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Disarm Hate Act

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Background

From the racially motivated mass shooting at a Buffalo supermarket that killed 10 African American shoppers, to the attack on Club Q in Colorado Springs that targeted LGBTQ+ patrons, to the El Paso Walmart attack fueled by white nationalism to the Pulse nightclub massacre in Orlando that devastated the LGBTQ+ community—hate-motivated gun violence continues to terrorize communities across the United States. Each year, more than 25,000 hate crimes — 69 a day — in the United States involve a firearm. Reported hate crimes disproportionately target people of color, religious minorities, including Jewish, Muslim, and other faith communities, and individuals identifying as LGBTQ+, who experience violence based on sexual orientation or gender identity. Access to firearms gives hate-filled individuals the opportunity to devastate numerous lives and shatter entire communities.

Under current law, individuals convicted of misdemeanor hate crimes can still buy or legally possess a firearm. While the *Gun Control Act of 1968* prohibited individuals with felony convictions from possessing firearms, convictions for most misdemeanors, including violent or threatening hate crimes, do not warrant prohibition. While many states and the District of Columbia have prohibited people convicted of hate crimes from accessing firearms, 25 states have yet to close this gap. As a result, in many states a person convicted of a violent hate crime could legally pass a background check and purchase a firearm. This loophole also allows individuals with felony hate crime convictions to purchase firearms across state lines.

Disarm Hate Act

The Disarm Hate Act would address the dangerous gap in current federal law by providing that individuals who have been convicted of a misdemeanor-level hate crime, or received an enhanced sentence for a misdemeanor crime after a judicial finding that they acted with hate or bias motivation, are prohibited from buying or possessing guns. By closing the so-called “violent hate crimes loophole” and recognizing the elevated risk these convictions represent, this legislation takes meaningful steps toward protecting vulnerable communities.

Supporting Organizations: Everytown for Gun Safety, GIFFORDS and Community Justice.