

Congress of the United States
Washington, DC 20515

November 18, 2020

Government Accountability Office
441 G St. NW
Washington, DC 20548

To Whom It May Concern:

The 1990 *Hate Crime Statistics Act (HCSA)*, mandates that the Department of Justice collect statistics and report annually on crimes perpetrated in the United States where the victims were targeted based on their race, religion, ethnicity, sexual orientation, disability, gender or gender identity. On Monday, November 16, the Federal Bureau of Investigation released its data on hate crimes committed in 2019, which, not surprisingly, show a steady increase from the already high numbers in 2018. The report revealed the highest level of hate crimes since 2008, and the number of hate related murders doubled between 2018 and 2019 to 51. The rise in hate crimes committed both in the physical world and online over the past several years is alarming.

Even more disturbing is the notion that these numbers likely pale in comparison to the true number of hate crimes committed every year. The hate crimes reporting program is voluntary, and the vast majority of law enforcement agencies in the country either report that no hate crimes occurred in their jurisdictions or decline to participate in the program. The numbers we see only scratch the surface and do not accurately tell the story of hate in America. Failure to have the full picture constrains us as policymakers from devising comprehensive solutions to fight hate and protect members of our communities from falling victim to hate crimes. We must do more to compel law enforcement agencies to investigate and report hate crimes as a matter of national security and in order to allow our country to thrive as a global leader.

As our virtual and physical lives become more intertwined, so too have the methods of hatemongers and hate crime perpetrators. People are using the internet to engage in nefarious and hate-filled unlawful conduct – threats, harassment, criminal cyberstalking, swatting, and more. They target victims because of who they love, how they pray, how they vote, or what they look like. Our current hate crimes data does not capture the online hate crimes that deeply impact and cause real harm to victims. Too often, these crimes are not investigated because they emanate from a person hiding behind a keyboard and monitor. Based on data collected by the Anti-Defamation League (ADL) through its “Online Hate Survey,” 28 percent of respondents experienced severe online harassment, including sexual harassment, stalking, physical threats, or sustained harassment and 35 percent of respondents reported online harassment related to their identity-based characteristics. This is active hate online and we need to better understand it.

ADL's latest data reflects that more than three-quarters (77%) of individuals who were harassed online reported that at least some of their harassment occurred on Facebook. This past year, we have seen the nexus between online radicalization and coordination with on-the-ground hate-filled violence. In May of this year, U.S. Air Force Sergeant Steven Carillo was charged with the murder of a federal law enforcement officer in Oakland, California and the murder of a Santa Cruz County Sheriff's Deputy and the wounding of three others. Carillo and his alleged coconspirator met on a Facebook group associated with "Boogaloo," an anti-government extremist movement.¹ In August, 17-year-old Kyle Rittenhouse was arrested for the murder of two Black Lives Matter protesters and the wounding of a third in Kenosha, Wisconsin, which could be correlated by a call-to-arms event on a Facebook page.² Whether or not these hate crimes were included in the FBI's hate crime statistical analysis, their connection to online hate has been erased. Therefore, while we are aware that extremists use social media to organize and galvanize hatemongers, the lack of measurement of the nexus to the FBI Hate Crime statistics we track is alarming and a missed opportunity to better understand how hate manifests today. These are glaring data points missing from our understanding of hate and hate crimes in America that make it more difficult to address these dire concerns from a statutory and regulatory standpoint:

While cognizant much of the online world is dictated by the private sector, the GAO Congressional Protocols Guidance provides that the "*GAO reserves a limited portion of its resources for work initiated under the Comptroller General's authority to (1) invest in significant current or emerging issues that may affect the nation's future, and (2) address issues of broad interest to the Congress, with an emphasis on longer-range, crosscutting, and transformational issues.*"³

Therefore, where online hate crimes are absent from the FBI annual hate crime reporting, and such crimes arguably will continue to rise as our digital footprint expands, we respectfully seek a study to address:

- The rise of online hate crimes and hate speech from 2012 to the present, and how is it directed at protected groups;
- The relationship between hate online and hate crimes perpetrated physically on the ground; and,
- The relationship between online hate crimes and hate speech, and the rise of anti-government militias and domestic terrorism.

¹ Stephanie Dazio, "Airman Charged with Murder of Federal Officer at Courthouse." June 16, 2020. <https://apnews.com/article/bcfb15b9a261ee251be940d9b081902f>

² Stephen Groves and Scott Baur. "17-Year-Old arrested After 2 Killed During Unrest in Kenosha" Associated Press, August 27, 2020, <https://apnews.com/article/97a0700564fb52d7f664d8de22066f88>.

³ GAO Congressional Protocols 2019, <https://www.gao.gov/assets/700/695581.pdf>.

Please do not hesitate to reach out to Devon Ombres at devon.ombres@mail.house.gov or Lauren Moxley Beatty at lauren_moxley_beatty@judiciary.senate.gov with any questions.

Sincerely,

Very truly yours,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Jamie Raskin
Member of Congress

A handwritten signature in blue ink that reads "Richard Blumenthal". The signature is cursive and somewhat stylized, with the first name and last name clearly distinguishable.

Richard Blumenthal
United States Senator