



Asian and Pacific Islander American Vote
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**Written Statement For the Hearing Entitled, “Discrimination and Violence Against Asian Americans” on March 18, 2021 at 10:00 AM
Testimony from Asian and Pacific Islander American Vote (APIAVote)**

Dear Chairman Cohen, Ranking Member Johnson, and Members of the Subcommittee on the Constitution, Civil Rights, and Civil Liberties of the House Committee on the Judiciary,

Asian and Pacific Islander American Vote (APIAVote) was founded in 2007 to increase civic engagement and participation among Asian American and Pacific Islanders (AAPI). As a national non-profit, nonpartisan organization, APIAVote works with a network of local and state community based organizations (CBOs) in 28 states. We mobilize AAPIs with culturally relevant and language support for electoral and civic participation. Together, we work to create a more inclusive, fair, and collaborative country where Asian American and Pacific Islander communities are self-determined, empowered, and engaged.

We thank the subcommittee for conducting this relevant hearing to document this time in our history during the COVID-19 pandemic, the alarming rise in discrimination, harrasment, and violence against Asian Americans.

Issues for the Subcommittee on the Constitution, Civil Rights, and Civil Liberties to Consider

Anti-Asian hate and discrimination have been around in the United States since our community’s arrival. But in the past year, these have increased considerably due to scapegoating China and people of Asian descent for the COVID-19 pandemic. Asian American communities are experiencing increased fear, suspicion, and concern, making it more difficult for organizations to reach out to people and get them involved in civic engagement.

Immigrant, low income and working class Asian American communities in particular have been significantly affected by these hate incidents. The anti-Chinese and anti-Asian

rhetoric espoused by the previous administration and 2020 election candidates compounded the chilling effect on Asian Americans hindering efforts to get out the vote and to fill out the Census.

COVID-19 Motivated Anti-Asian Hate and Impact on Civic Duties

2020 was a key year in the mobilization of the AAPI communities to fulfill our civic duty of filling out Census 2020 and participating in Election 2020. Our communities have been working for years educating and informing our community about the importance of being counted in Census 2020. We had to overcome our communities' distrust of the federal government, distrust that Census data is confidential and secure, educate about the need for a fair and accurate count so that our communities can receive due federal benefits. We have had to do the same informing, educating, empowering our community that each and everyone of their vote does count.

Since the very start of the COVID-19 pandemic, which impacted the AAPI community earlier than the rest of the nation, Asian Americans have faced dual threats to their personal safety and well-being from coronavirus infection and racism. Our communities have endured not only health disparities and economic hardships but also racism and xenophobia from being unjustly scapegoated for the spread of the coronavirus.

Attacks against Asian Americans began as soon as COVID-19 arrived in the United States and have not abated. In March 2020, an Asian American family with two children, ages 2, and 6, were stabbed in Texas. And now seared into our memories from the graphic videos is Vicha Ratanapakdee, an 84-year old Thai American, who died after being shoved to the ground while walking in San Francisco in January 2021. It does not matter how old one is, AAPIs of all ages are potential victims.

The torrent of incidents of verbal abuse, harassment, threats, and violence reported in the Asian ethnic media, through Asian social media platforms like WeChat, and on mainstream media has spread fear, despair, and anger in our community. It is crucial to note that violence and discrimination against Asian Americans have been startlingly constant throughout the COVID-19 pandemic. It is even more crucial to understand that Asian Americans have experienced structural violence and racism for decades and beyond.

APIAVote submits for the record the obstacles and experiences that AAPIs endured trying to exercise their basic rights in 2020.

2020 Census and Voter Engagement Impact

Many of our CBOs' constituents are low-income and working class Asian Americans who are often the most at-risk of anti-Asian hate incidents reflected in their reports of harassment, and threats, that has created fear.

Census:

- In St. Louis, Missouri, which has a sizable international student population, many Chinese international students on WeChat reported they were afraid to take the Census because they feared the government would abuse the information to deport them.

Voting:

- A 52 year old Chinese American living in St. Louis, Missouri shared with a voter outreach coordinator in Missouri from Asian American Youth Foundation that his reason for voting was mainly driven by fear of "white supremacy".
- On Election Day, a Boston-based [Lawyers for Civil Rights](#) organization in Massachusetts stated that residents in Lowell, a highly diverse city where nearly 23.2% of the city's 111,000 residents are Asian, were threatened and harassed while standing in line at the polling precinct. This area specifically houses one of the largest Cambodian communities in the country. As polls were about to close, reports noted that anti-Asian and xenophobic comments were being hurled at voters standing in line.

Ongoing Structural and Historical Racism Against Asian Americans

These attacks on Asian Americans are unjust and unacceptable, but they are not new. From the Chinese Exclusion Act of 1882 to the recent murders in Atlanta, our communities have experienced violence and racism—interpersonal, institutional, and structural—for centuries.

The Chinese Exclusion Act of 1882, which restricted the entry of a specific ethnic group paved the way for more racist, discriminatory measures like the immigration quotas of the 20th century and the more recent Muslim Ban. The legacy of Japanese American Internment continued with the order to remove over 16,000 Southeast Asian American refugees in the 1970s and continues today in the US's cruel immigrant detention and deportation system. These repeats of history are unacceptable and we must be able to recognize and end all forms of anti-Asian discrimination and violence.

The recent violence against Asian Americans is also a repeating history in the US. In 1982, Vincent Chin was murdered by two white men who blamed the loss of their jobs on

Japanese automotive competition. The judge presiding over the case gave Chin's murderers a minor fine, exposing the failures of the criminal justice system to deliver justice. The recent murders of eight people, including six Asian women in the Atlanta area repeats the violence. However, more disturbing is the threat that justice may not be served. Describing the white male suspect as having, "a really bad day," by Cherokee County Sheriff's Office Capt. Jay Baker echoes the same racist beliefs that create fear and distrust in the Asian American community. It is clear that we need solutions to violence and discrimination that don't rely solely upon our flawed criminal justice system and law enforcement.

Recommended Policy, Guiding Principles, and Other Actions

In order to ensure that Asian Americans receive adequate support and protection amid xenophobic rhetoric and anti-Asian hate incidents, APIAVote recommends the following actions:

- Take action on the recommendations from the US Commission on Civil Rights; 1) Vigilant enforcement of civil rights laws is vital to address anti-Asian hate in the short term and discrimination against our communities in the long term; 2) critical requirement to provide language access for Limited English Proficient (LEP) population.
- Enforce Executive Order 13166 requiring federal agencies, and entities receiving federal funding, to provide "meaningful access" to agency services for LEP individuals.
- Federal agencies must engage in outreach and community education focused on Asian American communities, which includes investing in community resources, and working directly with community-based organizations for both prevention and response to anti-Asian hate incidents.
- Federal agencies engage fully with national Asian American advocacy organizations and AAPI serving local community-based organizations, to ensure their approaches are culturally competent, linguistically accessible, and reflect the diverse and specific needs of the local communities.
- Reinstatement of an ombudsman within the Civil Rights Division of the Department of Justice to field and direct issues related to anti-Asian discrimination. Such a role was created in the aftermath of hate violence scapegoating Muslim Americans post-9/11
- Passage of legislation such as the Jabara-Heyer NO HATE Act which is critical to promoting better hate crimes data collection. The legislation would also enable states to establish reporting hotlines, and would improve law enforcement policies on identifying, investigating, and reporting hate crimes.

- Congresswoman Grace Meng and Senator Mazie Hirono’s legislation focused on COVID-19 hate crimes likewise would assist in providing oversight and understanding of the scope of the issue, including reporting that is linguistically accessible and culturally competent.

Conclusion

Asian and Pacific Islander American Vote (APIAVote) thanks the Subcommittee on the Constitution, Civil Rights, and Civil Liberties for bringing attention to the discrimination, oppression and violence that Asian American communities have been experiencing during this pandemic and for holding this hearing. We urge members of this subcommittee to bear in mind that racism and discrimination against Asian Americans did not begin with the start of the pandemic and without decisive, structural change, will persist long after the pandemic ends. Additionally, we hope you will continue to use the power of this subcommittee to protect the right of all Americans no matter the color of their skin to their rights to civic participation.

Sincerely,

Christine Chen
Executive Director
Asian and Pacific Islander American Vote (APIAVote)