

ASSEMBLY BILL 886 (CHIU)

SUPPORT FOR VICTIMS OF HATE

SUMMARY

This bill is a multi-pronged response to the recent surge in incidents of hate violence directed at Asian Americans and increases in hate crimes against many groups. AB 886 is a community-centered solution to address hate violence, to allocate resources to victims, and to restore safety for communities that are under attack.

BACKGROUND

Violence against Asian Americans has a long history in the U.S. Violent incidents have increased during the COVID-19 pandemic in part because American politicians at the highest levels of government have perpetuated a climate of fear, xenophobia, and racism.

Since the beginning of the pandemic, there has been a 149% increase in the number of Asian American and Pacific Islander (AAPI) hate crimes across 16 of the nation's largest cities, including Los Angeles, San Francisco, San Jose, and San Diego. An organization begun at the start of the pandemic, *Stop AAPI Hate*, reported 3,795 anti-Asian hate incidents between March 2020 and February 2021. The majority of hate incidents were verbal harassment, followed by shunning, physical assault, civil rights violations, and online harassment. California ranked number one with 1,691 incidents reported.

Violent acts against AAPI communities have made horrific headlines, leading with the tragic murders of six Asian women in Atlanta, Georgia. However, there are countless incidents of violence that have not made national news, but highlight the systemic and pervasive nature of AAPI hate. For example, in Los Angeles, a 27-year-old Korean-American Air Force veteran was struck in the face and told "you have the Chinese virus, go back to China." In Mountain View, a 36-year-old man was spat on and called a racial slur. In San Francisco, a South Asian Uber driver was coughed on, racially threatened by three riders, and sprayed with pepper spray.

Researchers have pointed out that these documented incidents reflect the tip of the iceberg of what is actually happening to members of the AAPI community. The state has a responsibility to put an end to anti-Asian hate, and to work towards cultivating a safe environment for all of California's diverse communities.

THE PROBLEM

It is difficult for survivors of hate violence to access culturally competent and language accessible mental health services. Many victims don't need county hospital beds; they need support, validation, connection, and healing. While innovative programs have been run by community-based organizations, funding has never kept up with demand.

Restorative justice programs are similarly underfunded. These programs focus on repairing the harm caused and offer valuable alternatives outside of the traditional criminal justice system.

Victims of hate violence are further isolated from any kind of restitution because they typically cannot access compensation from the California Victims Compensation Program (CalVCP). Under CalVCP, victims are required to file a police report or reasonably cooperate with law enforcement when applying for compensation. This has been a major barrier for communities that do not trust law enforcement due to either previous negative experiences or because they are too fearful to file a report.

THE SOLUTION

AB 886 takes urgent and necessary steps to address the recent rise of hate violence towards Asian Americans. Specifically, AB 886:

- Removes barriers for claims for victim compensation;
- Supports and funds restorative justice programs, addressing the needs of victims needs while

providing individuals who caused the harm with tools to not recidivate; and

- Increases funding for culturally competent and mental health services for victims of hate crimes, expanding services necessary for trauma recovery.

SUPPORT

Asian Americans Advancing Justice, Asian Law Caucus
(Co-sponsor)

San Francisco District Attorney's Office (Co-sponsor)

AAPI Women Lead

API Equality - LA

Arab Resource & Organizing Center (AROC)

Asian Law Alliance

Bay Area Rapid Transit District

Berkeley Japanese American Citizen League

Center for Empowering Refugees and Immigrants

Chinese Culture Center and Foundation of San
Francisco

Florin Japanese American Citizen League

Hip Hop for Chance, Inc

Korean Community Center of the East Bay

Korean American Community Foundation of San
Francisco

Korean American Family Services

Silicon Valley Community Foundation

Sonoma County Japanese American Citizens League

South Bay Youth Changemakers

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