



105224

DATE: March 23, 2021

TO: Board of Supervisors

FROM: Otto Lee, Supervisor

SUBJECT: Addressing Asian American and Pacific Islander (AAPI) Hate Crimes and Violence

RECOMMENDED ACTION

Consider recommendations relating to a work plan and timeline regarding the implementation of an anti-hate community outreach and education campaign in response to the recent spike of Anti-Asian hate crimes and violence. (Lee)

Possible action:

- a. Approve referral to Administration to report to the Board on May 4, 2021 with options for consideration relating to an Anti-Racism Community Outreach and Education Campaign that includes a work plan and timeline for addressing the recent spike in anti-Asian hate crimes and violence
- b. Approve referral to Administration to report to the Board on May 4, 2021 with options for consideration relating to an implementation progress update and recommendations for how to move the Recommended Comprehensive Work Plan which resulted from the 2016/2017 Special Hearings on the rights of immigrants, women, hate crimes and violence.
- c. Approve referral to Administration to report to the Federal Affairs Advocacy Task Force on April 7, 2021 with options for consideration relating to a report detailing Federal and State legislative efforts that address issues of diversity, equity, and inclusion with a focus on hate crime prevention.

FISCAL IMPLICATIONS

Approval of Board Referral will not have any General Fund fiscal implications at this time.

REASONS FOR RECOMMENDATION

Since the Board adopted a resolution on March 9, 2021 reaffirming the County's

commitment to standing up for Asian American and Pacific Islander residents by unequivocally denouncing anti-Asian hate crimes, incidents, and violence, there has been continued reporting of racially-motivated attacks against the AAPI community. In the past year, more than 3,800 cases have been reported to the online platform “Stop AAPI Hate.” Of those, 1,200 were reported in the past two weeks suggesting underreporting is an issue. What we do know is that Asian women are more than 2.3 times more likely to be a victim.

Tragically, our nation was rocked to its core yet again on Tuesday evening, March 16, 2021 as news surfaced out of Georgia of eight people being gunned down. Six of the eight murder victims were Asian immigrant women.

The increase in anti-Asian violence coupled with the horrific events out of Georgia further attest to the imperative of identifying and implementing actionable policy recommendations. To this end, both Supervisors Otto Lee and Susan Ellenberg co-hosted a convening of AAPI community stakeholders from across the County of Santa Clara to provide a safe space for stakeholders to express their personal sentiment toward the racially-motivated attacks, the extent to which these types of incidents are prevalent in the community and solicit recommendations on how to best address them.

The information gathered from the convening helped inform this referral to Administration to provide the Board with options relating to an Anti-Racism Community Outreach and Education campaign aimed at addressing anti-Asian sentiment, crime, and violence in the community. As part of the campaign, staff is asked to provide a corresponding work plan and timeline that addresses and incorporates but is not limited to the following elements:

- Recommendations for conducting community listening sessions within the different ethnic Asian communities. The sessions should be conducted in a culturally responsive manner and include translation services which adhere to the Voting Rights Act’s Language Provisions. The sessions will be integral for assessing the extent to which hate crimes and incidents have increased since the start of the COVID-19 pandemic. In doing so, it will help address some of the issues of under-reporting of hate crimes. Staff is further asked to incorporate engagement with AAPI led and/or serving community-based organizations as part of the process.
- Recommendations for improving the County’s existing hate crime reporting, intervention, and victim support mechanisms. In doing so, staff is asked to consider leveraging the Office of Immigrant Relations “SCC Rapid Response Network” as well as the incident-reporting website “Stop AAPI Hate” as models for setting up a robust community-based, anti-racism reporting and intervention infrastructure.
- Recommendations for conducting Bystander Intervention Trainings. This should include a robust education engagement plan with specified benchmarks and a timeline that aims to inform and empower residents countywide on what to do when confronted or are a witness to a hate crime. This should further include a paid public awareness campaign aimed at improving multi-cultural understanding. Multiple convening participants expressed the need to inform the general public on what constitutes a hate crime, how to report it, and how to intervene while maintaining one’s own personal safety. As such, staff is asked to include recommendations that build upon the County’s Welcoming

Communities “One County. One Future” media campaign.

- Administration is asked to provide its draft Anti-Racism Outreach and Education campaign to the Hate Crimes Task Force and present its findings to the full Board.

The implementation progress report on the Recommended Comprehensive Work plan from the 2016/2017 Special Hearings will help inform the Board on current anti-racism efforts and further provide the Board with resource allocation recommendations in advance of the Board’s 2021 Budget Hearings with a focus on prioritizing areas of critical need.

Administration is also asked to present the Federal Affairs Advocacy Task Force at its April 7, 2021 meeting with an informational report detailing Federal and State legislative proposals aimed at addressing issues of diversity, equity, and inclusion with a focus on racial justice and hate crime prevention. The informational report should include but not be limited to the following legislative proposals:

- U.S. Senator Mazie Hirono and Representative Grace Meng’s COVID-19 Hate Crimes Act (HR 1843/S. 728)
- Representative Don Beyer’s NO HATE Act (HR 3545)
- CA Assembly Bill 557 (AB 557) by Assemblymembers Al Muratsuchi and David Chiu, and
- California House Resolution (HR 23) by Assemblymember Evan Low.

Lastly, staff is asked to collaborate with the Sheriff’s Department and the Office of the District Attorney to provide the Board with options on leveraging the recently established special task force aimed at combating domestic terrorism rooted in white supremacy, male supremacy, extremism, and expanding its scope of work to include monitoring of online activity including the dark web. This includes activity that may be racially motivated and pose a threat to public safety in real life.

Staff is also asked to work with the Sheriff’s Office to provide recommendations for increasing law enforcement presence and visibility in an effort to deter violence against Asian-owned and/or operated businesses. According to data released by “Stop AAPI Hate,” businesses are the primary site of anti-Asian discrimination. Staff is asked to present its recommendations at the May 4, 2021 Board meeting as well.

BACKGROUND

The myth of the model minority coupled with the antiquated Black-and-white binary view of race relations in American society has perpetuated the erasure of centuries-long animus and state-sanctioned racism against the AAPI community. It would be a mistake to think the recent attacks against the Asian community during the time of COVID-19 are either isolated incidents or a new phenomenon because they are not.

According to University of California, Irvine Professor Yong Chen, about 200 Chinatowns were burned down or otherwise destroyed by the 1880’s as a result of white America’s reaction to the economic recession of the 1870’s.

The recession fanned the flames of fear against Chinese immigrants who were perceived to

be taking away jobs from white America setting off a chain reaction of state-sanctioned racism which includes but is not limited to:

- The 1871 Chinese Massacre that occurred on October 24, in Los Angeles California.
- The 1875 Page Act which prohibited the entry of Chinese women to the U.S. in an effort to “end the danger of cheap Chinese labor and immoral Chinese women.”
- The 1882 Chinese Exclusion Act which further extended the Page Act prohibition to all Chinese immigrant laborers.
- The 1907 Gentlemen’s Agreement which extended immigration prohibitions to Japanese citizens.
- The 1917 Immigration Act which implemented literacy tests for immigration purposes and extended immigration prohibition from the Asia-Pacific zone which included the countries of China, British India, Afghanistan, Arabia, Myanmar, Thailand, and others.
- The 1924 Immigration Act supplanted earlier acts to effectively ban all immigration from Asia, and further set immigration quotas for countries outside the Western Hemisphere.
- The 1942 Internment of Japanese Americans in response to attacks on Pearl Harbor.
- The 1970 Naturalization Act which granted the right to naturalized citizenship only to “free white persons” which excluded those from Asian descent.