

IN SUPPORT OF HB917/SB606

To: Judiciary Committee (House) and Judicial Proceedings Committee (Senate)
From: Dr. Rashawn Ray, David M. Rubenstein Fellow (The Brookings Institution) and Executive Director of the Lab for Applied Social Science Research (LASSR)
Date: February 11, 2018
Re: Written Testimony in support of House Bill 917 and Senate Bill 606

General Assembly of Maryland, Judicial Committee of the Maryland House of Delegates, and Judicial Proceedings Committee of the Maryland State Senate, thank you for inviting me to testify on The 2nd Lieutenant Richard Collins III's Law. I am a David M. Rubenstein Fellow at The Brookings Institution. I am also an Associate Professor of Sociology at the University of Maryland in College Park and the Executive Director of the Lab for Applied Social Science Research (LASSR). LASSR is a research center that regularly partners with government agencies, organizations, and corporations to conduct objective research evaluations and develop innovative research products such as our virtual reality work with law enforcement and incarcerated people. Additionally, I am the Director of Public Policy at Reid Temple African Methodist Episcopal Church and proud board member of the 2nd Lt. Richard W. Collins III Foundation.

My testimony will primary focus on three questions: 1) What do we know about hate crimes over time? 2) Who are the main victims and perpetrators of hate crimes? and 3) What do we do about the rise of hate crimes in the United States?

Hate Crimes

The rise of hate groups and the increase in hate crimes in the United States is an epidemic. From 1999 to 2018, the number of hate groups in the United States increased 123% from 457 to 1,020.¹ The last few years have particularly seen an increase in hate crimes. In places where Donald Trump campaigned in 2016, hate crimes increased over 200%. According to the United States Department of Justice, there were 7,120 hate crime incidents that involved nearly 8500 offenses in 2018. This number is similar to 2017. Slightly over 7,000 of these incidents focused on one individual, while 84 focused on multiple people and involved 173 victims. *This means that a hate crime incident occurs every hour in the United States.* Figure 1 below is a graph from the Southern Poverty Law Center showing hate groups by year.

¹ Beirich, Heidi. 2019. "The Year in Hate: Rage Against Change." Southern Poverty Law Center. <https://www.splcenter.org/fighting-hate/intelligence-report/2019/year-hate-rage-against-change>

HATE GROUPS 1999–2018

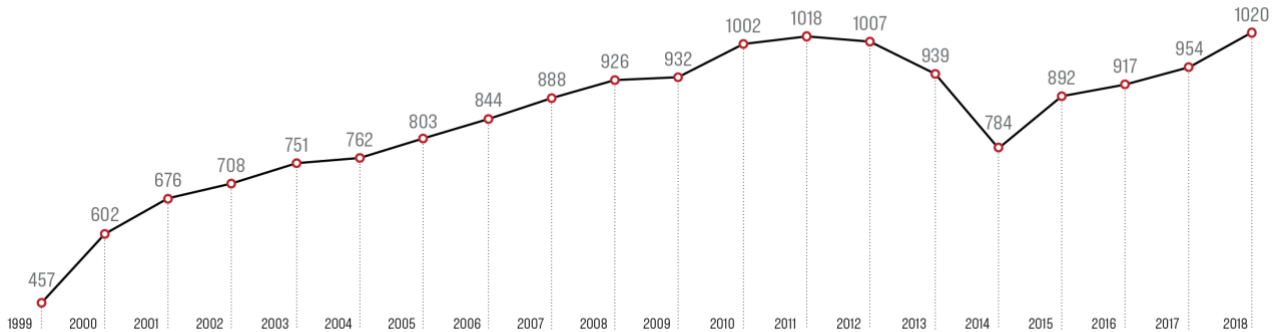


Figure 1: Hate Groups from 1999-2018
Source: Southern Poverty Law Center

In 2018, about 60% of hate crimes was based on race/ethnicity, while about 19% each was about religion and sexual orientation/gender identity, respectively.² Though discrimination at work and other public places occur due to disability and gender, these categories represented less than 3% of hate crimes. Figure 2 below is a graph from the United States Department of Justice showing hate crimes by motivation category.

Nearly 66% of hate crimes were committed against a person, while 31% were property crimes and 3% were crimes against society, such as weapons violations. In January 2020, members of The Base, a neo-Nazi White separatist group that aims to start a race war, were apprehended in Maryland and Georgia thanks to good law enforcement work.³ It is no accident that members of this organization were apprehended in the two states with the most affluent Black Americans in the United States.

Concerning offenders of hate crimes in 2018, 54% were White, 24% were Black, and 13% the race was unknown. Regarding location, 26% occur near residences, nearly 24% on roads, alleys, and parking lots, 9% at schools, and 4% at churches, synagogues, temples, or mosques. These patterns were similar for 2017 as well. In the next section, I will focus on the last two categories noted above—schools and houses of worship.

² The United States Department of Justice. 2019. "2018 Hate Crime Statistics."
<<https://www.justice.gov/hatecrimes/hate-crime-statistics#piechart-description>>

³ Anderson, Jessica. 2020. "FBI Arrests Alleged White Supremacists from Maryland before Virginia Gun Rally; Detention Hearings Set." *Baltimore Sun* <<https://www.baltimoresun.com/news/crime/bs-md-cr-alleged-white-supremacist-members-charged-20200116-ybghual5yjc5pehu6fes4ooyne-story.html>>

Bias Motivation Categories for Victims of Single-bias Incidents in 2018

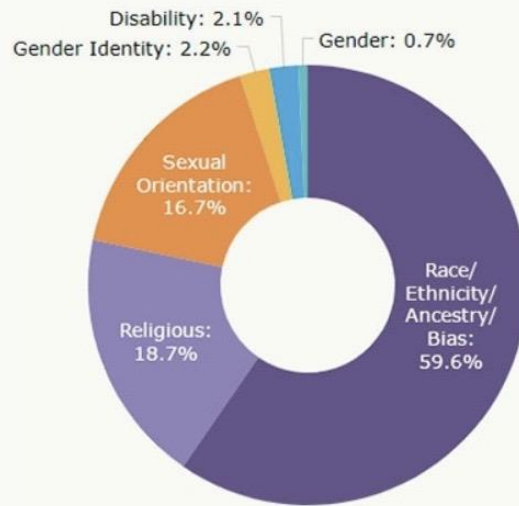


Figure 2: Motivation Category for Hate Crimes
Source: United States Department of Justice

Hate Crimes at Houses of Worship and Schools

On June 17, 2015, Dylann Roof, a self-proclaimed White supremacist, walked into Mother Emanuel African Methodist Episcopal church in South Carolina and murdered nine people. Nine Black church members were shot to death by Roof, who was a twenty-one year old White male.⁴ Roof reportedly sat in the church as a participating guest for one hour before opening fire on the Bible study attendees, which included 87-year-old Susie Jackson (who was killed) and a five-year-old girl (who survived by playing dead). In addition to Jackson, other victims were old enough to be Roof's grandparents including Ethal Lance (age 70) and Daniel Simmons (74). Other victims included Myra Thompson (age 59), Cynthia Hurd (age 54), Reverend DePayne Middleton-Doctor (age 49), Reverend Sharonda Singleton (age 45), Tywanza Sanders (age 26), and Senior Pastor South Carolina State Senator Clementa Pinckney (age 41). Roof purposely spared one church member to apparently bear witness to others of his terror. Roof specifically requested the opportunity to sit by Pinckney. Pastor Pinckney was a political and religious pillar throughout the state of South Carolina and a beloved member of my fraternity Alpha Phi Alpha Fraternity, Inc. whose headquarters is in Baltimore. Pastor Pinckney was also pushing legislation in the South Carolina State Senate to mandate police body cameras after officer Michael Slager was charged with murder for killing unarmed Walter Scott.

Although June 17th may be a normal Wednesday for most, it was the day after Denmark Vesey's planned slave revolt in 1822. Why is this significant? Well, Vesey was a former slave in South Carolina who purchased his freedom in 1799 and was one of the founders of the AME church. The church in Charleston that Vesey helped found later became Emanuel AME Church. The

⁴ Ray, Rashawn. 2015. "AME Church Massacre and America's Inability to Acknowledge Structural Racism." *Huffington Post*. <https://www.huffpost.com/entry/ame-church-massacre-and-america-inability-to-acknowledge-structural-racism_b_7632902>

AME Church was founded in response to the exclusion that Blacks received from the broader Methodist denomination. Emanuel was a safe haven site for the Underground Railroad. Booker T. Washington, Dr. Martin Luther King, Jr., and Coretta Scott King have all spoke there. Political hopefuls frequently make Emanuel a stopping point on the campaign trail.

Apprehended days later as an armed and dangerous fugitive of the law, police officers took Roof to eat at Burger King on his way to jail. Many people wondered whether a non-White mass murderer would have been given this type of preferential treatment. Accordingly, some noting the Burger King incident as a lack of respect for Black bodies and a direct affront to racial progress. Furthermore, the presiding judge over Roof's initial hearing was removed due to information indicating that he may hold stereotypical views about Blacks and Whites. The judge was previously heard using racial slurs and making derogatory comments about Blacks. Despite these incidents, Roof was ultimately convicted of a slew of hate crime and murder charges, and sentenced to death.

Nearly two years after the African Methodist Episcopal Church Massacre, another act of domestic terrorism occurred on the campus of the University of Maryland. On May 20, 2017, Army 2nd Lt. Richard Collins III, a graduating Black Bowie State University student, was stabbed to death on UMD's campus by Sean Urbanski, a White UMD student. The murder of 2nd Lt. Collins was surprising to many. However, I have a book with Dr. Audra Buck-Coleman where we examine the experiences of students at UMD and other campuses. We found that students regularly experience what many might call hate crimes (racist assaults, physical violence based on race or religion, and defaming of property with racial epithets on them). However, students rarely report these crimes. They perceive that the university, police, and criminal justice system more broadly will not address these issues and hold the person(s) responsible accountable.

Urbanski was originally charged with murder and a hate crime. Authorities discovered Urbanski's ties to at least one White supremacy group. About two and a half years later and four stalled motion hearings, Urbanski was ultimately convicted of first degree murder in December 2019. During the trial, the judge threw out the hate crime charge stating that the prosecution did not prove its case on that charge. It is quite perplexing that a person linked to a White supremacist Facebook group who had racist images saved on his phone and bypassed the two non-Black people with Lt. Collins (actually telling them to move out of the way to get to the one Black person) was not considered to be engaging in a hate crime from a judicial perspective. Additionally, the timing of the decision of the judge was puzzling. The jury did not even have the chance to deliberate on the hate crime charge. As a sociologist who studies race relations, social inequality such as men's treatment of women, and ways to build racial and social equity in the United States, this was clearly a hate crime. The failure of our judicial system to not convicted Urbanski of a hate crime speaks to how normalized racism is in our society, the importance of laws such as The 2nd Lieutenant Richard Collins III's Law, and the need to formalize domestic terrorism as hate crimes.

When we look at the two events discussed above, we see two horrific incidents and how they speak to the prevalence of domestic terrorism and structural racism. Domestic terrorism is when U.S. citizens engage in incidents that use violence or force to intimidate a large segment of U.S.

citizens. Just as foreign attacks of terrorism, such as 9/11, were used to create fear in American lives, domestic terrorist acts are meant to instill fear and terror among a group of members of the nation-state—in this case Black Americans.

Besides demonstrating acts of domestic terrorism, the locations of both of these horrific acts prove to be significant—one was at a church and the other on a university campus. Churches and universities are some of the few places where Blacks have found refuge and the space to learn how to engage in racial uplift activism in order to progress the United States to a more equitable place. Just as the Black community has found solace in these social institutions, both Roof’s and Urbanski’s behavior were created, supported, and maintained by these same social institutions through their connections to White supremacy. From street corners to swimming pools to pulpits to schools, these acts and other more normalized forms of racism suggest that no place is safe to be Black in America. Blacks continue to be the main targets of hate groups and rightwing extremism, and they are not just concentrated in southern states or among generations older than Millennials.

Domestic Terrorism and White Nationalist Extremism

It is not a coincidence that Dylann Roof and Sean Urbanski are White men. From 2008 through 2017, nearly three in four murders classified as domestic terrorism were committed by right-wing extremists (most of whom were White nationalists). Twenty-six percent was committed by left-wing extremism (such as anarchists or Black nationalists) and only 3% was committed by Islamic extremists.⁵

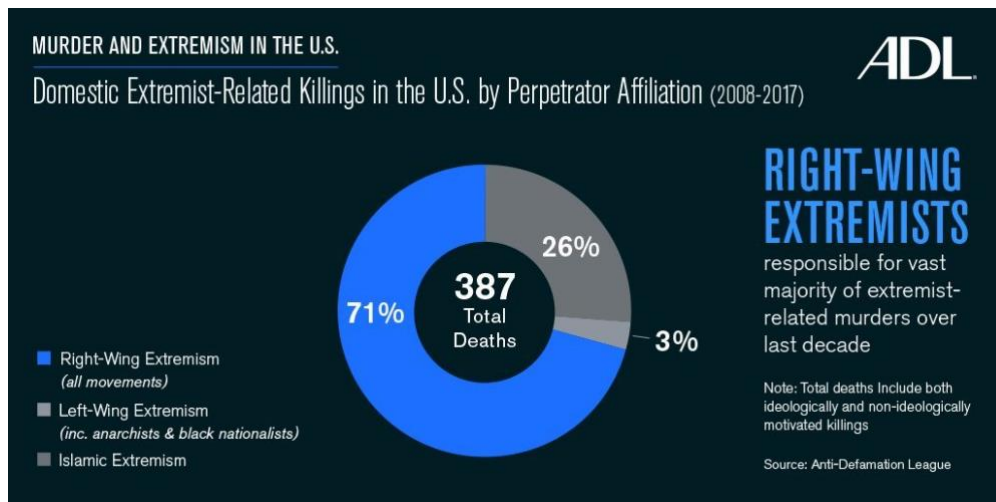


Figure 3: Domestic Terrorism Murders in the United States, 2008-2017
Source: Anti-Defamation League

As President Lyndon B. Johnson said, “If you can convince the lowest White man he's better than the best colored man, he won't notice you're picking his pocket. Hell, give him somebody to

⁵ Anti-Defamation League. “ADL Report: White Supremacist Murders More Than Doubled in 2017.” 2018. <<https://www.adl.org/news/press-releases/adl-report-white-supremacist-murders-more-than-doubled-in-2017>>

look down on, and he'll empty his pockets for you.” So, Roof and Urbanski may have acted alone, but they were not “lone wolves.” Their behavior does not just come from their minds alone. It comes from their environment. The attitudes that influenced their behavior were molded and unchecked by their social and structural environment from family and friendship networks to schools and mass media outlets on TV and in social media. In my research analyzing over 30 million tweets, my colleagues and I found that right-wing extremist rhetoric is very popular on Twitter, particularly with the rise of hashtags such as #TCOT (Top Conservatives on Twitter).⁶ TCOT takes credit for revitalizing the alt-right, creating the Tea Party, and firmly embedding the Tea Party into the Republican Party.

General John Allen, retired United States Marine Corp General and President of The Brookings Institution, and colleagues in a Department of Homeland Security report stated: “The adverse impacts that violent extremists and domestic terrorists, including those inspired by White supremacist ideologies, are having on faith-based and other vulnerable communities, are difficult to overstate... The increasing influence of White supremacist ideologies in inspiring acts of domestic terror and targeted violence is, moreover, not a matter of political opinion, but a demonstrable fact.”⁷ General Allen and his colleagues proceeded to note that law enforcement is limited in its ability to classify White extremist attacks as hate crimes because current law does not identify these incidents as domestic terrorism. Thus, these events become classified as isolated, individual incidents rather than a collective pattern of domestic terrorism.

Decreasing Hate Crimes

This is why the clause in The 2nd Lieutenant Richard Collins III’s Law—“motivated... in part”—is so important. As a scholar who studies attitudes and behaviors, rarely is anyone’s decision solely based on one factor. Yet, only for racism do we seem to set the bar of culpability so high. This is because racism is so normalized that it plays a role in a large number of the decisions we make—what neighborhoods we choose to live in, what schools our kids attend, and what churches we attend.

If we really want to get past racism, we have to directly address it. You cannot go around it. You cannot dodge it. You have to walk into it and dismantle it. We cannot continue to see these non-isolated events in a vacuum. And honestly, we have to question the attitudes and motives of people who cannot admit that the AME Church Massacre and murder of 2nd Lt. Richard W. Collins III were not acts of domestic terrorism and hate crimes.

Though we are here talking about this important bill, Lt. Collins showed us how to live. At the time of his murder, he was with a White man and an Asian woman before he was the victim of a hate crime. Their racially-integrated bond show us what America should be like. This bill helps

⁶ Ray, Rashawn, Melissa Brown*, Ed Summers, Neil Fraistat. 2017. “Ferguson and the Death of Michael Brown on Twitter: #BlackLivesMatter, #TCOT, and the Evolution of Collective Identities.” *Ethnic and Racial Studies* 40(11): 1797-1813. < <http://rashawnray.com/wp-content/uploads/2016/07/Ferguson-and-the-death-of-Michael-Brown-on-Twitter-BlackLivesMatter-TCOT-and-the-evolution-of-collective-identities.pdf>>

⁷ Allen, John et al. 2019. “Preventing Targeted Violence Against Faith-Based Communities.” Homeland Security Advisory Council. < https://www.dhs.gov/sites/default/files/publications/preventing_targeted_violence_against_faith-based_communities_subcommittee_0.pdf>

to ensure that all kids, including mine, can grow up in a society where these types of racially-integrated friendships can thrive. In addition to passing this bill, all of us here can speak up and speak out when we see or hear something that is racist. We can be what I call “Racial Equity Advocates” by holding friends, family, and co-workers accountable for what they think, say, and do about racism.

Yet, our elected lawmakers here can actually be what I call “Racial Equity Brokers” by advocating and passing policies and practices that allow for accountability, objective evaluation, and transparency. So, broker the type of America we really want to see—a racially equitable and integrated America where everyone has an equal shot at life, liberty, and the pursuit of happiness. We are a better, more conscious, and more tolerant nation than we were in 1865 (end of the Civil War), 1868 (13th amendment), 1954 (*Brown v Board of Education*), 1964 (Civil Rights Act), and even 2008 (election of first Black-identifying United States President). But, we still have more progress to make and we can do better, particularly as some people try to reverse the important progress that has been made on these fronts.

As Dr. Martin Luther King, Jr. said, “In the end, we will remember not the words of our enemies but the silence of our friends.” My granddad, Clarence Williams served 21 years in the U.S. Army as a Drill Sgt., fought in two wars, and received the Purple Heart and the Bronze Star. He always told me that “your silence is your acceptance.” Don’t be silent.