

DISARMING HATE:

THE NEED FOR STATE LEGISLATION TO KEEP VIOLENT HATE OFFENDERS FROM ACQUIRING GUNS

Violent extremists and hate groups often use firearms as tools of violence and intimidation. Recent mass shootings at a gay nightclub in Orlando, an historic African-American church in Charleston, and a Sikh temple in Oak Creek, Wisconsin, were among the deadliest hate crimes ever committed in the United States, and among the deadliest mass shootings in our nation's history. And the disturbing scenes we saw play out in the streets of Charlottesville in the summer of 2017 are yet another instance of the hate that plagues our communities every day. But we know that these are just some of the most visible examples of a large and growing threat, as hate-fueled violence is on the rise across the country. In too many cases, the presence of a firearm turns ugly threats into deadly assaults. And yet, in most states, people convicted of violent hate crimes would currently pass a background check to acquire a gun. That must change.

THE RISE IN HATE-FUELED VIOLENCE

Between 2010 and 2014, [roughly 43,000 hate crimes](#) were committed in the United States involving the use or threatened use of a gun. And since 2014, hate crime incidents across the US have become more numerous and more violent; the Southern Poverty Law Center has tracked a [17% increase](#) in the number of active hate groups since 2014, with rising hate crime rates driven largely by [rising rates of violent hate](#). Police departments in numerous major cities reported [significant spikes](#) in hate crimes in 2016. Additionally, since 2014, the number of active anti-Muslim hate groups has increased [four-fold](#), coinciding with a nearly [600% increase](#) in hate crimes targeting the American Muslim community. The Anti-Defamation League has also reported a [“significant, sustained increase in anti-Semitic activity since the start of 2016.”](#)

THE IMPORTANCE OF KEEPING GUNS OUT OF THE HANDS OF DANGEROUS HATE CRIME OFFENDERS

People who have committed any violent crime in the past are much more likely to commit [subsequent acts](#) of violence. Researchers have found, for instance, **that individuals with a prior conviction for a violent misdemeanor were [nine times](#) as likely to commit subsequent violent crimes and also nine times as likely to commit subsequent firearm offenses.**

People who have committed *hate* crimes are an even greater risk to public safety because experts have found that “individuals who commit hate crimes tend to escalate their conduct in order to ensure their message is received by the targeted individual or community. . . If the original criminal response fails to elicit the desired retreat on the part of

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the victim, then the offender [frequently escalates](#) the level of damage or violence.” These patterns underscore the need to ensure that people who have already demonstrated a dangerous propensity to escalate bigotry into criminal conduct are prevented from acquiring and possessing guns.

While most U.S. states (and federal law) prohibit convicted domestic violence misdemeanants from acquiring guns, individuals convicted of violent hate crime misdemeanors remain eligible to keep and purchase guns in the majority of the country. This hate crime gap leads to particularly absurd results in some states: California, for instance, [prohibits people](#) convicted of assault, battery, or criminal intimidation from accessing for guns for 10 years after conviction *unless* they were convicted under the state’s hate crime statute for committing the same acts on the basis of bigotry. Federal legislation has been introduced to close this gap (The “Disarm Hate Act”) but so far it has not moved. It’s up to state legislatures to close this dangerous loophole in our laws.

HOW STATE LEGISLATION CAN HELP PREVENT HATE-FUELED GUN VIOLENCE AND SAVE LIVES

To learn more about what your state can do to keep deadly weapons out of the hands of people convicted of violent hate crimes, please contact Giffords.

ABOUT GIFFORDS

Giffords is a nonprofit organization dedicated to saving lives from gun violence.

Led by former Congresswoman Gabrielle Giffords and her husband, Navy combat veteran and retired NASA astronaut Captain Mark Kelly, Giffords inspires the courage of people from all walks of life to make America safer.