

# DISARM HATE

**APPROXIMATELY 8,000 HATE CRIMES A YEAR INVOLVE A FIREARM—MORE THAN 20 EACH DAY. AND REPORTS INDICATE THAT HATE CRIMES ARE ON THE RISE. BUT IN MOST OF THE UNITED STATES, THERE IS NO LAW PROHIBITING PEOPLE CONVICTED OF VIOLENT HATE CRIMES FROM HAVING GUNS. IT IS MORE IMPORTANT THAN EVER THAT STATES AND THE FEDERAL GOVERNMENT PASS LAWS ENSURING THAT PEOPLE WHO COMMIT HATE CRIMES ARE PROHIBITED FROM HAVING GUNS.**

**ARMED AND HATEFUL  
OLATHE, KANSAS  
FEBRUARY 2017**

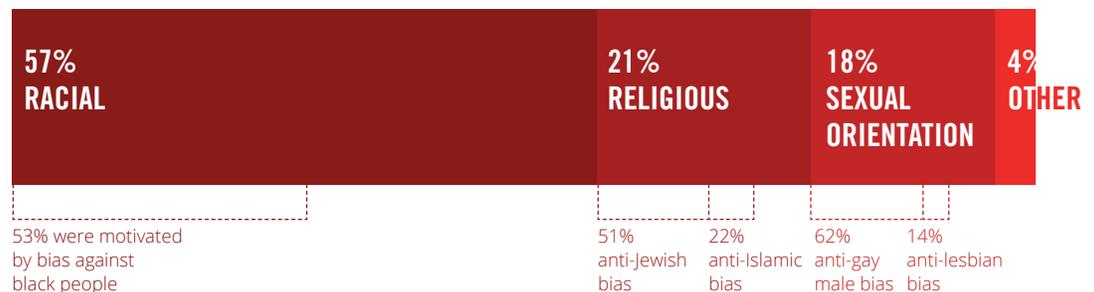
*Two aviation engineers originally from India, Srinivas Kuchibhotla and Alok Madasani, were enjoying an after-work drink at a bar. A white man in his 50s approached and demanded to know if Kuchibhotla and Madasani's immigration "status was legal." Employees escorted him out—but 30 minutes later he returned, and this time he brought a gun. He fired at the two engineers, hitting and killing Kuchibotla, injuring Madasani, and seriously injuring a bystander who chased the shooter down.<sup>2</sup> Shortly after the shooting, Olathe police and prosecutors, along with the FBI, announced they were investigating the shooting as a hate crime.*

**AT LEAST  
8,000 HATE CRIMES  
A YEAR INVOLVE  
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A DAY.<sup>3</sup>**

**The Olathe shooting underscores the devastating impact of arming hate. At least 8,000 hate crimes a year involve a firearm, more than 20 incidents a day.<sup>3</sup>** Easy access to firearms gives a single, hate-filled individual the capacity to shatter numerous lives and whole communities—including the June 2015 shooting at the Charleston A.M.E. church, when a white supremacist opened fire at black members of a prayer group, killing nine; and the June 2016 shooting at Pulse, when a gunman shot and killed 49 people and injured 53 at a gay nightclub.

**The vast majority of hate crimes are directed against communities of color, religious minorities, and other often-marginalized groups.** Hate crimes are driven by prejudice against race, color, religion, national origin, sexual orientation, disability, gender or gender identity, or other core parts of a person's identity. In 2015, over half of hate crimes reported to the FBI were motivated by racism, and approximately a quarter of all hate crimes were motivated by bias against black people.<sup>4</sup> Over 20% of hate crimes were motivated by bias against a religion, most often anti-Semitism or anti-Islamic prejudice. And nearly as many were driven by prejudice against someone's sexual orientation or gender identity, most often bias against gay men.<sup>5</sup>

**HATE CRIMES  
DRIVERS**



**Troublingly, hate crimes are on the rise.** Cities across the country have reported significant spikes in hate crimes since the November 2016 presidential election,<sup>6</sup> and reports indicate that individuals motivated by prejudice feel emboldened in the current climate. For example, anti-Muslim hate groups tripled in 2016, and anti-Muslim hate crimes have been rising since at least 2015;<sup>7</sup> research suggests that these increases are connected to the rising profile of white nationalism in politics and the media.<sup>8</sup> Similarly, incidents of anti-Semitic harassment, vandalism, and assault climbed 86 percent in the first quarter of 2017 compared with the same period the year before.<sup>9</sup>

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**The damage from hate crimes extends beyond individual victims, impacting entire groups and communities.** Researchers have found that, following a violent hate crime incident, members of the targeted ethnic community experienced severe symptoms of post-traumatic stress. They also changed their behaviors, taking protective measures in response to the incidents—for example, not going to certain areas, avoiding going out alone, not going out at night, and/or going out less.<sup>10</sup> In Boston, researchers found that LGBT adolescents who lived in neighborhoods with higher rates of LGBT assault hate crimes were significantly more likely to consider or attempt suicide than those in neighborhoods with lower hate crime rates.<sup>11</sup>

**Hate crimes involving firearms were the catalyst for hate crime laws in the United States, but there is no federal law prohibiting people convicted of violent hate crimes from having guns.**

The first major federal protections against hate crimes were enacted in the wake of the shooting of civil rights leader Martin Luther King, Jr. And the most recent enhancement of federal hate crimes laws—the 2009 Matthew Shepherd and James Byrd Jr Hate Crimes Prevent Act—came after the death of Matthew Shepherd. Shepherd’s killers, who targeted him because he was gay, threatened him with a firearm and pistol-whipped him with it before they left him to die.

**Federal and state gun laws do not adequately address the problem.** Hate crime misdemeanors can be serious, violent acts, but under federal law, a violent or threatening hate crime misdemeanor conviction does not prohibit someone from buying or having a gun. And most states do not have a law closing that gap.<sup>12</sup> In order to keep firearms out of the hands of perpetrators of hate crimes, it is essential that states and the federal government prohibit criminals convicted of violent or threatening misdemeanor hate crimes from buying or having guns.

**Endnotes**

- 1 Press, Associated. 2017. “Suspect Apparently Thought He Shot ‘Iranian People’ In Kansas Bar Attack That Killed Indian Man”. Los Angeles Times. <http://www.latimes.com/nation/nationnow/la-na-911-call-bar-shooting-20170227-story.html>.
- 2 Dempsey, Tom. 2017. “Olathe Shooting Suspect Asked Victims If ‘Status Was Legal’”. KSHB. <http://www.kshb.com/news/region-kansas/olathe/olathe-shooting-suspect-asked-victims-if-status-was-legal>.
- 3 Parsons, Chelsea, Eugenio Weigend Vargas, and Jordan Jones. 2016. “Hate And Guns: A Terrifying Combination”. Center For American Progress. <https://www.americanprogress.org/issues/guns-crime/reports/2016/02/24/131670/hate-and-guns-a-terrifying-combination/>.
- 4 United States Department of Justice, Federal Bureau of Investigation. 2016. Hate Crime Statistics, 2015. [https://ucr.fbi.gov/hate-crime/2015/home/topic-pages/victims\\_final](https://ucr.fbi.gov/hate-crime/2015/home/topic-pages/victims_final).
- 5 57 percent were motivated by racial bias, of which 53 percent were motivated by bias against black people.
  - 21 percent were promoted by religious bias, 51 percent of which involved anti-Jewish bias, and 22 percent involved anti-Islamic bias.
  - 18 percent of incidents were due to sexual orientation, of which 62 percent involved anti-gay male bias, and 14 percent were the result of anti-lesbian bias.
- 6 Paybarah, Azi and Brendan Cheney. 2017. “NYPD: Hate crimes rise in 2017, led by anti-Semitic incidents.” Politico. <http://www.politico.com/states/new-york/city-hall/story/2017/02/so-far-rate-of-hate-crimes-in-2017-outpacing-2016-109621>; Durkin, Erin. 2017. “NYC Council members seek \$25M to protect cultural institutions from hate crimes.” New York Daily News. [https://www.washingtonpost.com/local/public-safety/hate-crimes-reported-in-dc-are-up/2017/03/10/bdd93bc6-05af-11e7-ad5b-d22680e18d10\\_story.html?utm\\_term=.faf9746749f9](http://www.nydailynews.com/news/politics/nyc-seeks-25m-protect-cultural-institutions-hate-crimes-article-1.2992518?cid=bitly;Hermann, Peter. 2017. “Hate crimes reported in D.C. are up.” Washington Post. <a href=).
- 7 Southern Poverty Law Center. 2017. “Hate groups increase for second consecutive year as Trump electrifies radical right.” <https://www.splcenter.org/news/2017/02/15/hate-groups-increase-second-consecutive-year-trump-electrifies-radical-right>; Hussain, Murtaza. 2016. “Hate Crimes Rise Along With Donald Trump’s Anti-Muslim Rhetoric”. The Intercept. <https://theintercept.com/2016/05/05/hate-crimes-rise-along-with-donald-trumps-anti-muslim-rhetoric/>; Foran, Clare. 2016. “Donald Trump And The Rise Of Anti-Muslim Violence”. The Atlantic. <https://www.theatlantic.com/politics/archive/2016/09/trump-muslims-islamophobia-hate-crime/500840/>; Lichtblau, Eric. 2016. “Hate Crimes Against American Muslims Most Since Post-9/11 Era”. The New York Times. <https://www.nytimes.com/2016/09/18/us/politics/hate-crimes-american-muslims-rise.html>.
- 8 Levin, Brian. 2016. Special Status Report: Hate Crimes In The United States. San Bernadino: Center for the Study of Hate and Extremism, California State University, San Bernadino. <https://www.documentcloud.org/documents/3110202-SPECIAL-STATUS-REPORT-v5-9-16-16.html>.
- 9 Anti-Defamation League. 2017. “U.S. Anti-Semitic Incidents Spike 86 Percent So Far in 2017 After Surging Last Year, ADL Finds.” <https://www.adl.org/news/press-releases/us-anti-semitic-incidents-spike-86-percent-so-far-in-2017>.
- 10 Fashola, Sidikat. 2011. “Understanding The Community Impact Of Hate Crimes: A Case Study”. Victims Of Crime Research Digest, no. 4/2011. <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd4-rr4/rd4-rr4.pdf>.
- 11 Duncan, Dustin T., and Mark L. Hatzenbuehler, “Lesbian, Gay, Bisexual, and Transgender Hate Crimes and Suicidality Among a Population-Based Sample of Sexual-Minority Adolescents in Boston.” American Journal of Public Health, vol. 104, no. 2, 2014, <https://www.deepdyve.com/lp/american-public-health-association/lesbian-gay-bisexual-and-transgender-hate-crimes-and-suicidality-among-zeR2DoAASr>.
- 12 22 states and the District of Columbia prohibit gun possession by all people who have been convicted of hate-crime assault. Three of these states have gun laws specifically targeting misdemeanor hate crimes (MA, MN, NJ), while 16 punish hate-crime assault as a felony, resulting in firearm prohibition. CT, DE, ID, IL, MD, MI, MO, MT, NE, NH, NY, PA, SD, TN, WA, WV, WI. Three states and D.C. prohibit gun possession by all people convicted of assault, regardless of motivation. CA, CT, HI, DC.