

February 17, 2022

House Subcommittee on Crime, Terrorism, and Homeland Security
U.S. House of Representatives
Thomas P. O'Neill Federal Building, Room 6340
200 C Street SW
Washington, DC 20024

Re: Outside Witness Testimony from the Sikh Coalition to the Subcommittee on Crime, Terrorism, and Homeland Security on the Judiciary regarding the hearing titled “The Rise in Violence Against Minority Institutions”

Dear Chairwoman Jackson Lee, Ranking Member Biggs, and Members of the Subcommittee:

As an organization that represents the Sikh community in the United States and addresses hate-related backlash attacks against the Sikh American community since 9/11, we write to address our concern on the rise in violence against Sikhs and other minorities.

To be clear, ours is a community that has long faced discrimination and bigotry. Sikhs have faced hate crimes in the United States since arriving in this country in the late 1800s. A new wave of hate began, however, in the immediate aftermath of the 9/11 attacks; the Sikh Coalition tracked more than 300 hate incidents in the first month after that terrible day, and the first deadly hate crime after 9/11 saw a Sikh American named Balbir Singh Sodhi murdered outside his gas station in Mesa, Arizona on September 15, 2011.¹ Nearly 20 years later, many still wrongfully associate anti-Sikh hate violence with “mistaken identity”—that is, the notion that Sikhs are targeted because they are believed to be Muslim—but defaulting to this framework fails to account for the other bias-related motivations behind violence against Sikhs, and often falsely implies that there is a group that *should* be targeted by those who lash out in hate.² Hate crimes, including attacks against minority institutions, terrorize not only the targeted individual and their families, but entire communities that are similarly situated.

Due to our long history of facing bias, we believe that the challenges that Sikhs face often foreshadow systemic problems for the rest of the nation. The worst attack on an American house of worship in nearly 50 years occurred on August 5, 2012, when a white supremacist murdered seven Sikhs at a gurdwara (Sikh house of worship) in Oak Creek, Wisconsin. The shooting, perpetrated by a gunman with white nationalist ties, killed six Sikh worshippers at the time and injured several others. Baba Punjab Singh, a courageous and beloved 72-year-old Sikh religious teacher who was shot and paralyzed during the

¹ *Hate killed my brother 4 days after 9/11. What has changed (and hasn't) 20 years later*, azcentral (Sep. 9, 2021), available at <https://www.azcentral.com/story/opinion/op-ed/2021/09/09/hate-killed-balbir-singh-sodhi-after-sept-11-what-changed/5773998001/>.

² *Sikhs in America: A History of Hate*, ProPublica (Aug. 4, 2017), available at <https://www.propublica.org/article/sikhs-in-america-hate-crime-victims-and-bias>.



assault, sadly passed away from his injuries on March 2, 2020, making him the seventh victim of this deadly assault.³ Since the Oak Creek shooting, additional gurdwaras and other minority houses of worship throughout the nation have been actively targeted through vandalism, arson, bomb threats, bioterrorism, and mass shootings.

Following the Oak Creek shooting, the Sikh Coalition, in collaboration with other advocacy organizations, advocated for updating the FBI's hate crime reporting codes to more accurately capture anti-bias incidents, including anti-Sikh incidents for the first time, in the Uniform Crime Report.⁴ Since then the FBI's annual hate crime report consistently categorizes anti-Sikh violence within the top five most targeted religious communities, but when one controls for population sizes of these religious minorities, it quickly becomes clear that Sikhs remain more vulnerable than likely any other religious population in the country.

Since the reporting of hate crimes to the FBI remains voluntary, federal hate crime statistics remain woefully inadequate. According to the most recent reporting by the Bureau of Justice Statistics, there were an estimated 246,900 hate crimes transpiring annually within the United States from 2005 to 2019.⁵ The FBI's most recent annual hate crime report in 2020, by contrast, reported only 3 percent of this estimate, with just 8,263 hate crime incidents documented. With just 16 percent of participating agencies reporting hate crimes data, it is apparent that the current model of voluntary reporting and hate crime response training yields very limited statistics.⁶ The large gaps in hate crime reporting and failures to prioritize hate crime threats remain among our nation's largest security threats; this, and the broader danger of white supremacist extremist ideology that continues to target our and other communities, requires further substantial action by Congress.

The failures to address hate crimes and white supremacist violence against individuals has resulted in more acts of hate being directed at minority institutions, including our houses of worship. The Sikh Coalition has tracked an alarming increase in attacks against gurdwaras over the past five years. In September of 2017, a white man defaced a gurdwara in Hollywood, California calling for the nuking and death of Sikhs and threatened to slit the throat of an onlooker.⁷ In July of 2019, a gurdwara in Hughson, California, was broken into and the Sikh caretaker was assaulted and told to "go back" to a foreign country.⁸ In January

³ *Priest Paralyzed in Mass Shooting at Sikh Temple in 2012 Dies from Injuries*, New York Times (March 4, 2020), available at <https://www.nytimes.com/2020/03/04/us/baba-punjab-singh-wisconsin.html>.

⁴ *Making History, First Sikh Testifies at U.S. Senate Hearing*, The Sikh Coalition (Sep. 20, 2012), available at <https://www.sikhcoalition.org/blog/2012/making-history-first-sikh-testifies-at-us-senate-hearing/>.

⁵ *Hate Crime Victimization, 2005-2019*, Department of Justice Bureau of Justice Statistics (Sep. 2021) available at <https://bjs.ojp.gov/library/publications/hate-crime-victimization-2005-2019>.

⁶ *2020 Hate Crime Statistics* (2021), Federal Bureau of Investigations (2021), available at <https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/hate-crime>.

⁷ *LAPD seeks suspect who vandalized Los Feliz Sikh temple, threatened witness*, LA Times (Sep. 18, 2017), available at <https://www.latimes.com/local/lanow/la-me-ln-sikh-temple-hate-crime-20170918-story.html>.

⁸ *Sikh Priest Attacked Inside Hughson Home Told 'Go Back, Go Back'*, CBS Sacramento (Jul. 26, 2019), available at <https://sacramento.cbslocal.com/2019/07/26/sikh-priest-attacked-go-back/>.

2020, another Gurdwara in Orangevale, California was vandalized with white nationalist graffiti⁹ after its grand opening; reporters later discovered that a prominent and dangerous white supremacist¹⁰ lived within a mile of the gurdwara. In August of last year a gurdwara under construction in Long Island, New York was vandalized with hateful slurs and pro-Trump messaging.¹¹ In September 2021, a gurdwara in Federal Way, Washington was vandalized and had equipment stolen.¹² We fear that without federal intervention, more gurdwaras and minority houses of worship will continue to see hate violence come to their doorsteps.

New Policies and Better Tracking to Prevent Hate Crimes

Better tracking is essential to solving the policy problem of hate, as is the development of new policies to prevent hate crimes and the targeting of minority institutions. Congress must mandate all local, state, and federal law enforcement agencies to provide more accurate hate crime statistics to the FBI on a quarterly basis. Data has to drive policy, and we need ways to collect information on actual victim identities rather than just perceived bias identities. We recommend that this committee investigate the feasibility of mandating data collection on hate crimes to eliminate underreporting by law enforcement agencies and better inform targeted communities on the threats they face.

Congress must also ensure that the COVID-19 Hate Crimes Act, and its provisions from the Jabara-Heyer NO HATE Act, are being effectively implemented with adequate funding. The recently enacted law would modernize the federal hate crime reporting system and encourage state and local law enforcement to report hate crime statistics to the federal government. It will also create opportunities to rehabilitate hate crime offenders by giving them the option of learning more about the community they targeted and participating in community service projects. Lastly, this bill will create better hate crime victim support and assistance services like hate crime reporting hotlines. However, without adequate funding, these policy improvements cannot go into effect or protect our communities.

Finally, we note that victims of hate crimes are often denied access to justice for acts of hate committed against them. Congress must close the loophole in federal hate crime prosecution, current law requires an act of bigotry to be the singular motivating factor of the crime. Many times, bias is just one of many factors in the targeting of an individual for a hate crime; without intervention, justice is denied to hate crime victims and perpetrators are not held accountable for their acts of hate. Reintroducing and passing the Justice for

⁹ *Swastikas, 'white power' spray-painted outside of Sikh temple in Orangevale*, Fox 40 (Jan. 13, 2020), available at <https://fox40.com/news/local-news/swastikas-white-power-spray-painted-outside-of-sikh-temple-in-orangevale/>.

¹⁰ *Leader Of Dylann Roof-Worshipping Neo-Nazi Group Under Police Investigation*, Huffington Post (Jul 27, 2020), available at https://www.huffpost.com/entry/andrew-casarez-neo-nazi-police-investigation_n_5f1f510cc5b638cfec48ba4.

¹¹ *Racist, pro-Trump vandal targets Sikh temple on Long Island*, Daily News (Sep. 5, 2021), available at <https://www.nydailynews.com/new-york/nyc-crime/ny-racist-vandalism-sikh-temple-long-island-donald-trump-20210805-hovi7lbvebabnkcxbhs72gc43e-story.html>.

¹² *Police investigating after Federal Way Sikh center vandalized*, The Seattle Times (Sep. 19, 2021), available at <https://www.seattletimes.com/seattle-news/law-justice/police-investigating-after-federal-way-sikh-center-vandalized/>.

Victims of Hate Crimes Act can ensure that hate crime perpetrators can no longer avoid federal prosecution by allowing for hate crime charges when bias is part of other motivating factors.

Improving Access to Critical Security Resources and Support Programs that Reduce Community Tensions

The Sikh Coalition has assisted more than 80 gurdwaras throughout the United States in accessing federal and state resources to better protect them against acts of hate. We have also outlined for gurdwaras how to apply to grant programs like the Non-Profit Security Grant (NGSP), which was established to help houses of worship harden their security postures. Smaller congregations, however--including most gurdwaras--face a number of barriers that prohibit them from applying to this program. The narrow filing timelines and level of technical expertise required for the complicated application process effectively limits the reach of NGSP funding, excluding the communities that need it the most (who often rely on volunteer labor or have limited English proficiency). Even when the grants are submitted, there is often no information provided as to why they are rejected--which in turn limits applicants' abilities to improve future applications.

Congress should act to remediate the NGSP by expanding the filing application timelines, simplifying the application requirements, providing technical assistance programs to houses of worship, and ensuring equitable access of funding to smaller congregations that are vulnerable to hate crimes and white supremacist activity. The program also requires significantly more funding to protect more houses of worship across the nation.

Additionally, community programs such as the Department of Justice Community Relations Service are vital to promoting a greater understanding of minority communities. The program has developed critical resources including protecting houses of worship forums, convening community stakeholder listening sessions, developing cultural competency resources for the Sikh and Muslim community, and providing rapid response to hate crime incidents. Continued funding for this program ensures that misconceptions about Sikhs and other communities do not escalate into violence. Congress must continue to increase funding for these services to address the threats facing our communities.

Elevate Federal Responses to White Supremacist Violent Activity and Internet Radicalization

The federal government's response continues to inadequately address the severity of the problem of white supremacist and nationalist violence.¹³ Oak Creek was a painful reminder that white supremacist views were alive and well in America, and that they have deadly consequences for a wide range of communities. With each subsequent attack on other houses of worship, the pattern of white supremacist violence targeting our communities is undeniable.

¹³ *U.S. Law Enforcement Failed to See the Threat of White Nationalism. Now They Don't Know How to Stop It*, New York Times (Nov. 3, 2018), available at <https://www.nytimes.com/2018/11/03/magazine/FBI-charlottesville-white-nationalism-far-right.html>.

Congress must pass the Domestic Terrorism Prevention Act (H. R. 350) to improve the federal government's efforts to prevent domestic terrorism. The bill would require federal law enforcement agencies to regularly assess domestic threats and provide training and resources to assist state, local, and tribal law enforcement in addressing domestic threats. Given the persistent threats posed by far-right extremists, our government must do more to prevent another minority institution from being targeted by white supremacist violence.

It is no coincidence that our minority institutions continue to come under attack by perpetrators that are radicalized by white supremacist and nationalist ideology. These hate groups use internet communities and social media to issue propaganda, coordinate training (including combat training), organize protests, raise funds, recruit members, and communicate with a broader audience. The Oak Creek shooter was among one of the earliest cases with links to these extremist internet forums; he was a member of an organized white supremacist group, the Hammerskins Nation, and was encouraging others to incite a racial holy war both in person, and online.¹⁴

Despite those early warning indicators from Oak Creek, social media platforms continue to be an epicenter of hate group activity, allowing bigots to perpetuate wrongful associations of individuals with turbans as terrorists or enemies of America. Hate speech posted on popular social media platforms calls for the execution of "ragheads," among other slurs, which have real-world consequences and can radicalize individuals to conduct criminal acts of hate. Current systems in place at social media companies do not sufficiently address the safety requirements of communities targeted by hate. Congress must ensure that all social media platforms are held accountable for extremist activity that is hosted and broadcasted.

Conclusion

Ten years after Oak Creek, Sikh houses of worship--like other minority institutions--remain under threat. The Sikh Coalition is grateful for the opportunity to submit this statement for the hearing record and looks forward to working with partners in government, civil society, and grassroots communities nationwide to eliminate bigotry, hate crimes, and violent extremism in the United States. If you have questions about these recommendations or seek additional information, please contact Sim J. Singh Attariwala at advocacy@sikhcoalition.org.

Thank you for considering our views on this matter.

Sincerely,
The Sikh Coalition

¹⁴ *Profile: Wisconsin Sikh temple shooter Wade Michael Page*, BBC (August 7, 2012), available at <https://www.bbc.com/news/world-us-canada-19167324>.