

116TH CONGRESS  
1ST SESSION

# H. R. 4118

To establish a United States Commission on Hate Crimes to study and make recommendations on the prevention of the commission of hate crimes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2019

Mr. KRISHNAMOORTHY (for himself, Mr. BUTTERFIELD, Mr. HASTINGS, Mrs. DEMINGS, Mr. CONNOLLY, Mr. YARMUTH, Ms. NORTON, Mr. KHANNA, Mr. ESPAILLAT, Mrs. DINGELL, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. SMITH of Washington, Mr. RUSH, Mr. HUFFMAN, Mr. GARAMENDI, Mr. GRIJALVA, Mr. PALLONE, Ms. SCHAKOWSKY, Ms. KELLY of Illinois, Mr. ENGEL, Ms. DEAN, Mr. SIRES, Mr. EVANS, Mr. LOWENTHAL, Mr. LYNCH, Mr. CARSON of Indiana, Mr. PAYNE, and Mr. LANGEVIN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish a United States Commission on Hate Crimes to study and make recommendations on the prevention of the commission of hate crimes, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Hate Crimes Commis-  
5       sion Act of 2019”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds as follows:

3 (1) The Federal Bureau of Investigation defines  
4 “hate crime” to be a criminal offense—such as mur-  
5 der, arson, or vandalism—against a person or prop-  
6 erty motivated in whole or in part by an offender’s  
7 bias against a race, religion, disability, sexual ori-  
8 entation, ethnicity, gender, or gender identity.

9 (2) Forty-five States and the District of Colum-  
10 bia have statutes criminalizing various types of bias-  
11 motivated violence or intimidation.

12 (3) The Federal Government has implemented  
13 crimes statutes since 1968, with the most recent law  
14 enacted in 2009.

15 (4) Approximately 250,000 hate crimes happen  
16 each year, yet only 2 percent are reported to the  
17 Federal Bureau of Investigation (FBI).

18 (5) Hate crimes not only damage the individual  
19 victim or victims, but also traumatize entire commu-  
20 nities and erode public confidence in their safety.

21 (6) According to multiple, nonpartisan studies,  
22 hate crimes have increased each consecutive year  
23 since 2015, with a 6.7-percent increase in reported  
24 hate crimes in 2016, one of the largest 1-year in-  
25 creases in over a decade.

1           (7) In May 2017, the FBI found that White su-  
2           premacists and right wing extremist groups were re-  
3           sponsible for the most of any domestic extremist  
4           group.

5           (8) According to the same FBI report, hate  
6           crimes against LGBTQ people have been on the rise  
7           over the past three years, with a majority targeting  
8           gay men.

9           (9) In addition, the FBI reported that hate  
10          crimes motivated by anti-religious bias increased 23  
11          percent, where 37 percent of that increase were anti-  
12          Jewish.

13          (10) In February 2017, a White supremacist  
14          entered a bar in Kansas and shot at two Indian  
15          men, Srinivas Kuchibhotla and Alok Madasani while  
16          shouting racial epithets. Srinivas later died of his in-  
17          juries.

18          (11) In August 2017, the White nationalist and  
19          neo-Nazi protests in Charlottesville, Virginia, re-  
20          sulted in 1 death and 20 injuries from a White na-  
21          tionalist driving his car into a group of counter-pro-  
22          testers.

23          (12) In July 2019, a Hindu priest in New York  
24          City was hospitalized after a man attacked him and

1 screamed “this is my neighborhood” during the inci-  
2 dent.

3 (13) There is a clear need for stronger action  
4 to accurately report and effectively combat hate-  
5 based attacks.

6 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

7 (a) ESTABLISHMENT.—There is established the  
8 United States Commission on Hate Crimes (hereinafter  
9 in this Act referred to as the “Commission”).

10 (b) MEMBERSHIP.—The Commission shall be com-  
11 posed of 12 members. Membership of the Commission  
12 shall be appointed in accordance with the following:

13 (1) Two members shall be appointed by the ma-  
14 jority leader of the Senate.

15 (2) Two members shall be appointed by the mi-  
16 nority leader of the Senate.

17 (3) Two members shall be appointed by the  
18 Speaker of the House of Representatives.

19 (4) Two members shall be appointed by the mi-  
20 nority leader of the House of Representatives.

21 (5) Two members shall be jointly appointed by  
22 the two appointing officials under paragraphs (1)  
23 through (4) who are members of, or caucus with, the  
24 Democratic Party.

1           (6) Two members shall be jointly appointed by  
2           the two appointing officials under paragraphs (1)  
3           through (4) who are members of, or caucus with, the  
4           Republican Party.

5           (7) Not more than 6 members of the Commis-  
6           sion shall be from the law enforcement community  
7           and not more than 6 members of the Commission  
8           shall be of the civil rights community.

9           (8) Not more than 6 of the members shall be  
10          of the same political party.

11 **SEC. 4. DUTIES OF THE COMMISSION.**

12          The Commission shall investigate the following:

13           (1) If there has been an increase in hate crimes  
14           during the period beginning January 1, 2007, and  
15           ending 60 days after the date of enactment of this  
16           Act.

17           (2) To the extent that any increase in the com-  
18           mission in hate crimes is determined to exist, what  
19           factors have contributed to such increase.

20           (3) What policies or actions law enforcement  
21           agencies might adopt or engage in to reduce the  
22           commission of hate crimes.

23           (4) The impact of underreporting on hate  
24           crimes statistics and hate crimes prevention.

1 **SEC. 5. REPORT.**

2 Not later than 1 year after the date of enactment  
3 of this Act, the Commission shall submit a report to Con-  
4 gress and the President setting forth the results of the  
5 investigation under section 4.

6 **SEC. 6. DEFINITION.**

7 In this Act, the term “hate crime” means an offense  
8 under section 249 of title 18, United States Code.

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