

# Congressional Testimony

## **75 Years After the Holocaust: The Ongoing Battle Against Hate**

Jonathan Greenblatt  
CEO and National Director  
ADL (Anti-Defamation League)

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Committee

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*Working to stop the defamation of the  
Jewish people and to secure justice and  
fair treatment to all since 1913*

Chairwoman Maloney, Ranking Member Jordan and distinguished Members of the Committee, thank you for holding this important hearing and, on behalf of ADL, thank you for the opportunity to testify before you today, 75 years after the Holocaust, about the ongoing battle against hate.

International Holocaust Remembrance Day, which was just this past Monday, commemorates the millions of victims of the Nazi Holocaust and marks the anniversary of the liberation of the concentration camps at Auschwitz-Birkenau, where more than 1 million innocents were murdered, including an estimated 960,000 Jews.

The Nazi Holocaust was not the first genocide and, sadly, it was not the last. But it was the first time genocide had been carried out in such a systematic and industrial fashion.

The enormity of the evil of six million Jews, tens of thousands of Roma, thousands of gay men and lesbians murdered because of their identity defies definition. The numbers themselves are incomprehensible. The extent of collective human cruelty and the utter failure of morality could not be imagined were they not among the best-documented historical facts. But even while we struggle to understand, the ethical imperative of “Never Again” is crystal clear. We must not allow what happened to the Jews to happen again – to us or to anyone else.

### **ADL’s Role in Sharing the Lessons of the Holocaust**

In educating young people and community members about the dangers of prejudice, ADL uses *The Pyramid of Hate* to explain how hate builds on the failure to intervene and disrupt low-level behaviors that can lead to violence or even genocide. The behaviors described in the lower levels of the pyramid: Biased Attitudes, Acts of Bias, Systematic Discrimination, Bias-Motivated Violence can ultimately lead to more systematic violence if left unchecked. Although the behaviors at each level negatively impact individuals and groups, as one moves up the pyramid, the behaviors have more life-threatening consequences. Like a pyramid, the upper levels are supported by the lower levels – they rely on the lower levels, something that has been borne out of not only the Nazi Holocaust, but other genocides. If people or institutions treat behaviors on the lower levels as being acceptable or “normal,” it results in the behaviors at the next level becoming more accepted, and then the next level, and the next. Since 1913, the mission of ADL has been to confront every level of *The Pyramid of Hate*.<sup>1</sup>

Remembering the liberation of Auschwitz provides an opportunity to confront the rise of fascism, the fragility of democracy, the human capacity for evil, scapegoating and stereotyping, the role of perpetrators and bystanders, and the importance of empathy and diversity. The universal lessons of the Holocaust can ingrain in individuals the need for justice, critical thinking skills, and alliance building. They can teach us about the importance of refusing to participate in hate, of standing up against injustice and acting as allies of those who are targeted.

ADL has had a significant impact on Holocaust education in the United States since the launch of its *Echoes & Reflections* program in 2005. Developed in partnership with the University of Southern California Shoah Foundation and Yad Vashem, this comprehensive Holocaust education program has reached more than 70,000 educators through all forms of programs and

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<sup>1</sup> More information about ADL’s Pyramid of Hate is at Appendix A.

engagement, with more than 53,000 participating in formal professional development offerings either online or in person. Educators reached represent 13,231 public middle and high schools, or 26% of public U.S. secondary schools, plus an additional 2,148 private religious and non-religious schools. *Echoes & Reflections* has provided – at no cost – more than 2,100 programs for teachers in all 50 states. Furthermore, our *Bearing Witness*<sup>2</sup> program for Catholic school teachers – a partnership between ADL, the US Conference of Catholic Bishops, the National Catholic Educational Association, the US Holocaust Memorial Museum and the Georgetown University Center for Jewish Civilization – has trained several thousand teachers on the connection between historic anti-Semitism and the Holocaust. *Bearing Witness* provides an opportunity to view historical events through the lens of contemporary prejudice, so that participants can take the lessons and use them to directly address issues of bias, bullying and bigotry in their schools today. And the *Hidden Child Foundation*<sup>3</sup> of ADL tells the stories of those who were saved from the Nazis by the righteous actions of non-Jews.

ADL professionals also developed a program to use the lessons of the Holocaust to help promote core values for law enforcement officials. Created in 1999 at the request of Charles H. Ramsey, then Washington DC’s police chief, *Law Enforcement and Society, Lessons of the Holocaust*<sup>4</sup> is a joint training program of ADL and the United States Holocaust Memorial Museum. *Law Enforcement and Society* examines the history of the Holocaust, the failures of police in Nazi Germany and its allies, and its implications for law enforcement today. The goal is to strengthen police officers’ understanding of their relationship to the people they serve and their role as guardians of the United States Constitution and individual rights. With more than 140,000 federal, state, local and military law enforcement personnel trained, it is ADL’s largest program for law enforcement. It is required for every new FBI agent and intelligence analyst prior to graduation from the FBI Academy, and it has been integrated into the curriculum of the FBI National Academy, the Major Cities Chiefs Association’s Police Executive Leadership Institute, and many other agencies.

Through effective Holocaust lessons and an understanding of historical anti-Semitism, students show notable increases on critical thinking and understanding of others from different backgrounds and were significantly more likely to recognize that one person can make a difference against stereotyping and bias.<sup>5</sup> Through a study of the past and examples of more modern day manifestations of hatred and discrimination, students can begin to make meaningful connections to issues unfolding in their worlds today – contemporary anti-Semitism, “ethnic cleansing,” and the situation faced by refugees, asylum seekers, and other genocides. Holocaust and genocide education can increase acceptance and understanding outside the classroom, and equip the next generation of our nation’s leaders with tools they need to understand the costs of remaining silent in the face of scapegoating – and to fight hate in all forms.

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<sup>2</sup> ADL, *Bearing Witness Program* (<https://www.adl.org/holocaust-education/bearing-witness-program>)

<sup>3</sup> ADL, *The Hidden Child Foundation* (<https://www.adl.org/holocaust-education/hidden-child-foundation>)

<sup>4</sup> ADL, *Law Enforcement and Society: Lessons of the Holocaust* (<https://www.adl.org/who-we-are/our-organization/signature-programs/law-enforcement-trainings/law-enforcement-and-society>)

<sup>5</sup> *Echoes & Reflections* ([www.echoesandreflections.org](http://www.echoesandreflections.org))

## ADL's Role in Combatting Hate and Anti-Semitism

ADL honors the memories of the victims of the Holocaust by working towards fulfilling the promise of “Never Again” in many other ways, beginning with monitoring and exposing extremist groups, individuals, and movements who spread hate and commit acts of violence. Today, ADL is the foremost non-governmental authority on domestic terrorism, extremism, hate groups, and hate crimes. Through our Center on Extremism, ADL plays a leading role in identifying, exposing and disrupting extremist movements and activities, while helping communities and government agencies alike in combating them. ADL's team of experts – analysts, investigators, researchers, and linguists – use cutting-edge technologies and investigative techniques to track and disrupt extremists and extremist movements worldwide.

Our technology policy experts are developing path-breaking tools to identify and measure online hate. In 2017, ADL formed the Center for Technology and Society, based in Silicon Valley. The Center's experts are working on unique ways to measure anti-Semitism and other forms of hate, leveraging the deep expertise of our researchers; the center is building new tools to measure hate across platforms, and is evaluating the effectiveness of the policies, tools and enforcement efforts of tech platforms themselves.

ADL is developing new tools to measure the incidence of hate online and off because it is not possible to effectively counter something unless it is identified and measured. Among the tools we are developing or continue to update: the *Online Hate Index*, to measure anti-Semitism online;<sup>6</sup> the *ADL Audit of Anti-Semitic Incidents*;<sup>7</sup> ADL's *Tracker of Anti-Semitic Incidents*, a daily compilation of recent cases of anti-Jewish vandalism, harassment, and assaults reported to or detected by ADL;<sup>8</sup> and our proprietary, interactive, and customizable *H.E.A.T. Map*<sup>TM</sup>,<sup>9</sup> which provides details on extremist and anti-Semitic incidents nationwide that can be filtered by region and type.

ADL's Civil Rights Department and our Government Relations, Advocacy and Community Engagement (GRACE) Department help draft and promote federal and state legislation to address hate violence and domestic terrorism. Forty-five states and the District of Columbia now have hate crime laws similar to the ADL model.<sup>10</sup> The GRACE team has prioritized the passage of Holocaust education legislation both in Congress and in the states, working in close partnership with Members of Congress in the House and Senate and with state legislators across the political spectrum. ADL has drafted an anti-paramilitary training statute adopted by more than a dozen states,<sup>11</sup> and a model bullying prevention statute.<sup>12</sup> ADL has filed briefs in the Supreme Court and many lower courts defending the constitutionality of a number of hate crime and anti-terrorism laws.<sup>13</sup>

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<sup>6</sup> ADL, *The Online Hate Index* (<https://www.adl.org/resources/reports/the-online-hate-index>)

<sup>7</sup> ADL, *Audit of Anti-Semitic Incidents: Year in Review 2018* (<https://www.adl.org/audit2018>)

<sup>8</sup> ADL, *Tracker of Anti-Semitic Incidents* (<https://www.adl.org/adl-tracker-of-anti-semitic-incidents>)

<sup>9</sup> ADL, *ADL H.E.A.T. Map: Hate, Extremism, Anti-Semitism, Terrorism* (<https://www.adl.org/heat-map>)

<sup>10</sup> A map and a chart listing all the nation's hate crime laws is here: <https://www.adl.org/adl-hate-crime-map>

<sup>11</sup> ADL, *Hate Crime Laws: The ADL Approach* (<https://www.adl.org/media/2143/download>)

<sup>12</sup> ADL, *Chart of Bullying Prevention Laws* (<https://www.adl.org/media/12580/download>)

<sup>13</sup> ADL, *Amicus Brief Database*, (<https://www.adl.org/education-and-resources/resource-knowledge-base/amicus-brief-database>)

## **The Urgency of the Moment**

As we commemorate the 75<sup>th</sup> anniversary of the liberation of Auschwitz, we realize that the meaning of the day is even more significant now. A variety of factors make this so:

- Large swaths of the world's citizens know little or nothing about the Holocaust;
- The memory of the Holocaust is beginning to fade as survivors, liberators and witnesses pass away;
- Some countries and movements seek to redefine the story, while others seek to deny it entirely;
- The Internet, social media, and online game environments help spread Holocaust denial and other hateful ideas, including those of neo-Nazis and violent white supremacists, exponentially faster and wider;
- The rise of violent white supremacism, including many neo-Nazi groups or others that praise and seek to emulate Nazi attitudes and violence, continues, with such groups and individuals responsible for three-fourths of all murders committed by domestic extremists in the United States over the past decade; and
- Anti-Semitic incidents, hate crimes, and domestic terrorism in America are at or near all-time highs.

## **Knowledge Gap About the Holocaust**

The passing of time has created a significant gap in knowledge about the Holocaust and a substantial lack of personal exposure and experience related to this historical event. While knowledge about the Holocaust varies widely around the world, the vast majority of the world's population – approximately two-thirds of the world's population – does not know the most basic information about the Holocaust. We cannot learn the lessons of history if the vast majority of humanity does not even know that history.

ADL's Global 100<sup>14</sup> poll of anti-Semitic attitudes includes several questions that pertain to the Holocaust. It was conducted in 2014 in more than 100 countries and updated several times since then – including this year<sup>15</sup> – for a smaller group of countries as well. Globally, we determined from our 2014 poll that an estimated 54% of the entire world population had heard of the Holocaust – a disturbingly low number. Only about 6 in 10 of that sub-group also knew that the number of Jews who died in the Holocaust has been fairly described in history. This means that only approximately a third of the global population had heard of the Holocaust and knew that the number of Jews who died in it was fairly described by history.

In 2014, we polled every major country in the Arab world and found that not a single one of those countries had 10% or more of respondents who had both heard of the Holocaust and knew that the number of Jews killed in it has been accurately described by history – namely, that the death toll was not greatly exaggerated or a myth. These figures were also relatively comparable for respondents we polled in both Iran and Turkey. Of course, in Iran and some of these other countries, state-sponsored Holocaust denial is part of the problem. And in virtually none of them is the Holocaust taught in schools or in official media.

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<sup>14</sup> ADL, *Global 100*, <https://global100.adl.org/map>

<sup>15</sup> ADL, *Global 100 Update*, <https://global100.adl.org/about/2019>

Last week Sheikh Mohammed Al Issa, Secretary General of the Muslim World League, became the most senior Muslim religious leader in history to visit Auschwitz, at the head of a delegation of imams hosted by the American Jewish Committee. Initiatives like these are crucial for breaking taboos in the Arab and Muslim worlds about discussing and ultimately teaching about the horrors of the Holocaust.

The numbers were far better in Western Europe, where 94 percent of those polled were aware of the history. The results did, however, confirm a troubling gap between older adults who know their history and younger people who had poorer knowledge.

In our 2019 update to the Global 100 poll, respondents in 19 countries were asked whether they agreed with the statement: “Jews still talk too much about what happened to them in the Holocaust.” Large segments of the populations of many of the European countries did, even in Germany, where 42 percent of the population agreed. This sentiment was highest in Poland (74 percent) but also prevalent in Austria (44 percent), Ukraine (44 percent), Belgium (40 percent) Italy (38 percent) and Spain (37 percent).

In the United States, forty-five percent of Americans cannot name any of the thousands of camps and ghettos during the Holocaust, and 80% of Americans have not visited a Holocaust museum. The number is higher amongst Millennials.<sup>16</sup> A new national Pew Research Center survey released last week documents that young people know less about the Holocaust than do their elders.<sup>17</sup>

To make matters worse, as survivors pass away from old age, there are fewer and fewer individuals to tell their personal stories to children, at community events and before government officials. Eyewitness testimony highlights the human story behind the Holocaust and can help students further understand the importance of preserving one’s humanity during this dark period in history. Hearing from survivors on the paradoxical joy of liberation and darkness of facing a return to life without family, as well as hearing from American soldiers who saw firsthand the horror of Nazi atrocities, offers an excellent entry point to the study of the Holocaust. While these direct connections to the Holocaust are best, soon we will have to rely on testimonials, oral histories, and videos to convey these personal histories.

## **Holocaust Revisionism and Denial**

Nationalist and far-right extremist parties, in particular in Europe, have engaged in Holocaust distortion to different degrees in pursuit of contemporary political goals. Nationalist governments in Poland, Hungary, and Ukraine adopted “historical policies” to promote more heroic versions of their nations’ Holocaust histories. Poland passed a controversial law to punish offenses against the reputation of Poland.<sup>18</sup> Until recently, Ukraine’s official Institute for National Memory promoted the glorification of WWII-era Ukrainian nationalist fighters who were also

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<sup>16</sup> Holocaust Knowledge and Awareness Study, <http://www.claimscon.org/study/>

<sup>17</sup> Pew Research Center, *What Americans Know About the Holocaust*, <https://www.pewforum.org/2020/01/22/what-americans-know-about-the-holocaust/>

<sup>18</sup> Rick Noack, “Poland’s Senate Passes Holocaust Complicity Bill Despite Concerns from U.S., Israel,” *Washington Post*, February 1, 2018 (<https://www.washingtonpost.com/news/worldviews/wp/2018/02/01/polands-senate-passes-holocaust-complicity-bill-despite-concerns-from-u-s-israel/>)

Nazi accomplices.<sup>19</sup> In Hungary, the constitution was changed to absolve the state of responsibility for any acts that occurred during Nazi or Soviet occupation, regardless of local complicity.<sup>20</sup> Similar nationalist attempts at Holocaust whitewashing have recently appeared in Bulgaria and Lithuania with the involvement of elected officials or official bodies.

Far-right extremists have been more aggressive. For example, in Germany, Alexander Gauland, the co-leader of the far-right Alternative for Germany (AfD) party, said, “Hitler and the Nazis are just bird shit in more than 1,000 years of successful German history.”<sup>21</sup> Another AfD leader, Björn Höcke, called for a “180 degree change in [German] commemoration policy.”<sup>22</sup>

Holocaust revisionism is also a concern on the political left in some places in Europe. For example, former Mayor of London Ken Livingstone has made deeply objectionable statements in recent years portraying the Zionist movement as collaborators with Nazism, and Hitler as an earnest Zionist.<sup>23</sup>

While the above movements have focused on revising their country’s role in the Holocaust or blaming Jews for the Holocaust, outright Holocaust denial also continues to proliferate.

In the United States, until the early 2000s, Holocaust denial was dominated by the extremist right, including white supremacists, who had a vested interest in absolving Hitler from having committed one of the most monstrous crimes the world has ever known. Their general approach was threefold: 1) Deploy an array of pseudo-scientific arguments in an attempt to prove that the Holocaust did not happen as it is generally understood by historians; 2) Engage in apologetics for Hitler and the Nazi regime in order to rehabilitate their image; and 3) Demonize Jews for allegedly conjuring up the “Holocaust hoax” in order to allegedly undermine white ethnic pride, to extract reparations money from Germany, and to guilt the world into creating the State of Israel.

Today Holocaust denial in the U.S. has moved far beyond its original fringe circles on the extremist right. Other groups, including radical Islamists, anti-Zionists, Black nationalists, and a range of conspiratorial anti-Semites promote the conspiracy theory. Although most of these groups have no interest in parsing pseudo-scientific arguments about how many bodies could be burned each day at Auschwitz, and have no particular desire to rehabilitate Hitler’s image, they adopted Holocaust denial because it provides them with a rhetorical weapon against Jews and Israel.

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<sup>19</sup> Sam Sokol, “How Ukraine is Revising its Wartime History – Again,” *The Jewish Chronicle*, December 11, 2019 (<https://www.thejc.com/comment/analysis/how-ukraine-is-revising-how-it-treats-its-wartime-history-again-1.494280>)

<sup>20</sup> James Kirchick, “Hungary’s Ugly State-Sponsored Holocaust Revisionism,” *Tablet*, March 13, 2017 (<https://www.tabletmag.com/jewish-news-and-politics/227312/hungary-kirchick-end-of-europe>)

<sup>21</sup> “AfD’s Gauland Plays Down Nazi Era as a ‘Bird Shit’ in German History,” *Deutsche Welle*, June 2, 2018 (<https://www.dw.com/en/afds-gauland-plays-down-nazi-era-as-a-bird-shit-in-german-history/a-44055213>)

<sup>22</sup> Christoph Hasselbach, “Holocaust Remembrance in Germany: A Changing Culture,” *Deutsche Welle*, January 27, 2019 (<https://www.dw.com/en/holocaust-remembrance-in-germany-a-changing-culture/a-47203540>)

<sup>23</sup> Dave Rich, “Loach, Livingstone, and the Holocaust: A Study in Slander – Why Do the Likes of Ken Loach and Livingstone Go Out of their way to Portray Jews as Nazi Collaborators,” *The JC*, September 27, 2017 (<https://www.thejc.com/comment/comment/loach-livingstone-and-the-holocaust-a-study-in-slander-1.445044>)

This denial is attractive to anti-Semites and anti-Zionists of all kinds, because at its heart, Holocaust denial is an anti-Jewish conspiracy theory – perhaps the most sinister anti-Semitic conspiracy theory since the infamous, fraudulent *Protocols of the Elders of Zion*. It posits that a Jewish global cabal invented a monstrous story of its own attempted genocide, which Jews then successfully tricked the entire Western world into believing. It argues that Jews or Zionists did this in order to enrich themselves with reparations money, or to help generate enough global sympathy to allow them to allegedly steal the land of Israel from the Palestinians. It implicitly promotes the belief that Jews or Zionists are greedy, untrustworthy, and powerful – so powerful that they have been able to impel the media, Hollywood, academics and governments around the world, to accept the existence of a genocide which, according to the deniers, never actually happened.

### **Holocaust Denial on the Internet and Social Media Platforms**

The Internet allows all types of hate to spread faster than it ever has before. A meme that is generated by a dedicated anti-Semite on a toxic platform like Gab or 8chan or messenger services used by extremists, like Telegram, can be disseminated almost instantaneously on more mainstream social media sites like Facebook, YouTube, Twitter, or Reddit, where it may spread faster than content moderators can catch – or, in the case of Facebook and Holocaust denial, are willing to catch. Podcasting and video sharing sites like YouTube allow anti-Semites to broadcast their hateful ideology and speak directly to watchers – some of whom may have been “served” the hateful content by an algorithm that is trained to increase user engagement, which in some cases means recommending and greatly amplifying extremist content. Social media also offers community with like-minded individuals and groups: online forums allow isolated anti-Semites to become more active and involved in virtual campaigns of ideological recruitment and radicalization. Individuals can easily find sanction, support, and reinforcement online for their extreme beliefs or actions, and the Internet offers a reading and viewing library of tens of thousands of anti-Semitic pieces of content. White supremacists, for example, can easily access sites and content that serve the role of a 24/7 neo-Nazi rally.

ADL has worked collaboratively with social media companies for more than a decade to push them and help them address various issues regarding hate on their platform. One area that they have most definitely fallen short is around content that denies the existence, impact, scale and scope of the Holocaust.

The biggest offender in this area, with 2.45 billion monthly active users globally as of Q3 2019, is Facebook.<sup>24</sup> Since 2011<sup>25</sup>, ADL has been calling publicly and privately for Facebook to change its policies to classify Holocaust denial on its platform as a form of hate speech, which it definitely is. While Facebook has made numerous positive changes to its policies since that time, it has stubbornly held on to this outrageous platform policy, even in the face of the undeniable threat of growing anti-Semitism and anti-Semitic violence around the world. This harmful policy came to light again last year when Facebook CEO Mark Zuckerberg suggested that Holocaust

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<sup>24</sup> Facebook, *Facebook Q3 2019 Results* ([https://s21.q4cdn.com/399680738/files/doc\\_financials/2019/q3/Q3-2019-Earnings-Presentation.pdf](https://s21.q4cdn.com/399680738/files/doc_financials/2019/q3/Q3-2019-Earnings-Presentation.pdf))

<sup>25</sup> ADL, “ADL Leader Issues Clarion Call to Internet and Social Networking Sites to Show Leadership in Combating Online Hate,” November 8, 2011 (<https://www.adl.org/news/press-releases/adl-leader-issues-clarion-call-to-internet-and-social-networking-sites-to-show>)



denial – while abhorrent to him – was nevertheless simply something people get wrong, not outright hate speech, and therefore not prohibited content because “It’s hard to impugn intent and to understand the intent.”<sup>26</sup> This was said despite the fact that the platform already has existing policies which moderate hate speech, without deeper considerations of intent, because, as Facebook acknowledges in other contexts, some forms of speech, much like Holocaust denial, are obvious expressions of hatred.<sup>27</sup>

ADL and many others spoke out publicly at the time on this important issue. We wrote “The problem is, Facebook’s CEO fails to understand that Holocaust denial is not simply a gross distortion of the facts, but is also a pernicious form of anti-Semitic hate speech that serves no other purpose than to attack Jews.”<sup>28</sup> Even in the face of both public and private backlash, Facebook decided to double down on this approach when, in announcing the change to its policy prohibiting white nationalism in March 2019, it reaffirmed that Holocaust denial was a form of misinformation and not prohibited on their platform.<sup>29</sup>

What this means in terms of a user’s experience on the Facebook platform is that even if you report Holocaust denial on Facebook, and even if it is determined by Facebook to be Holocaust denial, it will not be taken down for violating Facebook’s policies prohibiting hate. It would be subject to review by fact checkers, and only then potentially de-amplified by Facebook. As a result of this policy, content, pages, and groups that espouse Holocaust denial content are readily and easily accessible to any user of the largest communication platform in human history.

Here are several examples:

- A group called "Holocaust Revisionism," with 1,900 members, which includes posts promoting a "Holocaust Deprogramming Course" which claims it will free its readers “from a lifetime of Holo-brainwashing,” and a Bitchute channel called “Holocaust Lies Exposed.”<sup>30</sup>
- The “About” page of the group “JEWS, CHRISTIANS & MUSLIM against Zionism,” with 700 members, links to a page from an anti-Semitic website which states that “Within five minutes, any intelligent, open-minded person can be convinced that the Holocaust gassings of World War II are a profitable hoax.” Members of the group have posted videos of interviews with noted Holocaust denier Ernst Zundel, and others which claim that “Zionism created holohoax” [sic]. The group’s cover photo depicts a person in prison for “asking for proof of 6 million gassed during Holocaust.”

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<sup>26</sup> Molly Roberts, “Mark Zuckerberg’s Holocaust faux pas reveals a bigger problem,” *Washington Post*, July 19, 2018 (<https://www.washingtonpost.com/blogs/post-partisan/wp/2018/07/19/holocaust-denial-isnt-the-only-thing-mark-zuckerberg-got-wrong/>)

<sup>27</sup> Kara Swisher, “Zuckerberg: The Recode interview,” *Vox*, October 8, 2018 (<https://www.vox.com/2018/7/18/17575156/mark-zuckerberg-interview-facebook-recode-kara-swisher>)

<sup>28</sup> Jonathan Greenblatt, “Holocaust Denial is a Form of Hate,” *NY Daily News*, July 20, 2018 (<https://www.nydailynews.com/opinion/ny-oped-holocaust-denial-is-hate-speech-20180719-story.html>)

<sup>29</sup> Ryan Broderick and Ryan Mac, “Facebook Will Ban White Nationalist And White Supremacist Content,” *BuzzFeed News*, March 27, 2019 (<https://www.buzzfeednews.com/article/ryanhatesthis/facebook-ban-white-nationalist-white-supremacist>)

<sup>30</sup> For context, Bitchute is an online platform established in 2017 to create a space for video content creators that ran afowl of YouTube’s content policies: *Torrent Freak*, “BitChute is a BitTorrent-Powered YouTube Alternative,” January 29, 2017 (<https://torrentfreak.com/bitchute-is-a-bittorrent-powered-youtube-alternative-170129/>)

- The group “Anti-Rothschild Zionist VS United 99% World Revolution Apartheid, Genocides,” with 450 members), which promotes Holocaust denial, writes on its About page that “World allows massacre of Palestinians because of faith in holohoax industry and anti-Semitism. So we must demolish Holocaust. Again there is not a single shred of evidence for holocaust please prove me wrong and show me evidence otherwise, I dare you anytime? .... You will realize holocaust is 100% all lies by then you might face judgement for not opening your eyes and mind to realize the truth. the Germans and palestinians [sic] are innocent only scapegoats. prove me wrong. I dare and challenge anyone to factually substantiate to refute, dispute, deny authenticity of holohoax with verifiable evidence!”

On the other hand, some popular social media platforms recently have taken steps to mitigate the impact of Holocaust denial through policy. On Jan. 8, TikTok, which is owned by the company Bytedance, released a new set of community guidelines that explicitly banned “content that denies well-documented and violent events have taken place,” including Holocaust denial and conspiracy theories.<sup>31</sup> This is a welcome development. Prior to that, in June 2019 YouTube changed their policy to ban videos promoting Holocaust denial, white supremacy and harmful conspiracy theories.<sup>32</sup> In practice, this policy change resulted in large numbers of overt Holocaust denial videos on the platform being removed. However, it is still possible to find videos either expressing Holocaust denial directly or which present Holocaust deniers in a positive light with a total of over 2 million views altogether.

### **Online Gaming Hate and Holocaust Denial**

In July 2019, ADL’s survey of players’ experience of hate, harassment and positive social experiences in online games found that approximately a quarter to a third of players who are black or African American (31%), Hispanic/Latinx (24%) and Asian-American (23%) experienced harassment because of their race or ethnicity in an online multiplayer game. Online multiplayer gamers were also targeted because of their religion: 19 percent of Jews and Muslims who play online multiplayer games also reported being harassed. And almost one-in-ten (9%) of Americans who play online multiplayer games are exposed to discussions about Holocaust denial.<sup>33</sup>

To date, there have been no public discussions on how platform policies related to hateful conduct in online game spaces might apply to players engaging in promoting and proselytizing Holocaust denial. Roblox is perhaps the only good example of a proactive company in the game space on this issue. Roblox is a social platform that gives users tools to create games and has

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<sup>31</sup> Isobel Asher Hamilton, “TikTok says it will explicitly ban Holocaust denial and other conspiracy theories denying violent events,” *Business Insider*, January 8, 2020 (<https://www.businessinsider.com/tiktok-ban-holocaust-denial-conspiracy-theories-2020-1>)

<sup>32</sup> Emily Stewart, “YouTube finally banned content from neo-Nazis, Holocaust deniers, and Sandy Hook skeptics,” *Vox*, June 5, 2019 (<https://www.vox.com/recode/2019/6/5/18653666/youtube-bans-white-supremacists-holocaust-carlos-maza>)

<sup>33</sup> ADL, *Free to Play? Hate, Harassment, and Positive Social Experiences in Online Games* (<https://www.adl.org/free-to-play>)

over 100 million monthly active users.<sup>34</sup> Roblox is also the most popular online game platform for 7-12 year olds.<sup>35</sup> With this audience in mind, Roblox has implemented policies<sup>36</sup> that prohibit hateful conduct, harassing conduct, and also content that engages with “atrocities, massacres, and other shocking real (or pseudo-real) world events.” If there were to be a Roblox game that was created that engaged with Holocaust denial, the company would have a policy to address the situation. The thought of a Roblox game featuring Holocaust denial content may sound far-fetched, but there have already been reports of abuse of the Roblox platform by extremists<sup>37</sup> to target users with simulated sexual violence.<sup>38</sup> The fact that Roblox has these policies in place in advance of any public reporting around potential use of the platform to spread Holocaust denial is commendable. That being said, we cannot measure the efficacy of even Roblox’s efforts, as no game company to date has produced a transparency report, even at the level that traditional social media companies currently do. Electronic Arts recently promised to deliver a “community health report” in June 2019, an effort that appears to be similar to a transparency report regarding their efforts to “mitigate toxic communities” across their many game products, but nothing has been released to date.<sup>39</sup> And while online game companies, such as Electronic Arts, have some policies in place related to hateful content and conduct on their platforms, it is unclear whether they would apply to Holocaust denial in principle or practice. Given the initial data around its prevalence from ADL’s recent survey, it is something the game industry should investigate and act on.

### **Uptick in Anti-Semitism in America**

The Holocaust was the ultimate manifestation of anti-Semitism and it could not have happened without the millennia of anti-Semitism deeply embedded in Western civilization. Unfortunately, today we are witnessing a resurgence of anti-Semitism around the world. ADL data show that anti-Semitic attacks, harassment, and online hate have each hit historically-high rates in the last few years. They are occurring in a polarized political and cultural environment in which hate, domestic terror, and specifically white supremacist violent extremism – which is responsible for two-thirds of extremist-related murders in the United States in the past ten years – are increasingly threatening all Americans.

In recent years we have watched in horror as anti-Semitic incidents, and, in particular, violent attacks, have been on the rise. While the most devastating impact is on individual victims and those closest to them, these incidents also send shockwaves and even terror through the Jewish

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<sup>34</sup> Julia Alexander, “Roblox surpasses Minecraft with 100 million monthly players,” *The Verge*, August 2, 2019 (<https://www.theverge.com/2019/8/2/20752225/roblox-100-million-users-minecraft-youtube-twitch-pewdiepie-keemstar>)

<sup>35</sup> Rebekah Valentine, “78% of gaming preteens also watch online gaming videos,” *gamesindustry.biz*, October 30, 2019 (<https://www.gamesindustry.biz/articles/2019-10-30-78-percent-of-gaming-preteens-also-watch-online-gaming-videos/>)

<sup>36</sup> Roblox, *Roblox Community Rules* (<https://en.help.roblox.com/hc/en-us/articles/203313410-Roblox-Community-Rules>)

<sup>37</sup> Cyrus Farivar, Extremists creep into Roblox, an online game popular with children, “*NBC News*, August 21, 2019 (<https://www.nbcnews.com/tech/tech-news/extremists-creep-roblox-online-game-popular-children-n1045056>)

<sup>38</sup> Sarah Perez, “Roblox responds to the hack that allowed a child’s avatar to be raped in its game,” *TechCrunch*, July 18, 2018 (<https://techcrunch.com/2018/07/18/roblox-responds-to-the-hack-that-allowed-a-childs-avatar-to-be-raped-in-its-game/>)

<sup>39</sup> EA, *Building Healthy Communities Summit*, (<https://www.ea.com/news/building-healthy-communities-summit>)

community and our allies. They reverberate through the media and are shared widely across the Internet. They have come to shape the narrative of Jewish American self-perception.

Since 1979, ADL has published an annual *Audit of Anti-Semitic Incidents*<sup>40</sup> – a tally and analysis of incidents of anti-Semitic harassment, vandalism and assault in the United States which we have identified over the course of each year. These incidents include criminal and non-criminal expressions of anti-Semitism. The vast majority of the incidents in our *Audit* are reported to our regional offices by individuals or groups in the Jewish community; they are supplemented by media reports, information shared with us by law enforcement agencies, and reports on extremist activity by ADL experts working in the Center on Extremism. In addition to our annual audit, we just launched ADL's *Tracker of Anti-Semitic Incidents* this year in the face of increased daily incidents of anti-Jewish vandalism, harassment and assault reported to or detected by ADL.<sup>41</sup>

ADL records anti-Semitic incidents in three major categories: Harassment (in which a Jewish person or group of people feel harassed by the perceived anti-Semitic words or images, spoken or written, or actions of another person or group); Vandalism (in which property is damaged in a manner that indicates the presence of anti-Semitic animus or in a manner that attacks Jews for their religious affiliation); and Assault (in which people's bodies are targeted with violence accompanied by evidence of anti-Semitic animus).

In 2018, the last year for which we have complete numbers, we recorded 1,066 cases of harassment nationally, an increase of five percent from 2017; 774 cases of vandalism, a decrease of 19 percent from 2017; and 39 cases of assault, an increase of 105 percent from 2017.

The ADL *Audit's* subcategory of physical assault on Jewish individuals is particularly concerning, because it is the one subcategory which we project will increase in 2019, from a total of 39 in 2018 to more than 50 incidents in 2019. Not only did the number of incidents increase, but the number of victims of these assaults also continues to climb: from a total of 21 victims in 2017, to 59 in 2018, and rising to an estimated 80 in 2019. That would be nearly a fourfold estimated increase in the number of victims of anti-Semitic assaults in the United States in over just two years.

As Jews across the world know all too well, hate might begin with the targeting of one group of people, but it rarely stops with them.

## **Resurgence of Hate in America**

In America today, we are seeing a resurgence of hate. Charleston. Charlottesville. Pittsburgh. Poway. El Paso. Jersey City. Monsey. The list goes on and on. Americans are afraid that they will be attacked in their house of worship, their supermarket, or walking down the street.

Including the 11 murders at the three congregations in the Tree of Life synagogue in Pittsburgh, 2018 saw the highest number of hate crime murders on record, with 24 victims. The second highest year for hate crime murders was 2000, with 19 victims.

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<sup>40</sup> ADL, *2018 Audit of Anti-Semitic Incidents* <https://www.adl.org/audit2018>

<sup>41</sup> ADL, *Tracker of Anti-Semitic Incidents*, <https://www.adl.org/adl-tracker-of-anti-semitic-incidents>

The FBI's 2018 Hate Crimes Statistics Act (HCSA) Report found that reported hate crime incidents decreased slightly – from 7,175 in 2017 to 7,120 in 2018. As has been the case every year since the first HCSA report, race-based hate crimes were the most numerous – 4,047, a decrease from 4,131 in 2017. 1,943 crimes targeting black and African-American individuals and institutions were reported, almost half of all race-based crimes and a slight decrease from 2,013 in 2017.

Religion-based crimes decreased nine percent, from 1,564 to 1,419 in 2018. Once again, the majority (59 percent) of reported religion-based hate crimes were targeted at Jews. Overall, crimes directed against Jews decreased eleven percent – from 938 in 2017 to 835 in 2018.

A few more critical data points from the 2018 FBI report:

- Reported crimes against Muslims decreased thirty-one percent, from 273 in 2017 to 188 in 2018. Still, 188 anti-Muslim hate crimes is the fourth highest figures reported against Muslims ever – behind last year's 273, 307 in 2016, and 481 in 2001, following the 9/11 terrorist incidents.
- In 2018, crimes directed against LGBTQ people increased 5.7 percent from 1,130 in 2017 to 1,196. Crimes directed against individuals on the basis of their gender identity also increased, dramatically, from 119 in 2017 to 168 in 2018 – now slightly less than 2.5 percent of all hate crimes.
- Anti-Hispanic hate crimes increased fourteen percent, the third straight year of increased reporting – especially disturbing at a time of such harsh immigration policies and when ADL and others have documented escalating anti-immigrant rhetoric and bigotry.

The FBI statistics are essential, but they are incomplete. 16,039 law enforcement agencies in the United States participated in the 2018 data collection effort – the second highest level of participation since the enactment of the HCSA in 1990, but a slight decrease from 2017 record participation of 16,149. Importantly, only 2,028 of these agencies, less than thirteen percent, reported one or more hate crimes to the FBI. That means that 87 percent of all participating police agencies affirmatively reported zero (0) hate crimes to the FBI (including at least 77 cities over 100,000). And eight more law enforcement agencies over 100,000 did not report any data to the FBI.<sup>42</sup> Based on our experience, these reports of zero hate crimes are not credible, and suggest that the amount of hate crimes in America is greater than what is reported.

### **Growing Domestic Terrorism in America**

The growing anti-Semitic and other hate violence described above is happening at a time when domestic terrorism across the board is also disturbingly high and, in the United States, is primarily the result of white supremacist violent extremism. Three of the five deadliest years for murders by domestic extremists in the period between 1970 and 2018 were between 2013 and 2018. Of the 50 murders committed in the U.S. by extremists in 2018, 78 percent were tied to white supremacists. Between 2009 and 2018, domestic extremists of all kinds killed at least 427

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<sup>42</sup> A chart compiled by ADL listing these 85 cities is here: <https://www.adl.org/media/13728/download>

people in the United States. Of those deaths, approximately 73 percent were at the hands of right-wing extremists such as white supremacists, sovereign citizens and militia adherents.

In a horrific act of hate that evoked memories of the bombing of four black schoolgirls at a church in Birmingham, Alabama more than 50 years earlier, in 2015 a young white supremacist entered – and was welcomed to – a prayer group meeting at Emanuel AME Church in Charleston, South Carolina and opened fire, murdering nine parishioners and injuring one in the historic black church. Those killed included the senior pastor. The gunman, who had written a racist and anti-Semitic manifesto prior to carrying out the attack, was convicted in December 2016 on charges of federal murder, attempted murder and hate crimes.

Then, in August 2017, the white supremacist rally in Charlottesville, Virginia became a galvanizing moment for modern-day racists and anti-Semites in America. Shouting “Jews Will Not Replace Us!” and holding torches as well as Confederate and swastika flags, members of the so-called alt right descended on the small college city and clashed with counter-demonstrators, leading to scores of injuries, the death of Heather Heyer, and the deaths of two Virginia State Troopers killed when the helicopter in which they were monitoring the Unite the Right rally/riots crashed. In hindsight, the Charlottesville rally served as a warning of the violence that was at the core of the white supremacist movement, and of the ability of haters to recruit and spread propaganda online. It served as a harbinger of the violence to come. ADL is now partnering with Integrity for America, a civil rights non-profit, to support civil litigation currently being brought against white supremacist groups and leaders of the Charlottesville violence in the case *Sines v. Kessler*, which will be tried in federal court in October.

Since Charlottesville, we have witnessed some particularly shocking high-profile deadly assaults on Jewish Americans, the Latinx community and other vulnerable communities.

The October 27, 2018 assault against the three congregations that meet in the Tree of Life Synagogue in Pittsburgh was the deadliest known attack specifically targeting the Jewish community in the history of the United States. During this attack, an alleged white supremacist entered the synagogue and opened fire with semi-automatic weapons, killing 11 worshippers and injuring two others. An additional four law enforcement officers were injured while responding to the shooting. The perpetrator is reported to have yelled, “All Jews must die” during the assault, and subsequent investigations revealed that he had held strong white supremacist and anti-Semitic beliefs for years. The purported motivation for the attack in Pittsburgh was the alleged perpetrator’s belief, widely shared by white supremacists and set forth in some of the shooter’s online posts on Gab, that Jews are behind efforts to impose mass immigration on the United States, with the goal of harming or destroying the white race.

Exactly six months to the day of the Pittsburgh attack, on Saturday April 27, 2019, a 19-year old individual allegedly opened fire inside the Chabad congregation in Poway, California, leaving one dead and three injured. The assault took place on the last day of the Jewish holiday of Passover. According to reports, the gunman entered the synagogue armed with an AR-style rifle and a handgun and called 911 on himself as he drove away from the attack.

ADL's immediate research, conducted by our Center on Extremism within hours of the incident, found that the alleged gunman may have posted a white supremacist letter/manifesto to the

document-sharing site PasteBin on the morning of the attack.<sup>43</sup>The post, in which a user identifies himself with the same name as the alleged gunman, details his hatred for Jews and all non-Christians, and refers admiringly to the alleged Pittsburgh (Tree of Life) shooter as well as the gunman who murdered over 50 people who were praying at two mosques in March 2019 in Christchurch, New Zealand. The letter includes a laundry list of anti-Semitic conspiracy theories, among them the longstanding white supremacist assertion that Jews are orchestrating non-white immigration which “threatens” the white race. “Every Jew is responsible for the meticulously planned genocide of the European race,” the letter states, adding “for these crimes they deserve nothing but hell.”

On August 4, 2019, a white supremacist allegedly drove more than 11 hours through Texas to kill Hispanics at an El Paso Walmart, telling police as he surrendered that he planned the rampage with the intention of targeting Mexicans. Less than 20 minutes before the massacre began, the suspected shooter is believed to have posted a racist, anti-immigrant screed to 8chan, a website popular among white supremacists. The shooting left 22 people dead and injured 26 others. The Department of Justice has labeled the shooting as an act of domestic terrorism, and ADL’s Center on Extremism called the shooting the deadliest white supremacist attack in the U.S. in more than 50 years and the third deadliest act of violence by a domestic extremist – of any ideology – in that same timeframe.

In Jersey City, on December 10, 2019, a kosher market was sprayed with gunfire, resulting in the death of three people: the store’s co-owner, an employee, and a customer. On December 12, New Jersey Attorney General Gurbir Grewal held a press conference in which he stated that the shooting was being investigated as an act of domestic terrorism motivated by anti-Semitic and anti-law enforcement sentiments. One alleged shooter, who is also reported to have killed a police officer in an earlier incident, appears to have been an adherent of Black Hebrew Israelite ideology. Many proponents of this particular ideology harbor intense anti-Semitism and assert that Jews have stolen the mantle of the biblical tribes of Israel from indigenous peoples of Africa and the Americas.

In the days following the shooting, ADL’s Center on Extremism uncovered more disturbing details of the alleged shooter’s ideology through various social media accounts he appears to have used.<sup>44</sup> Numerous posts in a Facebook account illustrate his hatred for Jews, whom he sometimes refers to as Khazars – a reference to an anti-Semitic conspiracy theory that modern Jews are descendants of an Eastern European tribe from the eleventh century. In July 2015, he wrote, “Brooklyn is full of NAZIS – ASHKE-NAZIS (KHAZARS).” (“Ashkenazi” is the name of a Jewish ethnic group, which includes many Hassidic and ultra-Orthodox Jews.) He went on to allege that Jews were responsible for murdering black men because “the police are their hand now.”

The Jersey City suspect’s potential for violence was presaged in a July 2015 post in which he wrote that he could not wait for “Yahawah” (God) to have “his angel blow that shufar [sic] and

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<sup>43</sup> ADL, “Deadly Shooting at California Chabad Highlights Threat to Jewish Houses of Worship,” April 27, 2019 (<https://www.adl.org/blog/deadly-shooting-at-california-chabad-highlights-threat-to-jewish-houses-of-worship>)

<sup>44</sup> ADL, “Center on Extremism Uncovers More Disturbing Details of Jersey City Shooter’s Extremist Ideology,” December 17, 2019 (<https://www.adl.org/blog/center-on-extremism-uncovers-more-disturbing-details-of-jersey-city-shooters-extremist>)

give the order to dash little edomites against the stones” because he had a “**RIGHTEOUS** vengefulness within” him waiting to be released and that he could use “all of his edomite military anti-terrorist [sic] training” against his enemies. In Black Hebrew Israelite theology, “Edomites” refer to the enemies of God, including white people, whom they believe to be descended from the biblical patriarch Jacob’s brother Esau, who was also known as Edom. It is clear from his writing that this Jersey City suspect used this term to refer disparagingly to Jewish people.

In Monsey, NY, on December 28, 2019, a Hanukkah gathering was shattered when a man entered a local rabbi’s home armed with a large knife and began stabbing people.<sup>45</sup> The attack left five injured, one critically. The following day, police in Ramapo, New York, charged the alleged assailant with five counts of attempted murder and one count of burglary. He pled not guilty at his December 29 arraignment. The next day, federal prosecutors filed hate crimes charges against him, and authorities released a criminal complaint that may provide insight into the motivation for his Saturday night attack. While searching his home, police found handwritten anti-Semitic messages, a cryptic mention of Black Hebrew Israelites, references to Hitler and “Nazi Culture” and sketches of a swastika and a Star of David. He also reportedly used his phone to search for local “Zionist temples” and “German Jewish temples near me.”

### **Policy Recommendations**

All of these developments make honoring International Holocaust Remembrance Day more vital and more relevant. Our commemorations should spark reflection as well as action, and we should all consider what we can do. The occasion should be used to restart conversations about what led to the extermination of European Jews and the murder of millions of others, to emphasize the importance of teaching the universal lessons of the Holocaust, and as an opportunity to reinforce positive steps that have been taken over the years to make sure that it will not happen ever again.

Here are eight action items for Congress to move forward immediately this year to honor the lessons of the Holocaust, and combat anti-Semitism, fight hate crimes, and prevent another genocide:

- 1. Use the Bully Pulpit to Fight Hate:** Words have power.
  - a. The President, Cabinet officials, and Members of Congress must speak up and call out anti-Semitism and bigotry *at every opportunity*. The right to free speech is a core value, but the promotion of hate should be vehemently and consistently rejected. Simply put, you cannot say it enough: America is no place for hate.
  - b. ADL is deeply concerned that the careless and imprecise invocation of the Holocaust by public officials is disrespectful to the victims and diminishes the power of the Holocaust to serve as a warning for future generations. Furthermore, the debate that ensues following such misuse of the term distracts us from addressing the dire situations that face us, situations

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<sup>45</sup> ADL, “Stabbing Attack at Monsey Hanukkah Party Leaves Five Injured,” December 30, 2019 (<https://www.adl.org/blog/stabbing-attack-at-monsey-hanukkah-party-leaves-five-injured>)



in which people are dying every day. We must use comparisons to the Holocaust judiciously and appropriately or they will become meaningless.

c. In this environment, the importance of ensuring that the fight against anti-Semitism not be politicized – all the more so during an election year – cannot be overstated. To try to weaponize the fight against anti-Semitism to divide the Jewish community, or to divide it from its allies in other vulnerable communities, is destructive and morally indefensible. That is why I sent a letter to Congressional leadership in March 2019 urging them to work together to stop the growing partisan weaponization of anti-Semitism, and instead work together to combat this scourge. The House and Senate Bipartisan Task Forces for Combating Anti-Semitism are good models for working across the aisle and I urge you all to join the House task force.

**2. Educate Our Children About the Holocaust:** learning about the Holocaust and other genocides, as well as the consequences of unchecked anti-Semitism and racism is one of the best ways to fight prejudice and discrimination, and to help ensure that genocide and other atrocities never happen again.

a. **Pass the Never Again Education Act (S. 2085)**

Under the leadership of Chairwoman Maloney, this legislation, approved by the House on Monday, would provide federal funding to help give teachers across the country the necessary resources to teach about the Holocaust in their classrooms. Through the study of the Holocaust, students can grow as responsible citizens in a democratic society and develop critical thinking, empathy, and social justice skills for the future. The Senate must now promptly pass this legislation, as well.

**3. Empower and Encourage Law Enforcement to Work Against Hate:** ADL educates law enforcement agents about the Holocaust to help them understand their roles in supporting their communities and defending American values. Improving hate crimes reporting requires better training and resourcing for state and local law enforcement agencies, and will result in advancing relations between these agencies and marginalized communities. To accomplish this we recommend:

a. The Department of Justice should incentivize and encourage state and local law enforcement agencies to more comprehensively collect and report hate crimes to the FBI, with special attention devoted to large underreporting law enforcement agencies that either have not participated in the FBI Hate Crime Statistics Act program at all or have affirmatively and not credibly reported zero hate crimes. More comprehensive, complete hate crime reporting can deter hate violence – including anti-Semitic hate crimes – and advance police-community relations.

b. The federal government should provide funding for criminal investigations and prosecutions by state, local and tribal law enforcement officials, as authorized by Section 4704 of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009.

c. Congress should pass the Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality (NO HATE) Act of 2019 (H.R. 3545), which would authorize incentive grants to spark improved local and state hate crime training, prevention,

best practices, and data collection initiatives – including grants for state hate crime reporting hotlines to direct individuals to local law enforcement and support services.

**4. Fully Fund Programs Supporting Community Security:** Communities are under attack. It is critical that they have the support to provide basic security.

ADL supports the right of non-profit religious institutions objectively deemed to be at high risk of attack to participate in federal, state and local government programs providing funding for security, provided adequate church-state separation and anti-discrimination safeguards are in place. These grants should fully fund the actual need. While ADL remains deeply committed to our longstanding position in support of the separation of church and state, we also believe that religious freedom requires Americans to feel free and safe to pray in our houses of worship and to gather in our schools and cultural centers without fear of violent attacks. Narrowly-tailored government grants to non-profits for security enhancements should be permitted as part of a broader, more holistic education and community engagement program to prevent these attacks.

**5. Pass Legislation to Fight Hate:** Congress has the opportunity to stand up against hate and to ensure that the threats confronting Americans are properly addressed.

**a. Pass the Domestic Terrorism Prevention Act**

This legislation would enhance the federal government’s efforts to prevent domestic terrorism by authorizing into law the offices addressing domestic terrorism, and requiring federal law enforcement agencies to regularly assess those threats and then resource to the threats. The bill would also provide training and resources to assist non-federal law enforcement, requiring DOJ, DHS, and the FBI to provide training and resources to assist state, local, and tribal law enforcement in understanding, detecting, investigating, and deterring acts of domestic terrorism.

**b. Pass Anti-Lynching Legislation (HR 35)**

The Senate approved anti-lynching legislation on February 14, 2019 and now the House should act as well. This legislation would create a new federal criminal civil rights provision to penalize lynching. Enactment of this legislation would also provide a teachable moment for our nation to elevate the tragic history of hundreds of racist lynchings.

**c. Support More Anti-Bias Education and Training**

Recognizing that hate cannot be legislated or regulated out of existence, Congress should provide increased funding for inclusive school anti-bias education, civics education, and bullying prevention programs.

**d. Promote Compassionate and Humane Refugee and Asylum Policies**

One of the enduring lessons of the Shoah is the obligation to provide safe haven for refugees. How many Jews died because they had nowhere to flee, because borders were closed, because people feared the stranger? The plight of today’s refugees calls for decisive action by the international community and by the American administration. These policies should include passing the Refugee Protection Act (H.R.5210) and the National Origin-Based Antidiscrimination for Nonimmigrants Act (H.R.2214).

**6. Address Online Hate and Harassment Through Legislation and Training:** Hate that begins online does not stay there, it has offline consequences.

**a. Strengthen Laws Against Perpetrators of Online Hate**

Hate and harassment translate from online spaces to the real world, but our laws have not kept up. Many forms of severe online misconduct are not consistently covered by cybercrime, harassment, stalking and hate crimes law. Congress has an opportunity to lead the fight against cyberhate by increasing protections for targets as well as penalties for perpetrators of online misconduct. Congress should pass legislation addressing cybercrimes such as doxing, swatting, and non-consensual pornography with legislation along the lines of the Online Safety Modernization Act, which was introduced in the 115th Congress.

**b. Improve Training of Law Enforcement**

Law enforcement is a key responder to online hate, especially in cases when users feel they are in imminent danger. Increasing resources and training for these departments is critical to ensure they can effectively investigate and prosecute cyber cases and that targets know they will be supported if they contact law enforcement. This includes ongoing anti-bias training, hate crimes training, and training regarding technology and the Internet landscape, as all of these issues are perpetually changing.

**7. Urge Social Media Platforms to Institute Stronger Means to Measure and Address Online Hate and Harassment:** Government officials have an important role to play in encouraging social media platforms to institute robust and verifiable industry-wide self-governance. This could take many forms, including Congressional oversight or passing laws that require certain levels of transparency and auditing. The Internet plays a vital role in allowing for innovation and democratizing trends, and that should be preserved. At the same time, the widespread exploitation of social media platforms for hateful and severely harmful conduct needs to be effectively addressed. Some of these measures should include:

**a. Strong Terms of Service That Address Holocaust Denial**

Every social media and online game platform must have clear terms of service that address hateful content and harassing behavior, and clearly define consequences for violations. In establishing and updating these terms of service, platforms should consult regularly with civil society groups, and especially seek out and use their advice and expertise to shape platform policies that may impact the experience of vulnerable and marginalized groups. For example, Facebook's decision to maintain that Holocaust denial is not a form of hate but rather misinformation flies in the face of advice that has been provided to them by civil society over the course of almost a decade from groups such as ADL and researchers who have highlighted the disinformative (as opposed to misinformative) nature of this hate. Moreover, platform policies must state that the platform will not tolerate hateful content or behavior based on protected characteristics. They need to prohibit abusive tactics such as harassment, doxing and swatting. Platforms should also note what the process of appeal is for users who feel their content was flagged as hateful or abusive in error, and provide transparent due process for those users.

**b. Responsibility and Accountability**

Social media and online game platforms need to bear greater responsibility to enforce their policies and to do so accurately at scale. They need to improve the complaint and flagging process so it is as user-friendly as possible and provides a more consistent and speedy resolution for targets. They need to reduce their reliance on the user flagging and complaint process, and instead proactively, swiftly, and continuously address hateful content using a mix of artificial intelligence and human monitors who are fluent in the relevant language and knowledgeable in the social and cultural context of the relevant community. Additionally, given the prevalence of online hate and harassment, platforms need to offer far more services and tools for individuals facing or fearing online attack. They need to provide greater filtering options that allow individuals to decide for themselves how much they want to see likely hateful comments, and attenuate the reach of likely hateful content. They need to consider the experience of individuals who are being harassed in a coordinated way and provide aid to these individuals in more meaningful ways. They need to develop compassionate forms of communication for targeted users and allow targeted users to speak to a company representative as part of the complaint process in certain, clearly defined cases, instead of passing them off to a bot or forcing them to communicate in a unidirectional way through a complaint form. And they need to provide user-friendly tools to help targets preserve evidence and report problems to law enforcement and companies.

**c. Governance and Transparency Around Anti-Semitism and Other Forms of Hate**

Perhaps most importantly, social media and online game platforms need to adopt robust governance. This should include regularly scheduled external, independent audits so that the public knows the scope and nature of hate and harassment on a given platform. Companies need to specifically add insights on the experiences of vulnerable communities using their platforms and provide information on how different groups are targeted. Audits need to also allow the public to get detailed independent measurement of hate on their platforms, verify that the company followed through on its stated actions and assess the effectiveness of company efforts in creating and enforcing anti-hate and harassment policies over time. Companies need to provide information from the audit and elsewhere through more robust transparency reports. Finally, companies need to create independent groups of experts from relevant stakeholders, including civil society, academia and journalism, to help provide guidance and oversight of platform policies. Beyond their own community guidelines, transparency efforts and content moderation policies, features available on social media and online gaming platforms need to be designed with anti-hate principles in mind. Companies need to conduct a thoughtful design process that puts their users first, and incorporates risk and radicalization factors before, and not after, tragedy strikes.

**8. Consider the Necessity and Feasibility of a Criminal Domestic Terrorism Statute**

**a.** Our federal legal system currently lacks the means to prosecute a violent domestic extremist as a terrorist. Perpetrators can be prosecuted for weapons charges, acts of violence (including murder), racketeering, hate crimes, or other criminal violations. But we cannot legally prosecute them for what they are: terrorists. Many experts have argued that, without being so empowered, there is a danger that would-be domestic terrorists are more likely to be charged with lesser crimes and subsequently receive lesser sentences. Others have argued that there are a sufficient number of criminal provisions already on the books that can be used to cover this gap. Congress should immediately consult with legal and policy experts,

marginalized communities, and law enforcement professionals on whether a rights-protecting domestic terrorism criminal charge is needed – and whether it is possible to craft such a statute.

## **Conclusion**

Remembering the lived experience of the Holocaust – the systematic extermination of 6 million European Jews and millions of Roma, LGQBT people, political adversaries and others by the Nazi regime – is essential if we are to continue to learn its lessons and expand efforts to teach it to future generations.

This is particularly salient at a time of rising hate, intolerance and violence. This is a time for leaders to lead. Legislation alone will not end anti-Semitism, stop hate crimes, or prevent genocide, but Congress can contribute significantly to these goals.

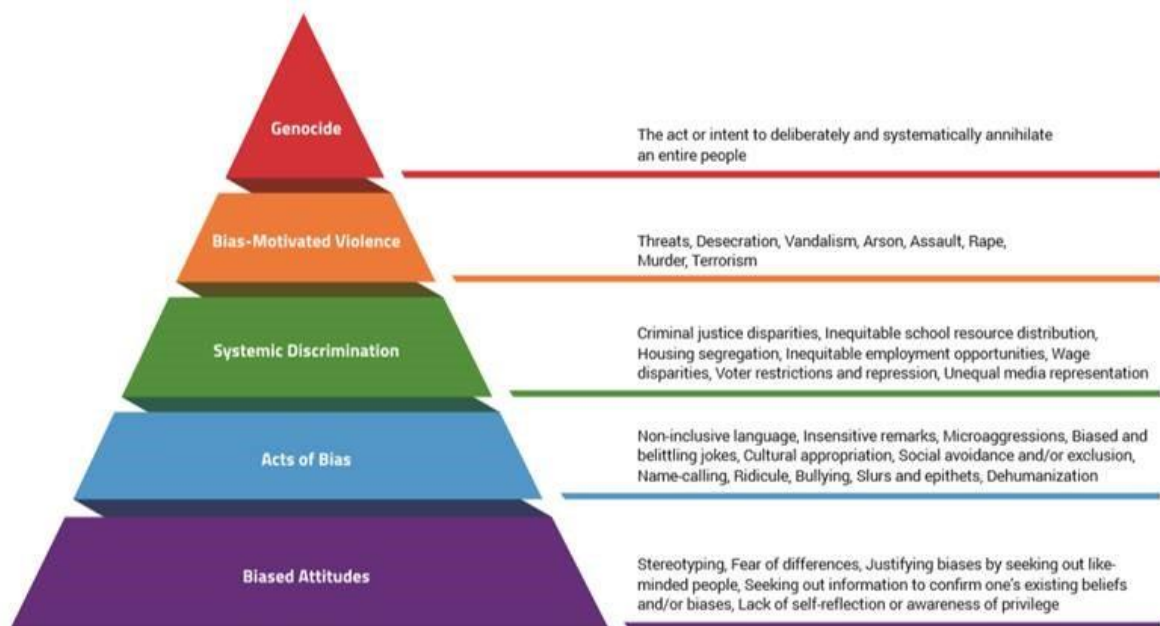
On behalf of the ADL, we look forward to working with you as you continue to devote your urgent attention to this and related issues.

## Appendix A

At ADL’s education programs, teachers use The Pyramid of Hate to show students that prejudiced attitudes and behaviors by individuals, communities, and governments, if left unchecked, can lead to violence and in some cases, genocide.

### PYRAMID OF HATE

The **Pyramid of Hate** illustrates the prevalence of bias, hate and oppression in our society. It is organized in escalating levels of attitudes and behavior that grow in complexity from bottom to top. Like a pyramid, the upper levels are supported by the lower levels. Bias at each level negatively impacts individuals, institutions and society and it becomes increasingly difficult to challenge and dismantle as behaviors escalate. When bias goes unchecked, it becomes “normalized” and contributes to a pattern of accepting discrimination, hate and injustice in society. While every biased attitude or act does not lead to genocide, each genocide has been built on the acceptance of attitudes and actions described at the lower levels of the pyramid. When we challenge those biased attitudes and behaviors in ourselves, others and institutions, we can interrupt the escalation of bias and make it more difficult for discrimination and hate to flourish.



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The Pyramid of Hate presents a visual image to demonstrate how the seeds of hate, once planted, can quickly grow from biased ideas to hate violence. The following is provided to assist in presenting the concept of the tendency of hate to escalate when unchecked.

#### Level One: Biased Attitudes

The base of the pyramid describes biased attitudes we see and hear every day in schools, workplaces, communities and even at the dinner table. These include things like non-inclusive language, stereotypes, microaggressions or insensitive remarks. One might regard these attitudes as “not a big deal” or they don’t necessarily hurt anyone. But biased attitudes that begin with a simple stereotype about a group, if left unchallenged, can easily grow into sustained feelings about that group. These attitudes serve as the foundation of the pyramid, supporting more extreme levels of hate.

## **Level Two: Acts of Bias**

Based on biased attitudes, we then form prejudicial FEELINGS about a group which can lead to actions like bullying, scapegoating, biased jokes, ridicule, and name-calling. ACTS of bias move the biased ATTITUDE that “All those people are lazy and stupid” to ACTS that perpetuate that “I don’t like or trust those people.”

## **Level Three: Systemic Discrimination**

Once biased ATTITUDES and ACTS of bias have taken hold, DISCRIMINATION can follow. Discrimination moves the biased ATTITUDE “I don’t like or trust those people” to DISCRIMINATION, “I won’t hire those people to work in my store” or “I won’t let those people live in my neighborhood.” Once hate has progressed up the bottom three levels of the pyramid, it is not a far step to move from ACTIONS to Acts of Violence....

## **Level Four: Bias-Motivated Violence**

When discrimination is unchecked, acts of bias-motivated VIOLENCE can occur in schools and communities, including desecration of property, threats and assaults, but also arson, terrorism, vandalism, assault and murder.

## **Level Five: Genocide**

The top level of the pyramid is Genocide, the act of or intent to deliberately and systematically annihilate an entire people. During the Holocaust the Nazi’s committed genocide against the Jewish people, Gays, people with disabilities, Roma and Jehovah’s Witnesses.

The *Pyramid of Hate* demonstrates how ideas, feelings/attitudes and actions can form a basis for the denial of justice. Although not every act of bias will lead to genocide, it is important to realize that every historical instance of genocide began with the acts of bias described on the lowest level. The most effective opportunity to take action is when we witness behaviors that fall within the lowest level of the pyramid. We can safeguard our schools and communities by modeling respect, promoting respectful behavior in others and engaging in efforts to stamp out hate.