

When Hate Hits You:

An Asian Pacific American
Hate Crime
Response Guide

**Japanese American Citizens League
Anti-Hate Program**

The Japanese American Citizens League (JACL) was founded in 1929 in response to the racism and legalized discrimination prevalent against Japanese Americans at that time. Since its founding, the JACL has taken an active role in dismantling discriminatory barriers for all Asian Pacific Americans including its efforts to successfully pass the 1965 Immigration Act, which abolished the national origins quotas. This legislation accounts for much of the increase in the Asian Pacific American population over the last thirty years. Today, the JACL continues its mission of advocating for the civil rights of Japanese Americans, Asian Pacific American and others.

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Introduction

Prejudice and bigotry persist as obstacles to achieving a society where all individuals and groups feel they are safe and equal. In 1942, Japanese Americans lost their liberty following Japan's attack at Pearl Harbor when America ignored the constitutional rights of some of its citizens in the wake of a barrage of racism. Similarly, following the terrorist attacks on September 11, 2001, Arab Americans, Muslims and Asian Americans were subjected to many of the same experiences that targeted Japanese Americans.

Anti-Asian sentiment and hate crimes continue to be directed at the Asian Pacific American community. The purpose of this guide is to provide a resource that contributes to a better understanding of anti-Asian violence and the need to respond. An understanding of the causes of hate crimes together with a means for responding to these incidents is important because hate crimes have the potential for causing damage to entire communities by making them feel fearful and suspicious of other groups and individuals.

The JACL Anti-Hate Program is supported by a generous grant from Ford Motor Company.

Victim of Hatred Asian Americans Face Rise in Racism, Violence

- Dallas Morning News headline

Violent Incidents Against Asian Americans Seen as Part of Racist Pattern

– New York Times headline

Definitions

Hate Incidents: Hate incidents are expressions of hostility based on race, religion, ethnicity, gender, sexual orientation or disability. Hate incidents are not illegal. They may take the form of name-calling or using racial slurs, hate speech, the distribution of racist leaflets or other disrespectful behavior.

Hate Crimes: Hate crimes are defined by federal or state statutes. A hate crime occurs when a person commits an act such as assault, battery, criminal damage to property, criminal trespass to property or mob action because of a victim's race, religion, nationality, gender, sexual orientation or disability.

History of Anti-Asian Sentiment

The primary references for this section consist of JACL educational materials and Ronald Takaki's, Strangers From a Different Shore, Boston: Little, Brown and Company, 1989.

Prejudice against Asian Pacific Americans in the United States can be traced as far back as the Gold Rush in the 1840s and 1850s, when the first Chinese immigrants came to the West Coast in significant numbers. About 25% of the California miners during the Gold Rush came from China. The dominant white immigrants who felt threatened by this surge of foreign competition soon resorted to acts of terrorism to remove the Chinese from mining areas. The Chinese then took on low-wage labor

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positions in the railroads and other industries, comprising the majority of farm workers on the West Coast and in Hawaii.

After California gained statehood in 1850, prejudice against the Chinese was soon manifested as legalized discrimination. Article XIX of the California Constitution made it legal for cities to expel Chinese or to restrict them to segregated areas. Public organizations were prohibited from employing Chinese workers. Elected officials soon joined the movement, pressuring the federal government to stop immigration from China. The U.S. Congress passed a series of Chinese Exclusion Acts beginning in 1882.

While the Chinese population in the U.S. rapidly declined, an acute labor shortage developed in the 1880s on the West Coast and in Hawaii. The farming industry needed another group of laborers who would perform menial work at low wages. The United States looked to Japan as a new source of labor. Japanese farmers in the U.S., like their Chinese predecessors, reclaimed unwanted parcels of land and developed them into rich agricultural tracts. In California, Japanese farmers produced 50–90% of some crops despite operating only 4% of the state's farmlands.

As long as the Japanese remained docile, their hard labor was welcomed. When their efforts became more successful, they were perceived as threats. Envy led to hatred, and prevailing anti-Asian animosities soon became focused on the Japanese. As in the Chinese exclusion movement, California lobbied the federal government to stop all immigration from Japan. As a result of these pressures, Japanese laborers were excluded from immigration by executive action in 1907, and all Japanese immigration for permanent residence was prohibited by the Asian Exclusion Act of 1924.

In the early 1900s, Filipinos began to enter the U.S. mainland, largely to fill farm labor shortages created by the exclusion of Chinese and Japanese workers. Unlike the Chinese and Japanese immigrants that preceded them, Filipinos were citizens of a land that had been annexed by the United States. Filipinos had been schooled by American teachers who taught them U.S. history, English and American ideals. But despite their American ties, Filipinos were denied U.S. citizenship and were not viewed as fellow countrymen by white Americans. In California during the 1920s and 1930s, Filipino workers met with violence when they tried to protest sub-standard living and working conditions on

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farms. White working class resentment against the Filipino laborers resulted in riots, beatings, and gunfire, especially as the economy collapsed during the Depression era and jobs became increasingly scarce.

During World War II, the U.S. government forcibly removed over 120,000 Japanese Americans—the vast majority of whom were American citizens—from their homes on the West Coast and incarcerated them in concentration camps for periods of up to four years. German and Italian immigrants were not subjected to such treatment, and this mass exclusion of Japanese Americans was carried out in violation of basic constitutional protections. In 1983, a federal commission determined that one of the primary causes for the Japanese American internment was race prejudice.

Immigration did not open up for Asians until the passage of the Immigration Act of 1965, which removed race as a barrier for immigration. Growing numbers of South Asians—including individuals from Bangladesh, India, and Pakistan—in addition to Chinese, Japanese, Filipinos and Koreans, arrived in the U.S. largely as students, professionals, and entrepreneurs. In the 1970s, Southeast Asians began fleeing their war-torn homelands to build new lives in the United States.

In the wake of the terrorist attacks on September 11, 2001, South Asians, Pakistanis and Sikhs were targeted by those with intolerant attitudes toward individuals who appeared to be Arabs or Muslims.

In the early 1980s, however, strong economic competition from the Pacific Rim was blamed for the decline in the domestic economy. The U.S. auto industry was especially hard-hit, and anti-Asian sentiment again escalated as Japan's auto industry was blamed for the increasing unemployment among U.S. auto workers. These conditions led to an increase in anti-Asian violence, including the infamous 1982 beating death of Vincent Chin, a Chinese American, killed by two auto workers who had expressed hostility against the Japanese.

Asian Pacific Americans are often seen as threats to the economic welfare of other Americans, especially in times of rising unemployment and heavy cutbacks in government social welfare programs. Asian Pacific Americans continue to be viewed as foreigners, despite the fact that many can trace their ancestry in America back several generations.

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UW Students Protest Attack on Asian

– Seattle Post Intelligencer headline

Examples of Hate Crimes Committed Against Asian Pacific Americans

2001 – Sammamish, WA: A man is charged in federal court for an anthrax hoax aimed at a mixed-race Asian couple and for more than 500 other racist and threatening letters. Among the victims is a Japanese American couple who received up to 20 unsolicited magazine subscriptions a day at their home addressed to Ho Chi Minh and Pol Pot.

2001 – Chicago, IL: On September 11, following the terrorist attacks, an elderly Pakistani couple was waiting for a bus when a white male approached and began to berate them by yelling, “You’re not American—you should go home!” A Jewish man intervened and told the man, “We are all American, we should get along.” The offender said, “You’re not American—you’re a Jew” and made several religious slurs before striking the Jewish man in the face. The man was charged with battery and a hate crime.

2001 – San Jose, CA: Angel Ann Coley was convicted of a hate crime for plowing her car into Mohammed Aram and for having used derogatory slurs, spitting on him, biting his hand and kicking him. During the incident, in which Coley rammed into Aram’s car, she yelled, “Why don’t you go back to your own country?” She called him a “foreigner” and a “towel head.” She threatened to go to her car to get a gun and kill him.

2001 – Newmarket, NH: Thung Phetakoune, a 62-year-old Laotian, interceded in a dispute and was struck by Richard Labbe, causing him to fall and suffer fatal head injuries. After the incident, Labbe told police he was paying back Asians for American deaths in Vietnam. Labbe was charged with murder under New Hampshire’s hate crime law and pleaded to two lesser charges of second-degree murder.

1999 – Crystal Lake, IL: Naoki Kamijima, a Japanese immigrant, was shot and killed in his general store. The assailant, Douglas Vitaioli, had previously entered another store with a gun and asked the employees state their nationalities. As he left the store, he is reputed to have said, “today’s your lucky day.” Vitaioli was charged with murder and a hate crime.

1999 – Chicago, IL and Indianapolis, IN: During a three-day shooting spree, Benjamin Smith, a white supremacist, wounded six people and killed two including Won-Joon Yoon, a Korean student. He also wounded Steven Kuo, a student at the University of Illinois. Smith, a member of the World Church of the Creator, referred to minorities as “Mud People.”

1998 – University of California, Irvine: A former student sent e-mail death threats to 60 Asian American students, signing his name “Asian hater.” He also threatened that he would “make it my life career [sic] to find and kill everyone one [sic] of you personally.” He was sentenced to one year in prison.

1995 – Novato, CA: A Chinese American man was stabbed by an attacker who stated on arrest that he was out “to kill me a Chinaman.” Under a hate crime statute, the attacker received an 11-year sentence.

1994 – Sacramento, CA: The office of the Japanese American Citizens League was firebombed by Richard Campos, a member of the Aryan Liberation Front, an extremist group.

“Why do Orientals think fiendishly, deviously? Because they have a different brain structure.”
Matt Hale,
World Church of the Creator (from ADL Backgrounder, July 1999).

Bartlett Apologizes for Remarks About Asian Americans

- Washington Post headline

A grocer's hate-crime murder stuns the Japanese American community, stirring up fears.

A Violent Reminder of Old Bias

- Chicago Sun-Times headline

Causes of Anti-Asian Sentiment

Xenophobia and Population Visibility: Asian Pacific Americans are easily identifiable by their physical appearance. Asian Pacific Americans are one of the fastest growing populations in the United States, especially in the states of California, Hawaii, New York, Illinois, Texas and Washington. Unfortunately, this visibility gives rise to tension from individuals who feel threatened by this increase in ethnic diversity.

Economic and International Relations: When the U.S. economy declines, attention often shifts to the role that other countries play in providing “unfair” competition. Asian Pacific Americans are often perceived to be “foreigners” who take jobs away from “real” Americans. For example, in 1990, Japan was perceived as “taking over” the U.S. by buying companies and real estate. Little attention was given to the fact that Great Britain was then the largest foreign investor in the U.S., while Canada held the largest percentage of foreign-owned real estate.

Case example: In April 2001, a U.S. military aircraft and its crew fell into the hands of the Chinese government following a mid-air collision with a Chinese jet fighter. A Springfield, Illinois radio talk show host mocked the Chinese by saying “they all have slant eyes.” The radio host later telephoned a person with a Chinese surname and mocked her in his version of heavily accented speech before hanging up.

Media Portrayals and Public Perceptions: Asian Pacific Americans are portrayed in the media in a variety of contradictory stereotypes, ranging from the “model minority” at the head of his or her class in school, to the non-English-speaking welfare recipient who is a “drain on the system.” Asians are also characterized in film as unscrupulous businessmen and cruel mobsters or as compliant, submissive and exotic. One-dimensional portrayals, coupled with the absence of accurate images and positive role models, obstruct public understanding of the Asian Pacific American community and can contribute to an anti-Asian climate.

Case example: Films such as *Year of the Dragon* and *Rising Sun*, which are regularly replayed on television, represent the extreme in the use of Asian stereotypes. *Year of the Dragon* depicts Chinatown as an exotic, foreign world populated by “tongs” and youth gangs. One of the central female Asian characters is portrayed as a passive, submissive love object. *Rising Sun* was based on a Michael Crichton novel that depicted the Japanese as engaging in unfair trade practices, thus causing the American economy to decline. A character in the novel claimed that the Japanese were “the most racist people on the planet.”

Stereotype of the Asian Monolith: In addition, despite their ethnic diversity, Asian Pacific Americans are often misperceived as a monolithic group. Thus, even though an act of anti-Asian sentiment might be perpetrated with a particular ethnic group in mind (e.g., Indian, Filipino or Korean), a failure to make distinctions between Asian Pacific American ethnic groups causes members of all groups to become potential victims.

Case example: In December 1997, Thien Minh Ly, a 24-year-old Vietnamese American, was brutally stabbed to death while roller-blading on a high school tennis court in Tustin, California. Following the murder, one of his attackers wrote to a cousin “Oh, I killed a Jap a while ago.” His attackers, two white youths, were later convicted on charges of first-degree murder.

An Epidemic of Hate Crimes Against Asians is Reported

– San Diego Union headline

Importance of Reporting Hate Crimes

Hate crimes are motivated by prejudice and bigotry. These crimes pose a unique danger to society because, while they often result in an attack on an individual, they can affect the fundamental rights and emotional well-being of entire communities by making them feel vulnerable and isolated. Hate crimes cause tensions, which may erupt into violence between members of different ethnic, religious or racial groups.

Reporting hate crimes:

- Underlines the need for stronger hate crime laws and penalties.
- Informs law enforcement agencies and communities about the scope of the problem, thereby enabling them to deal with the problem more effectively.
- Reinforces the notion that hate crimes are not to be dismissed as “pranks.”

Failing to report hate crimes:

- Makes it appear as if the problem does not exist.
- Increases attackers’ confidence that they can get away with their crimes and continue to commit them.

Even though many police departments are set up to investigate hate crimes, incidents of hate crime reporting involving Asian Pacific American victims is seriously underreported to the police. Reasons for this include:

- Immigrant victims may face language and cultural barriers to filing police reports.
- Immigrant victims are often unfamiliar with American law and fearful of law enforcement.

- Some victims are afraid that by reporting hate-related attacks, it will draw attention to them and make them vulnerable to further attacks.
- Some victims believe that their complaints will not be taken seriously by the police, or worse, that the police will persecute them for reporting incidents.

Morris Dees, co-founder and Chief Trial Counsel of the Southern Poverty Law Center, often relates his involvement in the case of Vietnamese fishermen in Houston as an example of the difficulties and resentment faced by immigrants. In the 1980s thousands of Vietnamese settled in the Houston and Galveston area, and many began shrimp-fishing for their livelihood. They purchased old boats and soon made the white fishermen envious. This caused a confrontation with the Klan where they burned some of the Vietnamese boats and threatened to begin blowing up others. Dees became involved by filing a lawsuit which would allow the Vietnamese to continue fishing the gulf waters. Dees convinced the fisherman to proceed with the lawsuit despite their fears from Klan threats. He argued that it was important to continue with the suit because the laws protect the rights of those who want to work. He reminded the fishermen that if Martin Luther King had not been persistent, progress in civil rights would have taken far longer. Dees eventually won the suit and said that one of his proudest moments as a lawyer was when he witnessed the Vietnamese boats sailing into the Gulf under the protection of U.S. marshals, thus affirming their right to fish those waters.

Battle to Rename Texas Town's Road Turns Into War of Words

Teacher's fight to change "Jap Road" angers some longtime residents, who say it honors the area's Japanese settlers.

- Los Angeles Times headline

Responding to Hate Crimes

Steps to take if you are the victim of a hate crime, or if you witness a hate crime:

- Call the police immediately and be sure a report is taken.
- If there are injuries, call the paramedics immediately.
- Leave all evidence in place. Do not touch or remove anything.
- If possible, document the incident by photographing evidence and writing down the facts. Write down who said what and obtain names of any witnesses.
- Inform the police that you were a victim of a “hate crime.”
- If the police hesitate to report a hate crime, insist on it. Check for the hate crime designation on the police report.
- Obtain a copy of the police report for your records.
- Alert organizations such as the JACL, organizations that deal with hate crimes and local human relations commissions.

Victim Support: Hate crime victims can experience deep emotional trauma causing feelings of fear, degradation and personal violation. Any contact with the victim will require sensitivity. It may also be important to refer victims to sources of support such as Asian American counseling services, victims’ support services with city or state agencies or private organizations such as the YWCA.

Case example: During a four-month period in 2000, there were a series of attacks on Asian women in the Chicago area. Even though many of the victims were given information on rape counseling at the hospital, many of these medical facilities were not aware that there existed rape-counseling services specifically for Asians. The Asian American community in Chicago provided this information to the police department so that it could be conveyed to the victims.

Build a Response Network: In situations where a community is experiencing an increase in racial tensions or where a hate crime or a series of hate crimes or incidents of anti-Asian sentiment have gone unsolved, it is important to reach out to other groups and individuals to build a network to help resolve the situation.

Viet “Outsider” Dies at Hands of a Schoolmate

– San Francisco Examiner headline

Case example: Throughout the 1990s, the Sacramento area experienced several incidents related to racial tension and hate crimes. Between July and October 1993, four arsons and three attempted arsons were committed by a self-proclaimed white separatist. The local office of the NAACP was destroyed by fire and Molotov cocktails were used to ignite the offices of the JACL and the State Office of Fair Employment and Housing. One of the most successful ideas that was developed during this period was the development of a Crisis Response Team (CRT). The CRT is a group of community volunteers who are committed to assist law enforcement and victims of hate crimes or other catastrophic events. This organizing effort later led to the formation of the *Greater Sacramento Unity Network Against Hate* following the arson attempts against three synagogues in 1999.

Case example: During the period of April to July 1999, two hate crime incidents challenged the Asian American community in Chicago to find ways to collectively respond. In April, Naoki Kamijima, a Japanese immigrant, was shot to death while tending his grocery store. Then, two months later, Benjamin Smith, a white supremacist went on a shooting spree killing two and wounding six others over a four-day period. Two of the victims were Asian Americans.

In the wake of these incidents, a group of concerned Asian Americans met to discuss ways to deal with hate crimes. The Illinois Asian American Hate Crime Network was formed from these discussions. The Network’s purpose is to respond quickly to incidents of anti-Asian sentiment and hate crimes through community organizing and outreach to law enforcement, organizations and the media. Comprised of a loose coalition of individuals and organizations, the Network can rapidly mobilize its members to action through phone calls and e-mails.

Working with Law Enforcement: It is important for victims and witnesses to cooperate fully with the police. Upon arriving at the scene of a hate crime, the police are responsible for securing and preserving the crime scene. If medical assistance is required but has not been called, the police will request it. They will collect and photograph evidence and conduct a preliminary investigation to identify the perpetrator by interviewing the victim and any witnesses to the incident. It is important to ensure at this stage that the police take note of and secure any hate-related evidence that exists. It is important to establish a liaison with the police to keep the community informed of the progress of the investigation and to assist where necessary, such as providing language translators if the police do not have access to these resources.

Working with the Media: Hate crimes attract media attention, thus it is important to be prepared to deal with the media if a hate crime incident occurs. Be prepared to designate a media spokesperson(s) to respond on behalf of the community and, perhaps, the victim. The spokesperson(s) needs to be closely involved with all information related to the incident as well as any concerns arising from the community.

Occasions may arise where a news conference is needed to convey information when a perpetrator has not been arrested. In addition, if there is reason to suspect that law enforcement is not aggressively pursuing an incident and when all attempts to directly remedy this fail, other alternatives such as media attention can be brought to bear in the form of news conferences, letters to the editor or opinion pieces in the local newspaper.

Before calling a news conference, send a media alert announcing the conference to local media outlets at least 48 hours in advance. State clearly and concisely the topic, time and location. Identify the key speakers, especially if they are well-known. Prepare your speakers. Decide on a main message. Anticipate questions that will come up.

Case example: Within the Asian Pacific American community, the JACL and other organizations maintain a visible presence by issuing public statements when necessary through news releases and news conferences. More dramatic statements can be made through group actions such as demonstrations or rallies. For example in 2001, with the release of the film, Pearl Harbor, the JACL organized a highly visible series of news conferences in major media markets to convey the message that the content of the film must not be used as an excuse for racial backlash against Asian Pacific Americans.

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