

April 8, 2021

The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Durbin and Ranking Member Grassley:

We write in support of President Biden's nomination of Ms. Kristen Clarke for Assistant Attorney General for the Civil Rights Division of the Department of Justice. We are a group of individuals who have directly experienced the impact of hate crimes. As those who have had our lives shattered by hate crimes and violence, we owe a tremendous amount of gratitude to those who investigated our cases, and took seriously the crimes committed against us to hold perpetrators accountable and for justice to be realized. Those courageous acts have helped us heal and have helped vindicate our rights.

As hate crime survivors and family members of hate crime victims, we also believe we bring a unique perspective to Ms. Clarke's skills and experience serving Americans and fighting hate, both throughout her career within the government and outside of the government. Indeed, based upon our personal knowledge of Ms. Clarke and her exceptional reputation, we are confident that Ms. Clarke will ensure fair and full enforcement of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and other laws instituted to protect the rights of hate crime victims.

As others have noted, Ms. Clarke is one of the most distinguished civil rights lawyers of her generation. She has fought tirelessly on behalf of those, like ourselves, who have had their lives devastated by hateful activity and she has done so with a fierce dedication to raising up the stories of victims of racist and bigoted violence. For instance, in supporting us and our families, and continuing the fight against hate, Ms. Clarke:

- Created the James Byrd Jr. Center to Stop Hate in 2019, in honor of James Byrd Jr., the late brother of Louvon Byrd Harris. James was a Black man and a father of three. He loved music and was the life of the party. In 1998, however, James was violently killed by white supremacists, robbing Louvon Byrd Harris and the rest of her family of a brother, father and son.¹ In creating the Center, Ms. Clarke helped ensure that Mr. Byrd's

¹ Audra D.S. Burch, *In Texas, a Decades-Old Hate Crime, Forgiven but Never Forgotten*, N.Y. Times, July 9, 2018, <https://www.nytimes.com/2018/07/09/us/james-byrd-jasper-texas-killing.html>.

legacy is remembered and that the fight against white supremacy continues in his name. Since its creation, the Center has supported individuals and communities targeted for hate, including filing litigation on behalf of the historic Metropolitan African Methodist Episcopal Church after it was targeted for vandalism by the Proud Boys.

- Supported Ms. Taylor Dumpson, the first African-American woman elected student body president of American University after she was targeted for a hate crime. Shortly after her historic inauguration, Taylor learned that a hooded man had gone around campus hanging nooses with bananas with racist messages on them. White supremacists then took to the internet, celebrating the hooded man's actions and sending Taylor numerous trolling and harassing messages. Ms. Clarke and her team worked with Taylor to tell her story and bring litigation against the online trolls, obtaining a groundbreaking settlement against one of the trolls requiring the former white supremacist to issue a personal apology to Taylor and engage in other forms of restorative justice.² Ms. Clarke continues to support and mentor Taylor, as Taylor begins her own journey as a young civil rights lawyer.
- Worked with Dawn and Rick Collins who lost their only son – 2nd Lt. Richard Collins III – a young Black man with plans to serve his country in the military in 2017. 2nd Lt. Richard Collins III was killed in a violent attack by someone with white supremacist affiliations on the campus of the University of Maryland. In the wake of this racist murder, Ms. Clarke stood with the Collins family, pushing to improve Maryland's hate crimes law and providing support as the criminal process against the murderer proceeded.
- Collaborated with the families of Matthew Shepard, a young gay man who was killed in a horrific hate crime in Wyoming in 1998, and Heather Heyer, a young racial justice activist killed in Charlottesville in 2017, to partner and train law enforcement on how to better respond to hate crimes. More than 1,300 officers have attended these trainings, hearing directly from families and community members who have experienced hate.
- Worked with the family of Emmett Till, including the late Airickca Gordon-Taylor, to ensure that Till's legacy is advanced and secured, and to advocate for passage of the Emmett Till Antilynching Act.

² Samantha Schmidt, *Federal Judge Awards Over \$700,000 to Former American University Student Targeted in Neo-Nazi 'Troll Storm'*, WASH. POST, Aug. 10, 2019, https://www.washingtonpost.com/local/education/federal-judge-awards-700000-to-former-american-university-student-targeted-in-neo-nazi-troll-storm/2019/08/10/f73dca84-bb7f-11e9-bad6-609f75bfd97f_story.html.

- Represented the Metropolitan African Methodist Episcopal Church, a historic Black church in Washington D.C., when it was attacked and vandalized by members of the Proud Boys in the days after the 2020 presidential election.³
- Partnered with the International Association of Chiefs of Police to develop guidance for responding to and working toward preventing hate crimes. The action agenda has been promoted to law enforcement agencies across the country with the goal of enhancing the ability of law enforcement, civil rights organizations, and community organizations to more effectively address hate and bias-motivated crimes in their communities and try to ensure the safety of all individuals threatened by hate.

Hate crimes like those experienced by us, our families, and our communities, involve the intentional selection of a victim because of an immutable characteristic.⁴ In addition to the immediate impact on the individual targeted and their families, hate crimes send a clear message to anyone who shares the victim's identity that they are not safe; that if they somehow challenge their role in a white supremacist society, they too could lose their lives or otherwise be targeted. As Dawn Collins, mother of 2nd Lt. Richard Collins III, has powerfully testified, the type of hate that families of hate crime victims experience is not just "heartbreaking" - it completely shatters the hearts and lives of family members of victims. Ms. Clarke understands that the impact of the type of hateful activity we have experienced reverberates across communities and across generations, shaping both the present and the future ways in which communities like ours engage with the world.

Ms. Clarke's commitment to serving those targeted for violence is demonstrated as much during those quiet moments when she has stood by the side of victims of hate, as in the high publicity moments. In our experience, truly standing in solidarity with individuals and communities who have been targeted for hate requires more than simply helicoptering in in the immediate aftermath of an attack, when the media focus is at its height. Ms. Clarke has called many of us to check in, she has made time to chat, to brainstorm ways to advance our causes and stand together in the fight against hate. But, more importantly, she has made time to listen – to hear the stories of families like ours and understand the impact that hate crimes can have.

As those who have felt the direct impact of hateful activity and have experienced heartbreaking losses to violence, we know that Ms. Clarke approaches her work as a civil rights lawyer with legal vigor as well as compassion for those most impacted by injustice. She has stood with families like ours in our worst moments, making time to connect even in the hustle of her very full legal practice. She has not only been a zealous advocate in individual cases, but Ms. Clarke has also been a spokesperson to shed light on hate crimes. She has pioneered education, training, and prevention on behalf of various constituencies, partnering with law enforcement, the private

³ Andrew Beaujon, *Historic DC Black Church Sues the Proud Boys*, WASHINGTONIAN MAGAZINE, Jan. 4, 2021, <https://www.washingtonian.com/2021/01/04/historic-dc-black-church-sues-the-proud-boys/>.

⁴ U.S. Department of Justice, *Learn About Hate Crimes*, <https://www.justice.gov/hatecrimes/learn-about-hate-crimes>.

sector, and beyond, to better equip our communities to confront hate and foster greater trust in our communities.

We believe Ms. Clarke approaches this work with the intellect and the *heart* necessary for advancing civil rights for all Americans. We applaud President Biden's selection of her for this position and urge you to support this nomination.

Sincerely,

Louvon Byrd Harris
(Sister of James Byrd Jr.)
Texas

Judy L. Shepard and Dennis W. Shepard
(Parents of Matthew Shepard)
Wyoming

Ollie S. Gordon
(Cousin of Emmett Till)
Illinois

Susan Bro
(Mother of Heather Heyer)
Virginia

Rick and Dawn Collins
(Parents of 2nd Lt. Richard Collins III)
Maryland

Sunayana Dumala
(Wife of Srinivas Kuchibhotla)
Kansas

Taylor Dumpson
(Former Student Body President, American University)
New York

The Jabara Family
(Family of Khalid Jabara)
Oklahoma

Rev. William H. Lamar IV
(Metropolitan African Methodist Episcopal Church)
Washington D.C.