



FOR IMMEDIATE RELEASE  
PRESS STATEMENT  
Monday, January 26, 2021

CONTACT  
Olivia Idris  
617.480.2749  
stopaapihate@fenton.com

### **Stop AAPI Hate Statement on Biden Memorandum Against Anti-AAPI Hate**

January 26, 2021 – *Stop AAPI Hate issued the following statement in response to President Biden’s memorandum today disavowing discrimination against the AAPI community:*

“Stop AAPI Hate welcomes President Biden’s new memorandum disavowing hate against the Asian American community. Since the start of the COVID-19 pandemic, thousands of Asian Americans have reported acts of hate and violence, and the vast majority live in a climate of fear. What is most disturbing is that the rising hate was fueled by racist and xenophobic rhetoric used by the former president and his administration’s implementation of a number of policies and efforts to target our communities. Today’s memorandum signals a brighter moment for Asian Americans and we hope will be the start of significant changes to come.

While we recognize that the memorandum is an important first step, much more is needed for the Asian American community to enjoy the equal rights and access to opportunities that it deserves.

We support the memorandum’s direction for the Department of Health and Human Services (DHHS) and the COVID-19 health equity task force to issue guidance on cultural competency, language access, and sensitivity. This is a step toward ensuring that the offensive terms like “China Virus” that our community has been subjected to for the past year will not be included in any documents and that training will be provided to avoid the stigma associated with such language.

We further support the direction for the Department of Justice (DOJ) to engage with the AAPI community on issues related to hate crimes, hate incidents, and harassment, including ensuring that data is collected in a robust manner. We urge the administration to go further and direct the DOJ to not only engage the Asian American community but also to investigate and initiate civil action and to fully fund outreach and education initiatives.

Stop AAPI Hate looks forward to working with the Biden administration to enact a bold program that will fully address anti-Asian hate. A meaningful response will prioritize policies of public education, community mediation, and restorative justice to end racial bias and profiling. Furthermore, we call upon President Biden to reverse other xenophobic executive orders and policies put into place by the Trump administration – including the ban on Chinese students and researchers and policies targeting the use of WeChat.

### Stop AAPI Hate Policy Platform

Stop AAPI Hate urges the Biden-Harris administration to take the following, necessary actions to address anti-AAPI hate:

1. Expand civil rights protections for individuals experiencing discrimination. Applicability of Title II under the Civil Rights Act of 1964 has been confined to inns, restaurants, and entertainment venues. Congress should amend Title II to broaden the definition of “public accommodations” to include more businesses like retail outlets, including grocery stores, pharmacies and big-box stores, and public transportation, all places where AAPIs report being discriminated against. Additionally, Congress should extend the rights afforded under Title II beyond those discriminated against based upon “race, color, religion or national origin” to those experiencing bias because of gender, disability, ethnicity, and sexual orientation.
2. Ensure passage of the Jabara-Heyers NO HATE Act. In addition to closing gaps in law enforcement’s investigation and reporting of hate crimes, the Jabara-Heyers NO HATE Act addresses a foremost challenge in the fight against anti-AAPI discrimination, which is the lack of resources and assistance by state and local agencies as well as legal services providers. The Act would take a step toward rectifying this problem by establishing federally-funded, state-run hotlines dedicated to receiving reports of hate crimes and other incidents of anti-AAPI discrimination while providing victims with guidance on which law enforcement officials and community services groups to contact for further help. Additionally, the Act would improve full and accurate reporting by providing grants to states and local governments to train public employees on how to recognize and properly classify hate crimes and report them to the FBI’s National Incident-Reporting System. Finally, the NO HATE Act proposes funding to help states and local governments establish liaisons with community-based organizations and conduct public meetings and forums for discussing hate crimes and the resources available to victims.
3. Direct the U.S. Attorney General to investigate and initiate civil actions on anti-AAPI hate. Title II depends on individuals who have suffered the harm of discrimination to initiate lawsuits, which can be costly and prolonged, especially for marginalized communities without easy access to legal assistance. Title II adds to this burden on

plaintiffs by making injunctive relief the sole remedy for a violation. Empowering the attorney general to initiate civil actions against any person or entity engaged in discriminatory practices in places of public accommodation would send an important signal to AAPI communities and could serve to prevent such practices moving forward.

4. Direct the US Civil Rights Commission to implement fully its May 2020 recommendations, including funding community outreach, conducting training, and enforcing civil rights protections. The commission should also host public hearings on anti-Asian American hate. The U.S. Civil Rights Commission in May 2020 issued recommendations to secure non-discrimination during COVID-19 and, specifically, to address anti-Asian racism. These recommendations included directing all federal civil rights offices to enforce civil rights violations and ordering the federal government to communicate it will protect all Americans regardless of race, national origin, or other protected characteristics. Further, this document urged offices to “use all tools at its disposal,” such as outreach, public education, and technical assistance, as well as to increase grants and training to address bias-motivated incidents. We endorse this directive and recommend national public hearings to amplify the government’s responsibility to educate the public, train local jurisdictions and safeguard our community’s civil rights.

5. End racial profiling of Chinese scientists and researchers, specifically the Department of Justice’s China Initiative. The Department of Justice China Initiative program has led to the wrongful targeting and prosecution of Chinese scientists by the Federal Government’s law enforcement, intelligence, and scientific research funding agencies in recent years. The racialization of national security and current anti-China rhetoric has created a climate of fear and caused irreparable personal and professional harm to individuals and their families who have been targeted and proven innocent. We call upon the Biden-Harris administration to end this program immediately, to drop investigations where no evidence of wrongdoing has been produced and to issue a formal apology for government abuse. Furthermore, we urge the administration to take strong action to review and take steps throughout the federal government’s agencies to ensure they are not engaged in systemic racial bias and profiling against Asian American and Asian immigrant scientists and federal employees.

6. Support restorative justice and community mediation efforts such as work conducted by the Department of Justice’s Community Relations Services. The Community Relations Service of the Department of Justice was established concurrently with the passage of Title II. Described as “America’s Peacemaker,” the Community Relations Service is required to assist state and local jurisdictions in working together with public organizations and leaders to address racial strife at the community level. The service is empowered to fully investigate any complaint alleging a violation of Title II that is referred to it by a court. Building on the service’s work to meet with community leaders in CA in early 2020 to address the rise in anti-AAPI hate, service staff should be directed to

increase these outreach efforts and include restorative justice and mediation strategies. Additional funding should be made available to make this happen.

Dispute mediation programs would assist individuals to resolve any infractions without burdening themselves with the legal costs associated with filing a lawsuit in court. Furthermore, restorative justice practices involved in dispute resolution can address the impact of AAPI-hate in a safe space while reducing police involvement. In Los Angeles' program alone, community mediators initiated 7,704 mediation cases and successfully assisted with resolving 71% of them."

###

About Stop AAPI Hate:

*Stop AAPI Hate is a national coalition aimed at addressing anti-Asian discrimination amid the pandemic, was founded by the Asian Pacific Policy and Planning Council (A3PCON), Chinese for Affirmative Action (CAA), and San Francisco State University's Asian American Studies Department. Between March 19 and December 31, 2020, Stop AAPI Hate has received 2,808 reported incidents of racism and discrimination targeting Asian Americans across the U.S. Visit [www.stopaapihate.org](http://www.stopaapihate.org)*