



Civil and Human Rights Factsheet

Asian Americans, Native Hawaiians and Pacific Islanders (AA and NHPs) confront discrimination in every facet of their lives. Despite being the fastest-growing racial group in the United States, they continue to face bias and stereotypes in the workplace, voting booths, classrooms and the political arena. From the Chinese Exclusion Act to the murder of Vincent Chin to post-9/11 discrimination and bias and hate crimes, AA and NHPs have endured centuries of civil rights violations and continue to advocate for policies that promote equality and human rights and are consistent with our nation's values.

This factsheet will focus on a select few of the numerous issues for civil and human rights advocacy related to AA and NHP communities. In addition to those detailed below, NCAPA advocates work on issues related to xenophobia in political discourse, indefinite detention, employment discrimination, veterans' rights, federal recognition of Native Hawaiian governance and recognition of Guam World War II loyalty. For more information on NCAPA's civil and human rights priorities, please review the NCAPA Policy Platform on our website: www.ncapaonline.org.

Hate Crimes

- A hate crime is an act committed against individuals and/or property, motivated in whole or in part by the perpetrator's bias against actual or perceived race, color, religion, gender, gender identity, sexual orientation, disability, national origin or ethnicity. It can include both physical violence and harm, along with slurs or statements. Hate crime perpetrators direct their anger at the characteristics represented by the intended target, not the individual victim, thereby threatening the individual and the perceived group being targeted.
- Hate crimes continue to be a reality for South Asians, particularly post-9/11, often in the form of murder, physical assaults and vandalism. In May 2013, President Barack Obama acknowledged this and stated: "In the last decade, South Asian Americans — particularly those who are Muslim, Hindu or Sikh — have too often faced senseless violence and suspicion due only to the color of their skin or the tenets of their faith."
- The FBI reported that of the 6,222 reported hate crimes in 2011, 6,216 were single-bias incidents. As for motivation behind the crimes, the majority was

racially motivated (46.9 percent), followed by sexual orientation (20.8 percent), religion (19.8 percent), ethnicity or national origin (11.6 percent) and disability (0.9 percent).

- In 2013, the FBI decided to track hate crimes against Sikh, Hindu and Arab Americans, which are currently not categories on the FBI's hate crime tracking form. It is anticipated that this tracking will begin in 2015.

Racial and Religious Profiling

- Racial and religious profiling is a discriminatory practice that deems individuals as suspicious based on race, ethnicity, religion or national origin. When government agencies profile, they engage in a sanctioned form of discrimination that fosters stereotypes and threatens community safety because targeted groups are less likely to engage with law enforcement. This practice also diverts limited government resources, and focuses on entire communities rather than using an individualized assessment.
- Post-9/11, Muslims and those perceived to be Muslim have been the target of numerous forms of profiling. For example, the National Security Entry-Exit Registration System (NSEERS) required men from predominantly Muslim countries to register with the government. The result: Approximately 13,000 men were placed in deportation proceedings, though none of them were ever prosecuted for a terrorism-related crime. Additionally, over the last couple of years, the New York City Police Department has been spying upon Muslim communities in the New York area.
- The Department of Homeland Security, U.S. Customs and Border Protection and the Transportation Security Administration (TSA) also have engaged in discriminatory airport screening practices, such as the disproportionate secondary screening applied to individuals based upon their religious attire, particularly Sikh and Muslim travelers. Additionally, these practices result in the perpetuation of stereotypes that instill fear and the widespread use of the term "flying while brown."
- U.S. Immigration and Customs Enforcement programs, such as 287(g) and Secure Communities, permit profiling by allowing local law enforcement to enforce federal immigration laws or check fingerprints of individuals against databases with the U.S. Department of Homeland Security. These programs profile individuals on numerous levels, whether based on who is stopped or whether their immigration status is questioned. In 2010, 27,871 individuals were deported through 287(g) and, in 2011, 78,246 people were deported through Secure Communities.

Bias-Based Bullying and Harassment

- Bias-based bullying and harassment include unwanted behavior that involves a real or perceived power imbalance, such as verbal or physical abuse, rumors, exclusion or threats that often occur among students or school-aged children.
- Although Asian American and Pacific Islander (AAPI) students report being bullied less frequently (17 percent), they are 20 percent more likely to be bullied

in the classroom than non-AAPI students. AAPI students also are more likely to be bullied on school grounds (40.8 percent).

- AAPI students report lower rates of cyber-bullying than other students; however, of the students that experienced cyber-bullying, 62 percent of AAPI students report being bullied online between one and two times per month, compared to 19 percent of black students, who report the second-highest frequency of cyber-bullying.
- AAPI students report being called a hate word at a higher rate (11 percent) than non-AAPI students.

Language Access

- According to the 2010 Census, approximately 10 million Americans speak one of the 33 Asian languages included on the Census form.
- Approximately 71 percent of Asian Americans speak a language other than English at home.
- Approximately 32 percent of Asian Americans are limited-English proficient (LEP) and have difficulty communicating in English. Among individual AA and NHPI groups, these percentages are higher. For example, more than half of Vietnamese Americans and nearly half of Bangladeshi Americans are LEP.
- Approximately 21 percent of Asian American households are linguistically isolated, meaning that all members in the household 14 years old and older speak English less than "very well."

Voting Rights

- About 68 percent of Asian Americans old enough to vote are U.S. citizens. Of those eligible to vote, approximately 55 percent are registered.
- Approximately 86 percent of registered Asian American voters cast ballots in the 2008 presidential election, which is a rate lower than that of non-Hispanic Whites.
- In both the 2004 and 2008 presidential elections, roughly 30 percent of Asian American voters were voting for the first time.

Sources: Asian American Center for Advancing Justice—AAJC; Associated Press; National Center for Education Statistics; OCA National Center; Sikh American Legal Defense and Education Fund; South Asian Americans Leading Together; Times of India; U.S. Department of Education, and U.S. Immigration and Customs Enforcement.