collection, research, and reporting needed to inform effective civil rights enforcement work.”<sup>78</sup>

By contrast, federal law does require the collection of hate crime data from federal law enforcement agencies<sup>79</sup> and funds voluntary reporting by state, local, tribal, and other law enforcement agencies.<sup>80</sup> Data informs law enforcement administration, operation, and management,<sup>81</sup> reveals ongoing and emerging trends impacting targeted communities,<sup>82</sup> and informs the allocation of resources and policy decisions.

“My mom was involved in a car accident. A police officer used aggression, force, and racial profiled my mom while the white party who was actually at fault and didn’t have insurance received preferential treatment. He used aggression against my mom and verbally told the white person that he would take care of it. He shoved my mom into her car and threatened to take her to jail.”

- Woman, Texas

We recommend requiring federal civil rights agencies to collect and report key data related to enforcement and the Attorney General to annually publish this data. See [Appendix A](#). As the federal government observed in a recent report on the rise in hate during the COVID-19 pandemic, gaps in data on hate incidents “limit understanding of the full scope and impact” and “hinder the ability of government actors and communities to respond appropriately.”<sup>83</sup> This gap includes data on illegal discrimination, without which accountability will be partial at best. Such data should be disaggregated for diverse Asian American and Pacific Islander populations in order to better understand their experiences with discrimination and seeking to vindicate their rights.

## **Recommendations for State Governments**

### **1. Invest directly in Asian American and Pacific Islander community infrastructure.**

Policy is made by how public dollars are allocated. At least two states have responded to the rise in hate against Asian Americans and Pacific Islanders by investing much-needed public resources into strengthening community infrastructure. California's \$166.5 million Asian and Pacific Islander Equity Budget is a first-in-the-nation, three-year public investment in which the majority, \$110 million, is being directly invested in community organizations on the front lines of responding to and preventing hate.<sup>84</sup> Similarly, New York is making a \$20 million investment in Asian American and Pacific Islander communities, distributing funds to community groups.<sup>85</sup>

These recent state-level investments in community infrastructure offer a comprehensive and foundational approach to addressing hate and remediating decades-long disinvestments in communities of color. Community-based organizations serving Asian Americans and Pacific Islanders bridge the gap between government and community members, offering in-language and culturally competent outreach, education, and services.

### **2. Direct public agencies to address bias-motivated harassment in public spaces.**

Civil rights laws prohibit discrimination in and promote equal access to businesses and public transit. These protections often do not extend to the pervasive and unwelcome verbal harassment perpetrated by strangers and motivated by bias and anti-Asian and anti-Pacific Islander narratives, which makes these spaces less safe for Asian Americans, Pacific Islanders, and other communities.

Sponsored by Stop AAPI Hate, No Place for Hate California is a package of first-in-the-nation, state-level policy recommendations to address hate and harassment against Asian Americans, Pacific Islanders, women, LGBTQ+, and other communities frequently targeted in public spaces.<sup>86</sup> By the end of the first year of the campaign in 2022, two bills were signed into law: Protecting Customers' Civil Rights at Businesses<sup>87</sup> and Increasing Safety for Public Transit Riders.<sup>88</sup> Together, these bills take the first step in shifting the burden of being safe away from individuals who are harassed and toward public agencies.

Stop AAPI Hate is back with Public Transit for All: Improving Safety and Increasing Ridership.<sup>89</sup> This bill would require collecting and publishing quantitative and qualitative data on rider experiences with safety, including street harassment, from the state's 10 largest public transit operators. As operators look to bring back riders, they can use this data to make their systems safer and rebuild rider trust and patronage.



# REFLECTIONS ON THE RESEARCH

Stop AAPI Hate and NORC at the University of Chicago made three intentional choices in sample design toward our goal of representing the ethnic, geographic, and linguistic diversity of Asian American and Pacific Islander communities. First, we sought a large Asian American survey panel (n=1,103) to accommodate the wide diversity of south, southeast Asian, and east Asian ethnic subgroups. Second, we recruited an additional 100 respondents who primarily spoke Chinese, Vietnamese, or Korean, the three most common languages spoken by Asian Americans with limited English proficiency,<sup>90</sup> for a total of 146 non-English respondents. Third, we recruited an oversample of Pacific Islander adults (n=128) to address the historical erasure that Pacific Islander communities have faced under the “Asian American and Pacific Islander” umbrella label.

We used multivariate regression, a statistical analysis technique, to look for significant relationships among age, gender, race/ethnicity, income, education, U.S. region, residence in a metropolitan area or California, language, whether a person experienced discrimination, whether a person reported discrimination, place of birth (in the U.S. or outside the U.S.), and civil rights data points. Subgroup differences reported in this study are statistically significant, providing a certain degree of confidence that estimates and observed relationships represent the national Asian American and Pacific Islander population and are unlikely due to chance.<sup>91</sup>

Over the course of our study, we learned that even a sample of over 1,200 Asian Americans and an oversample of 128 Pacific Islanders was not enough to identify statistically meaningful differences across Asian ethnic subgroups or for Pacific Islanders. This lack of differences may be in part because they may have similar and shared experiences on the issues of discrimination and civil rights. Alternatively, smaller sample sizes among subgroups on items may make it difficult to detect “true” subgroup differences because the variation in responses is too wide to detect meaningful differences affecting the accuracy of the estimates provided. Therefore, we do not include results for which the unweighted subgroup sample size was fewer than 100 respondents. Many survey questions applied to a percentage of respondents who had experienced certain types of discrimination (e.g. housing discrimination), which reduced already small sample sizes for Asian ethnic subgroups and Pacific Islander communities. Finally, our sample size was not large enough to identify differences across multiple identities. For example, we are not able to identify differences at the intersection of ethnic subgroup and LGBTQ+ identity.

These learnings have important implications for members of the research community who share our commitment to disaggregate or identify meaningful findings for those within the “Asian American and Pacific Islander” umbrella:

## Researchers

- **Use qualitative research to delve into the experiences of Asian American and Pacific Islander communities, particularly when sample size becomes an issue.** Survey research can provide an overview of how community members are experiencing and responding to civil rights violations. Additional qualitative research could provide more understanding of the reasons behind the findings, enhance efforts to empower Asian Americans and Pacific Islanders to enforce their civil rights, and offer a contextualized understanding of how multiple identities intersect within individuals and communities.
- **Complement studies that look deeply within ethnic groups with those that look for similarities or differences across ethnic groups.** We chose to exclusively sample Asian Americans and Pacific Islanders, which allowed us to gain a rich understanding of how they experience discrimination. This understanding would be complemented by additional research that looks at similarities and differences with other communities.

- **Define terminology.** The few existing studies on Asian American and Pacific Islander communities need to speak to and inform one another to fill in the complex picture of hate. However, existing research defines terms like “discrimination,” “hate incident,” “hate crime,” and “harassment” in different ways, making it difficult to synthesize the results across studies. Clearly defining these terms would ensure that findings are comparable and provide a basis for better understanding in public discourse.
- **Conduct research specific to Pacific Islanders, separate and apart from Asian Americans.** Capturing the full nuances of Pacific Islander communities requires more than disaggregating data in research about Asian Americans and Pacific Islanders. It requires collecting data in a disaggregated manner that names Pacific Islander communities in the ways they desire and would be responsive to.

## Funders

- **Fund research that accommodates disaggregated findings.** The only way to achieve representative findings across the multiple identities held by Asian Americans and Pacific Islanders is to increase the size of a survey sample. This shines a light on stories that otherwise would never see the light of day.
- **Invest in standing survey panels, at least one of Asian American community members and another of Pacific Islander community members.** Surveys are prohibitively expensive for most community-based organizations, but a standing survey panel drives down these costs because the panel of respondents does not need to be recruited from scratch. Funders can provide the upfront capital that survey vendors need to build this panel.
- **Fund research led by Pacific Islanders.** Researchers from these communities are best positioned to validate and contextualize data about these communities, using methodologies that are culturally aligned and effective.

To learn more about our methodology, visit:

[https://www.norc.org/PDFs/Stop%20AAPI%20Hate/AAPI\\_Civil\\_Rights\\_Report.pdf](https://www.norc.org/PDFs/Stop%20AAPI%20Hate/AAPI_Civil_Rights_Report.pdf)

or

[https://stopaapihate.org/civil\\_rights\\_report](https://stopaapihate.org/civil_rights_report)

# APPENDIX A

## SAMPLE CONGRESSIONAL FINDINGS AND FEDERAL BILL LANGUAGE

### **SEC 1. Short Title.**

### **SEC 2. Findings.**

Congress finds the following:

- (1) Since the onset of the COVID-19 pandemic in 2020, there has been a surge in hate and violence against communities of color, including Asian American, Native Hawaiian, Pacific Islander, and Black communities.
- (2) The surge of hate against Asian Americans and Pacific Islanders includes a range of harms, from tragedies such as the murder of eight people in the Atlanta, Georgia region, six of whom were women of Asian descent, to incidents of harassment, such as people yelling racial and sexualized slurs.
- (3) A nationally representative survey found that one in five Asian Americans and one in five Pacific Islanders experienced an incident of hate in 2020 or 2021. Since March 2020, the national coalition Stop AAPI Hate has received over 11,000 reports of hate from Asian Americans and Pacific Islanders in all 50 States and the District of Columbia. A majority of reports do not involve a crime, and are hate incidents involving harassment, bullying, shunning, and discrimination.
- (4) The rise in hate against Asian Americans and Pacific Islanders during the pandemic is only the latest episode in a long history of racism and injustice toward these people and communities. This includes historical and structural discrimination, such as:
  - (A) The lynching of 19 Chinese Americans by a mob in Los Angeles in 1871.
  - (B) The Page Act of 1875 and Chinese Exclusion Act of 1882, which were the nation's first laws preventing immigration from members of a specific ethnic or national group.
  - (C) The forceful overthrow of the Kingdom of Hawai'i in 1893 by United States missionaries before its eventual annexation in 1898.
  - (D) The incarceration of Japanese Americans in concentration camps during World War II.
  - (E) The authorization of nuclear testing in the Marshall Islands between 1946 and 1958, which continues to harm the health of Islanders, including many residents of U.S. territories and free associated states.
  - (F) The massacre at Cleveland Elementary School, where a community of Southeast Asian refugees was targeted by a white supremacist who murdered five refugee schoolchildren and injured at least two dozen others, in Stockton, California in 1989.
  - (G) Violence against Arab, Middle Eastern, and Muslim Americans in the aftermath of 9/11.
  - (H) The ongoing national security scapegoating of Chinese academics, including the 2018 China Initiative.
- (5) Asian Americans and Pacific Islanders are not alone in being targeted for hate before and during the pandemic. For example, during the first year of the pandemic, four in 10 Black and Asian adults and one-quarter of Hispanic adults reported adverse experiences due to their race or ethnicity, such as being criticized for speaking a non-English language or told to "go back to your country." Meanwhile, 36% of LGBTQ Americans reported discrimination in 2020, including 43% of LGBTQ people of color and more than 60% of trans and nonbinary people.



- (6) Reported hate crimes also reached the highest level in over a decade in 2020, with a 70% increase in hate crimes targeting Asian and Asian American people, and a 49% increase in those targeting Black people, according to the U.S. Department of Justice. Overall, Black people continue to experience race-based violence and discrimination at the highest rate of any group.
- (7) Hate includes discrimination in violation of civil rights laws. According to a survey by Stop AAPI Hate and NORC at the University of Chicago, nearly half of Asian American and Pacific Islander adults nationwide have experienced discrimination or unfair treatment that may be illegal. These experiences are shared by other communities of color. For example, discrimination against Black people is longstanding, well-documented, ongoing, and pervasive, from Jim Crow segregation to continuing discrimination in health care, dealing with the police, and jury selection.
- (8) The impact of hate and discrimination on individuals and communities is extensive and profound. Research has found that racial discrimination targeted at Asian Americans has a significant negative impact on their mental health and harms their sense of belonging to their community and close relationships with family and friends.
- (9) Hate is intersectional, and the physical, emotional, and mental toll is compounded for people who are targeted for overlapping marginalized identities. For example, Asian American and Pacific Islander women and girls reported race, ethnicity, and gender as the most common reasons for experiencing hate.
- (10) Creating safe and thriving communities requires addressing hate incidents, including illegal discrimination. Addressing hate requires a whole-of-government approach that includes enforcement of civil rights to adequately address the range of individual and societal harms.

### **SEC. 3. Hate Incidents Demonstration Project**

(New 34 U.S.C. § 30508)

- (a) In general. The Attorney General shall make grants to states and units of local government to track, prevent, and respond to hate incidents, including illegal discrimination.
- (b) Definitions. In this section:
  - (1) Hate crime - The term "hate crime" means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. § 3631), or a hate crime as defined by state law.
  - (2) Hate incident - The term "hate incident" means an act of prejudice that is motivated in whole or in part by bias against an actual or perceived characteristic of a person, which does not meet the definition of a hate crime under this Act. "Hate incident" may include illegal discrimination in violation of civil rights laws.
  - (3) State - The term "state" has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10251).
  - (4) Unit of local government - The term "unit of local government" has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10251).
- (c) Purposes of grant. The grant may be used for any or all of the following purposes:
  - (1) To create a program or a unit specializing in tracking, preventing, or responding to hate incidents;
  - (2) To adopt a policy on tracking, preventing, or responding to hate incidents;
  - (3) To improve the identification, collection, analysis, and reporting of hate incidents, provided that such data shall not disclose personally identifiable information without the consent of the person to whom the information relates;
  - (4) To provide culturally competent and linguistically accessible services, programs, or other forms of support to victims of hate incidents and communities impacted by hate incidents, which may include but are not limited to mental health services or restorative justice;

- (5) To provide case management or otherwise coordinate the delivery of services, programs, or other forms of support to victims of hate incidents and communities impacted by hate incidents;
  - (6) To investigate hate incidents and bring enforcement actions against perpetrators thereof, in accordance with applicable state and local authority to do so;
  - (7) To conduct public education and outreach efforts that raise awareness of hate incidents, including how to identify and report them and how to seek services, programs, or other forms of support;
  - (8) To procure equipment, supplies, or technology to help carry out any of these purposes;
  - (9) To hire and train staff to help carry out any of these purposes;
  - (10) To collaborate and coordinate with community-based organizations to help carry out any of these purposes;
  - (11) To evaluate the effectiveness of any activities funded in part or in whole by this grant.
- (d) Grant period. A grant made under this section shall be for a period of not more than five years, except that the Attorney General may, at their discretion, grant renewals or extensions beyond that period.
- (e) Priority. The Attorney General shall give priority to applications that propose to:
- (1) Collaborate and coordinate with community-based organizations that serve communities disproportionately impacted by hate incidents;
  - (2) Provide victims from communities disproportionately impacted by hate incidents with meaningful access to culturally competent and linguistically accessible services, programs, or other forms of support;
  - (3) Bring enforcement actions against perpetrators of hate incidents, in accordance with applicable state or local laws; or
  - (4) Refer persons experiencing illegal discrimination to the appropriate enforcement agency.
- (f) Contracts and subawards. A grant recipient may use all or a portion of the grant to contract with or make one or more subawards to one or more:
- (1) Community-based organizations that are private or nonprofit; or
  - (2) Units of local government.
- (g) Reporting.
- (1) By the end of the grant period, a grant recipient shall report to the Attorney General the purposes funded by the grant, the activities undertaken, and the impact of those activities on tracking, preventing, or responding to hate incidents.
  - (2) The Attorney General may issue guidance to states and units of local government on best practices for tracking, preventing, or responding to hate incidents.
- (h) Prohibited uses. Notwithstanding any other provision of law, no funds provided under this Act may be used, directly or indirectly, to fund law enforcement agencies or to increase the presence of law enforcement or private security.
- (i) Authorization of appropriations. There is authorized to be appropriated to carry out this section \$5,000,000 for fiscal year 20XX.

#### **SEC. 4. Language Access Coordinator**

(New 28 U.S.C. § 530E)

- (a) In general. The Attorney General shall designate a Language Access Coordinator for the Department of Justice to ensure that persons with limited English proficiency can meaningfully access Department services, resources, programs or activities.

(b) Duties. The Language Access Coordinator shall:

- (1) Develop, revise, and implement language access plans, policies, and procedures for the Department, and make such plans, policies, and procedures publicly available;
- (2) Monitor implementation of language access plans, policies, and procedures across the Department;
- (3) Develop metrics for measuring the Department's progress in implementing language access plans, policies, and procedures to meaningfully serve persons and communities with limited English proficiency;
- (4) Centralize and expand language access resources within the Department;
- (5) Improve Department-wide awareness of language access plans, policies, procedures, and resources;
- (6) Support components of the Department serving persons with especially high or acute language access needs;
- (7) Liaise with other federal agencies to share best practices and other information about language access initiatives and efforts;
- (8) Develop a process for receiving and timely responding to requests for assistance from persons with limited English proficiency;
- (9) Lead outreach to persons and communities with limited English proficiency and stakeholders serving or representing those persons and communities to improve awareness of how to access language assistance at the Department and how to provide public comment or other feedback if they are unable to do so;
- (10) Improve public awareness of settlements between the Department and parties regarding language access; and
- (11) Such other duties as the Attorney General may prescribe.

### **SEC. 5. Nationwide Reporting on Civil Rights**

(New 28 U.S.C. § 530F)

- (a) In general. The Attorney General shall annually publish data related to civil rights enforcement nationwide, in coordination with the United States Commission on Civil Rights created pursuant to 42 U.S.C. § 1975 (hereinafter referred to as the "Commission") and federal civil rights offices as defined by this section.
- (b) Cooperation. Federal civil rights offices shall collect and annually report to the Attorney General and the Commission data related to the enforcement of federal civil rights laws under their jurisdiction.
  - (1) Federal civil rights offices shall include offices charged with enforcing civil rights within the following departments, including all regional offices, if applicable:
    - (A) Department of Justice, including United States Attorneys;
    - (B) Department of Education;
    - (C) Department of Health and Human Services;
    - (D) Department of Housing and Urban Development;
    - (E) Department of Labor;
    - (F) Equal Employment Opportunity Commission;
    - (G) Department of Homeland Security;
    - (H) Environmental Protection Agency;
    - (I) Department of Transportation;
    - (J) Department of Veterans Affairs;

- (K) Department of Agriculture;
- (L) Department of the Treasury;
- (M) Department of the Interior;
- (N) Small Business Association; and
- (O) Such other offices as designated by the Attorney General.

- (2) Data related to the enforcement of federal civil rights laws shall include and not be limited to:
- (A) Total number of complaints received;
  - (B) Total number of complaints dismissed before an investigation, disaggregated by reason for dismissal;
  - (C) Total number of complaints investigated and resolved, disaggregated by type of resolution;
  - (D) Average length of time to conduct intake or evaluation related to the complaint;
  - (E) Average length of time to investigate and resolve the complaint;
  - (F) Total number of compliance reviews initiated by the federal civil rights office;
  - (G) Average length of time to resolve compliance reviews;
  - (H) Total number of cases in monitorship or monitoring, disaggregated by active or closed;
  - (I) Total number of requests received by the federal civil rights office for language assistance, disaggregated by type of language;
  - (J) Total number of public comments regarding the federal civil rights office's provision of language access, disaggregated by type of language;
  - (K) Summary of public outreach and education activities, such as issuance of technical assistance, guidance regarding compliance, or formal rulemaking;
  - (L) The overall budget and staffing of the federal civil rights office; and
  - (M) Such other data as requested by the Attorney General.
- (3) Data described in items (a) through (h) of paragraph (2) of this subsection shall be disaggregated by protected basis and demographic information regarding the persons whose rights are alleged to have been violated, such as race and ethnicity, and any other category determined by the Attorney General.
- (4) The Attorney General may issue guidance to assist federal civil rights offices in the collection and reporting of data.
- (c) Other data. The Attorney General may request, collect, and publish data related to the enforcement of civil rights laws from tribal, U.S. territory, state, and local civil rights offices charged with enforcement of civil rights laws, and may coordinate with the Commission and its advisory committees to request and collect such data.
- (d) Publication. The Attorney General shall publish data received pursuant to subsections (b) and (c) on its website in a searchable format, and shall update the data no less than annually.
- (e) Privacy. Data acquired under this section shall be used only for research or statistical purposes and shall not contain any information that may reveal the identity of an individual or organizational complainant.
- (f) Supersedure. Nothing in this section shall be construed to modify, impair, or supersede any other federal law requiring a federal civil rights office to collect or report data related to the enforcement of federal civil rights laws.
- (g) Authorization of appropriations. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

# ENDNOTES

- <sup>1</sup> AAPI Data. (2022). State of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States. <https://aapidata.com/wp-content/uploads/2022/06/State-AANHPIs-National-June2022.pdf>. We refer to Native Hawaiian or (other) Pacific Islanders (NHPs) in lieu of Pacific Islanders where the underlying source uses this term.
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- <sup>3</sup> Budiman, A., & Ruiz, G. (2021). Key facts about Asian Americans, a diverse and growing population. Pew Research Center. <https://www.pewresearch.org/fact-tank/2021/04/29/key-facts-about-asian-americans/>
- <sup>4</sup> 21.3% of Pacific Islanders were born outside the U.S. The American Community Survey asks, “Where was this person born?” and presents the options “In the United States - Print name of the state.” and “Outside the United States - Print name of foreign country, or Puerto Rico, Guam, etc.” Bureau of the Census, Analysis of PUMS Data ACS 5-Year Estimates, retrieved from facts.aapi.data.
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- <sup>10</sup> Higgins, A. (2022, November 6). Decolonizing America: American Samoa. Brown Political Review. <https://brownpoliticalreview.org/2022/11/decolonizing-american-samoa/>. Mar, S. (2021, May 18). The Trauma of Colonization. Boston University School of Public Health Public Health Post. <https://www.publichealthpost.org/research/the-trauma-of-colonization/>
- <sup>11</sup> Zhou, L. (2021, May 5). The inadequacy of the term “Asian American.” Vox. <https://www.vox.com/identities/22380197/asian-american-pacific-islander-aapi-heritage-anti-asian-hate-attacks> (describing development and critiques of term). Ishisaka, N. (2020, November 30). Why it's time to retire the term 'Asian Pacific Islander'. The Seattle Times. <https://www.seattletimes.com/seattle-news/why-its-time-to-retire-the-term-asian-pacific-islander/> (describing how merging Asian Americans and Pacific Islanders “makes the specific needs of NHPI people invisible” and leads to the erasure of NHPs in public policies and funding). Morey, B. et al. (2022, April 1). No Equity without Data Equity: Data Reporting Gaps for Native Hawaiians and Pacific Islanders as Structural Racism. Journal of Health Politics, Policy and Law, 47(2): 159–200. <https://doi.org/10.1215/03616878-9517177> (describing gaps in data collection regarding NHPs and health).
- <sup>12</sup> Empowering Pacific Islander Communities. (2014, March 19). Policy Platform Blueprint for Native Hawaiians and Pacific Islanders in the United States. [https://drive.google.com/file/d/16UmclNx1P5tz3N2WFOErwGevwXJc\\_qi9/view](https://drive.google.com/file/d/16UmclNx1P5tz3N2WFOErwGevwXJc_qi9/view)
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- <sup>14</sup> Id.
- <sup>15</sup> A multi-year analysis of Asian American technology workers in the San Francisco Bay Area from 2007 to 2015 showed Asian Americans are the least likely racial group to be promoted to managerial-level positions. Gee, B. & Peck, D. (2020). The Illusion of Asian Success: Scant Progress for Minorities in Cracking the Glass Ceiling from 2007-2015. Ascend Pan-Asian Leaders. <https://static1.squarespace.com/static/5e8bce29f730fc7358d4bc35/t/5fdd1f1ae4a5c90ed63228c4/1608326939357/The-Illusion-of-Asian-Success.pdf>. A two-year study published in 2017 of Asian American students and lawyers revealed a lack of advancement for Asian Americans across different legal sectors, with more than half of the lawyers surveyed saying they sometimes or often experience implicit discrimination in the workplace. Chung, E., Dong, S., Hu, X., Kwon, G., & Liu, G. 2017. A Portrait of Asian Americans in the Law. Yale Law School. National Asian Pacific American Bar Association. [https://static1.squarespace.com/static/59556778e58c62c7db3f8e84/t/596cf0638419c2e5a0dc5766/1500311662008/170716-PortraitProject\\_SinglePages.pdf](https://static1.squarespace.com/static/59556778e58c62c7db3f8e84/t/596cf0638419c2e5a0dc5766/1500311662008/170716-PortraitProject_SinglePages.pdf)
- <sup>16</sup> Shih, H., Vinh, R., Ramakrishnan, K., & Gasawai, P. (2023). The Post-Pandemic Agenda for Community Well-being among Asian Americans, Native Hawaiians, and Pacific Islanders in California. AAPI Data. UCLA Center for Health Policy Research. <https://drive.google.com/file/d/12CbkPMChH5yAHUauJUX1RriD-FDd6P5g/view>
- <sup>17</sup> The report defined “everyday experiences of discrimination” as “[m]easures of discrimination in everyday settings developed by Forman, Williams, and Jackson (1997) that builds on the concept articulated by Essed (1990), which refers to a certain set of ‘rights, respect, and recognition, which whites take for granted in their own lives, are denied to people of color.’” Id. at 40. The report provided data on various types of everyday experiences with discrimination including: assumed not from the US; poorer services at restaurants or stores; assumed does not speak English; called names or insulted; mocked or offensive physical gestures; name intentionally mispronounced; threatened or harassed; treated as if dishonest; people acted afraid of respondent; been spit or coughed on.
- <sup>18</sup> “The survey produced statistically stable estimates for Asian Americans in general, but not for NHPs or Asian national origin groups.” Id. at 48.
- <sup>19</sup> Park, V., et al. 2022. Discrimination experiences during COVID19 among a national, multi-lingual, community-based sample of Asian Americans and Pacific Islanders: COMPASS findings. IJERPH. <https://doi.org/10.3390/ijerph19020924>

- <sup>20</sup> “Perceived discriminatory experience was assessed by using a revised 8-item Everyday Discrimination Scale. Participants were asked, ‘In the past 6 months, how often have...’ with each of the 8 items ending with ‘because you are Asian, Asian American or Pacific Islander.’ The 8 items were: 1. you been treated with less respect than other people..., 2. you been treated unfairly at restaurants or stores..., 3. people criticized your accent or the way you speak..., 4. people acted as if they think you are not smart..., 5. people acted as if they are afraid of you..., 6. people acted as if they think you are dishonest..., 7. people acted as if they’re better than you are..., 8. you been threatened or harassed...” Id.
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- <sup>23</sup> Rodriguez, V. (2022). American experiences with discrimination 2022. AAPI Data and Momentive. <https://www.momentive.ai/en/blog/aapi-data-2022/>; Lantz, B. & Wenger, M. (2021). Are Asian Victims Less Likely to Report Hate Crime Victimization to the Police? Implications for Research and Policy in the Wake of the COVID-19 Pandemic. Crime & Delinquency. <https://doi.org/10.1177/00111287211041521>.
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- <sup>25</sup> Equal Employment Opportunity Commission. (2014). EEOC Releases Fiscal Year 2014 Enforcement and Litigation Data. <https://www.eeoc.gov/newsroom/eeoc-releases-fiscal-year-2014-enforcement-and-litigation-data>.
- <sup>26</sup> Department of Education Office of Civil Rights. (2018). 2017-18 State and National Estimates. <https://ocrdata.ed.gov/estimations/2017-2018>
- <sup>27</sup> U.S. Census. Table 2: Percentage of Population and Percent Change by Race: 2010 and 2020. <https://www2.census.gov/programs-surveys/decennial/2020/data/redistricting-supplementary-tables/redistricting-supplementary-table-02.pdf>
- <sup>28</sup> Department of Fair Employment and Housing. (2018). Annual Report. <https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/01/DFEH-AnnualReport-2018.pdf>
- <sup>29</sup> Department of Fair Employment and Housing. (2019). Annual Report. [https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/10/DFEH\\_2019AnnualReport.pdf](https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/10/DFEH_2019AnnualReport.pdf)
- <sup>30</sup> Department of Fair Employment and Housing. (2020). Annual Report. <https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2022/01/2020-DFEH-Annual-Report.pdf>
- <sup>31</sup> U.S. Census Bureau. Quick Facts: California. <https://www.census.gov/quickfacts/CA>
- <sup>32</sup> Stop AAPI Hate. (2022, July 20). Two years and thousands of voices: what community-generated data tells us about anti-AAPI hate. <https://stopaapihate.org/wp-content/uploads/2022/07/Stop-AAPI-Hate-Year-2-Report.pdf>
- <sup>33</sup> Stop AAPI Hate. (2021, November 18). Stop AAPI Hate National Report - 3/19/20 - 9/30/21. <https://stopaapihate.org/wp-content/uploads/2021/11/21-SAH-NationalReport2-v2.pdf>. Momentive and AAPI Data. (2022, March 16). Press Release: New Survey from Momentive and AAPI Data Offers Important Correctives on Hate in America. <https://aapidata.com/blog/discrimination-survey-2022/>. Ruiz, N., Edwards, K., and Lopez, M.H. (2021, April 21). One-third of Asian Americans fear threats, physical attacks and most say violence against them is rising. Pew Research Center. <https://www.pewresearch.org/fact-tank/2021/04/21/one-third-of-asian-americans-fear-threats-physical-attacks-and-most-say-violence-against-them-is-rising>
- <sup>34</sup> All data in this section is from the Stop AAPI Hate survey conducted by NORC. NORC at the University of Chicago, “Barriers to Justice: Asian Americans & Pacific Islanders Want Greater Protection of Their Civil Rights,” (May 2023). [https://www.norc.org/PDFs/Stop%20AAPI%20Hate/AAPI\\_Civil\\_Rights\\_Report.pdf](https://www.norc.org/PDFs/Stop%20AAPI%20Hate/AAPI_Civil_Rights_Report.pdf)
- <sup>35</sup> U.S. Department of Justice Civil Rights Division. Know Your Rights: Title II of the Civil Rights Act of 1964. <https://www.justice.gov/crt/page/file/1251321/download#:~:text=YOUR%20RIGHTS%20UNDER%20TITLE%20II&text=You%20have%20the%20right%20to.any%20place%20of%20public%20accommodation.&text=You%20cannot%20be%20treated%20differently.%2C%20religion%2C%20or%20national%20origin>
- <sup>36</sup> Federal Trade Commission. Protections Against Discrimination and Other Prohibited Practices. <https://www.ftc.gov/policy-notice/no-fear-act/protections-against-discrimination>
- <sup>37</sup> While the distribution of Asian students and Pacific Islander students in public and private schools has fluctuated over time, for context, the latest year of fully available race/ethnicity data for pre-K through postsecondary students in private and public schools (2017) shows that the majority of Asian students and Pacific Islander students were enrolled in public schools (84% and 77% respectively). U.S. Department of Education, National Center for Education Statistics. Table 203.65. [https://nces.ed.gov/programs/digest/d21/tables/dt21\\_203.65.asp](https://nces.ed.gov/programs/digest/d21/tables/dt21_203.65.asp). Table 205.30. [https://nces.ed.gov/programs/digest/d21/tables/dt21\\_205.30.asp](https://nces.ed.gov/programs/digest/d21/tables/dt21_205.30.asp). Table 205.10. [https://nces.ed.gov/programs/digest/d21/tables/dt21\\_205.10.asp](https://nces.ed.gov/programs/digest/d21/tables/dt21_205.10.asp). Table 306.20. [https://nces.ed.gov/programs/digest/d21/tables/dt21\\_306.20.asp?current=yes](https://nces.ed.gov/programs/digest/d21/tables/dt21_306.20.asp?current=yes). Income disparities in Asian American and Pacific Islander communities can impact access to private schools. Runes, C. (2018, May 10). What’s behind the wealth gap in Asian American and Pacific Islander communities? Urban Wire. <https://www.urban.org/urban-wire/whats-behind-wealth-gap-asian-american-and-pacific-islander-communities>
- <sup>38</sup> U.S. Department of Education Office for Civil Rights. About OCR. <https://www2.ed.gov/about/offices/list/ocr/aboutocr.html>
- <sup>39</sup> U.S. Department of Transportation. DOT Discrimination Policy - Complaint Process. <https://www.transportation.gov/civil-rights/complaint-resolution/complaint-process>.
- <sup>40</sup> U.S. Commission on Civil Rights. (2014, September). Getting Uncle Sam to Enforce Your Civil Rights. <https://www.usccr.gov/files/pubs/uncsam/UncleSam2014.pdf>
- <sup>41</sup> As with access to education, access to homeownership among Asian American and Pacific Islander communities varies widely, reflecting diverse relationships to the United States and significant income and wealth disparities. Pang, D. and Choi, J.H. (2021, December 15). Why Does Homeownership Vary So Widely within the AAPI Community? Urban Wire. <https://www.urban.org/urban-wire/why-does-homeownership-vary-so-widely-within-aapi-community>.
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- <sup>43</sup> In addition, one in five Asian Americans who have experienced racism display racial trauma, or psychological or emotional harm caused by racism. Stop AAPI Hate. (2021, May 27). Stop AAPI Hate Mental Health Report. <https://stopaapihate.org/wp-content/uploads/2021/05/Stop-AAPI-Hate-Mental-Health-Report-210527.pdf>
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- <sup>46</sup> Regarding trust in community, advocacy, or civil rights organizations serving Asians, Asian Americans, and/or Pacific Islanders to learn more about civil rights, disaggregating this result shows that, when solely looking at race/ethnicity, Asian Indians and Pacific Islanders were less likely to trust these organizations (48% and 43%, respectively) but only the difference for Asian Indians was statistically significant after controlling for other factors. Pacific Islanders also displayed lower trust in government agencies to learn more about civil rights than other groups (33% vs. 54%) even after controlling for other factors.
- <sup>47</sup> Regarding feeling comfortable reporting civil rights violations to community, advocacy, or civil rights organizations serving Asians, Asian Americans, and/or Pacific Islanders, disaggregating this result shows that, when solely looking at race/ethnicity, Asian Indians and Pacific Islanders were less likely to trust these organizations (40% and 37%, respectively) but this difference was not statistically significant after controlling for other factors.
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- <sup>53</sup> See, e.g., 34 U.S.C. § 30504 (grants to combat hate crimes committed by juveniles); 34 U.S.C. § 10157; Bureau of Justice Assistance, U.S. Department of Justice. (2021). Collaborative Approaches toward Preventing and Addressing Hate Crime — Demonstration Projects, <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/O-BJA-2021-111001.pdf>
- <sup>54</sup> See 34 U.S.C. § 30507 (Jabara-Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021).
- <sup>55</sup> LA vs. Hate. Report Hate. <https://www.lavshate.org/>
- <sup>56</sup> Civil Rights Department, State of California. CA vs Hate. <https://calcivilrights.ca.gov/ca-vs-hate-page/>
- <sup>57</sup> Office of Human Rights, DC.gov. Street Harassment Prevention Act of 2018. <https://ohr.dc.gov/page/shpa>
- <sup>58</sup> Id.
- <sup>59</sup> NYC Human Rights. Enforcement. <https://www.nyc.gov/site/cchr/enforcement/enforcement.page>
- <sup>60</sup> Los Angeles City + Human Rights and Equity Department. Discrimination. <https://civilandhumanrights.lacity.org/discrimination-enforcement>
- <sup>61</sup> Philadelphia Commission on Human Relations. What we do. <https://www.phila.gov/departments/philadelphia-commission-on-human-relations/>
- <sup>62</sup> Minnesota Department of Human Rights. (2023, March). Minnesota Department of Human Rights Reaches Court Enforceable Agreement with City of Minneapolis to Address Race-Based Policing and Strengthen Public Safety. [https://mn.gov/mdhr/assets/FINAL%20Two%20Pager\\_tcm1061-571844.pdf](https://mn.gov/mdhr/assets/FINAL%20Two%20Pager_tcm1061-571844.pdf)
- <sup>63</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Lau v. Nichols, 414 U.S. 563 (1974). Executive Order 13166 (August 2000).
- <sup>64</sup> Id. See, e.g., California Unruh Civil Rights Act, California Civil Code § 51.
- <sup>65</sup> The Attorney General. (2021, May 27). Memorandum for Department of Justice Employees: Improving the Department's Efforts to Combat Hate Crimes and Hate Incidents. U.S. Department of Justice. [https://www.justice.gov/d9/2022-12/attorney\\_general\\_memorandum-improving\\_the\\_departments\\_efforts\\_to\\_combat\\_hate\\_crimes\\_and\\_hate\\_incidents.pdf](https://www.justice.gov/d9/2022-12/attorney_general_memorandum-improving_the_departments_efforts_to_combat_hate_crimes_and_hate_incidents.pdf)
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- <sup>67</sup> The Attorney General. (2010, June 28). Memorandum for Heads of Department Components: Language Access Obligations Under Executive Order 13166. U.S. Department of Justice. [https://www.justice.gov/sites/default/files/crt/legacy/2012/05/04/language\\_access\\_memo.pdf](https://www.justice.gov/sites/default/files/crt/legacy/2012/05/04/language_access_memo.pdf)
- <sup>68</sup> U.S. Department of Justice. (2023, January). A National Strategy to Advance Equity, Justice, and Opportunity for Asian American, Native Hawaiian, and Pacific Islander Communities: Agency Plan. White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders. [https://assets.performance.gov/communities/equity/2023/action-plans/WHIAANHPI/EO\\_14031\\_DOJ\\_AANHPI\\_Plan\\_2022.pdf](https://assets.performance.gov/communities/equity/2023/action-plans/WHIAANHPI/EO_14031_DOJ_AANHPI_Plan_2022.pdf)
- <sup>69</sup> 42 U.S.C. § 2000a.
- <sup>70</sup> U.S. Department of Justice. Know Your Rights: Title II of the Civil Rights Act of 1964. <https://www.justice.gov/crt/page/file/1251321/download#:~:text=YOUR%20RIGHTS%20UNDER%20TITLE%20II&text=You%20have%20the%20right%20to.any%20place%20of%20public%20accommodation.&text=You%20cannot%20be%20treated%20differently,%2C%20religion%2C%20or%20national%20origin>
- <sup>71</sup> Priddy v. Shopko Corp., 918 F. Supp. 358, 358, 1995 U.S. Dist. LEXIS 20454, at \*1 (D. Utah 1995).
- <sup>72</sup> Thomas, S., The Customer Caste: Lawful Discrimination by Public Businesses, 109 Calif. L. Rev. 141, 156.
- <sup>73</sup> Denny v. Elizabeth Arden Salons, Inc., 456 F.3d 427, 2006 U.S. App. LEXIS 20393 (4th Cir. 2006).

- <sup>74</sup> These places may be captured on a case-by-case basis. See, e.g., *Cruz v. Walmart Super Ctr.*, 2017 U.S. Dist. LEXIS 139221, at \*6 (E.D. Penn. 2017) (“[S]ection 2000a(b)(4) extends the meaning of a public accommodation to any location which contains or is contained within one of the explicitly named types of establishments. For example, if a larger retailer contained within it a restaurant, the retailer would be considered a public accommodation.”).
- <sup>75</sup> Equality Act, S. 393, 117th Cong. (2021-2022). <https://www.congress.gov/bill/117th-congress/senate-bill/393>.  
Equality Act, H.R. 5, 117th Cong. (2021-2022). <https://www.congress.gov/bill/117th-congress/house-bill/5>
- <sup>76</sup> Stop AAPI Hate. (2022, October). 50-State Summary of Anti-Discrimination Laws: Understanding Your Rights to be Treated Fairly Under State Laws. [https://stopaapihate.org/civil\\_rights\\_report](https://stopaapihate.org/civil_rights_report)
- <sup>77</sup> At least one court suggested that “[r]etail stores, food markets, and the like were excluded from the Act for the policy reason that there was little, if any, discrimination in the operation of them.” *Newman v. Piggie Park Enterprises, Inc.*, 377 F.2d 433, 436, 1967 U.S. App. LEXIS 6630, at \*8 (4th Cir. 1967). Putting aside whether this was true in 1964, abundant data and research demonstrate that it is plainly untrue now.
- <sup>78</sup> U.S. Commission on Civil Rights. (2019). Are Rights a Reality? Evaluating Federal Civil Rights Enforcement. <https://www.usccr.gov/files/pubs/2019/11-21-Are-Rights-a-Reality.pdf>
- <sup>79</sup> Global Law Enforcement Support Section and Crime and Law Enforcement Statistics Unit, Federal Bureau of Investigation. (2022). Hate Crime Data Collection Guidelines And Training Manual. <https://le.fbi.gov/file-repository/hate-crime-data-collection-guidelines-and-training-manual.pdf/view>
- <sup>80</sup> 34 U.S.C. § 30507 (Jabara-Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021).
- <sup>81</sup> U.S. Department of Justice. (2023, February 21). FBI Releases 2021 Hate Crime Statistics. Retrieved March 3, 2023, from <https://www.justice.gov/hatecrimes/hate-crime-statistics>
- <sup>82</sup> U.S. Department of Justice and U.S. Department of Health and Human Services. (May 20, 2022). Raising Awareness of Hate Crimes and Hate Incidents During the COVID-19 Pandemic, from <https://www.justice.gov/file/1507346/download>, 10 et seq.
- <sup>83</sup> Id. at 12.
- <sup>84</sup> California AAPILC. (2021, October 15). The Asian American and Pacific Islander Legislative Caucus Secures a Historic \$166.5M to Address AAPI Hate Crimes. <https://aapilegcaucus.legislature.ca.gov/api-equity-budget-2021>. California Department of Social Services. Stop the Hate Program Funding. <https://cdss.ca.gov/inforesources/cdss-programs/civil-rights/care-funding>
- <sup>85</sup> New York State Senator John C. Liu. (2022, April 28). AAPI Coalition Celebrates \$20M in New State Funding [Press release]. <https://www.nysenate.gov/newsroom/press-releases/john-c-liu/aapi-coalition-celebrates-20m-new-state-funding>
- <sup>86</sup> Stop AAPI Hate. California Is No Place for Hate. <https://noplacforhateca.org/>
- <sup>87</sup> Assembly Bill 2448, authored by Assemblymember Phil Ting, now California Civil Code § 51.17, directs the state’s civil rights department to create a first-of-its-kind pilot program incentivizing businesses to create safe and welcoming environments. It also empowers customers with information on which businesses are taking meaningful steps to address discrimination and harassment, such as training employees on their duties under civil rights laws. California Legislative Information. AB-2448 Civil rights: businesses: discrimination and harassment of customers: pilot program (2021-2022). [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB2448](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2448)
- <sup>88</sup> Senate Bill 1161, authored by Senator Dave Min, now California Public Utilities Code § 99177, requires the development of a community survey tool as a resource for transit operators to center rider experiences and promote rider safety. California Legislative Information. SB-1161 Transit operators: street harassment survey (2021-2022). [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB1161](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1161)
- <sup>89</sup> Senate Bill 434, authored by Senator Dave Min. California Legislative Information. SB-434 Transit operators: street harassment survey (2023-2024). [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB434](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB434). Senator Dave Min. SB 434 Public Transit for All: Improving Safety and Increasing Ridership [Fact sheet]. [https://drive.google.com/file/d/1eTiUa7cpTrAlybfp9R45vc9DdQlgEKA\\_/view?usp=share\\_link](https://drive.google.com/file/d/1eTiUa7cpTrAlybfp9R45vc9DdQlgEKA_/view?usp=share_link)
- <sup>90</sup> Batalova, J. and Zong, J. (2016). Language Diversity and English Proficiency in the United States. Migration Information Source. <https://www.migrationpolicy.org/article/language-diversity-and-english-proficiency-united-states>
- <sup>91</sup> We included findings at a 95% confidence level, which means our results match the national population of Asian American and Pacific Islander adults 95% of the time.



# ABOUT STOP AAPI HATE

Stop AAPI Hate is a coalition co-founded by AAPI Equity Alliance, Chinese for Affirmative Action, and the San Francisco State University Asian American Studies Department. Created amid the rise of COVID-19-related anti-Asian racism, our coalition has since joined a nationwide movement for a safer, more equitable future for Asian Americans, Pacific Islanders, and other communities grappling with systemic racism, injustice, and harm.

Grounded in tackling the root causes of racism, our work includes research and data analysis, policy development and advocacy, narrative change, and community capacity building. We focus on issues including education equity and advancing ethnic studies, building community safety and resilience, and enhancing civil rights protections and racial justice.

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