



Written Statement of Wenyuan Wu, Ph.D.

**U.S. Commission on Civil Rights Public Briefing:
The Federal Response to Anti-Asian Racism in the United States
Friday, March 24, 2023
Washington, D.C.**



Background

In recent years, many segments of the American society have embraced the narrative that there has been a systemic or prevalent level of racism, bigotry and discrimination perpetuated against the particular racial/ethnic group. The notion of “AAPI (Asian American and Pacific Islander) Hate” has become an enveloping prognosis guiding public policies and private initiatives pertaining to Asian Americans.

In March 2020, two California-based nonprofits, AAPI Equity Alliance and Chinese for Affirmative Action, teamed up with the Asian American Studies Department at the San Francisco State University to launch a coalition named “Stop AAPI Hate.” The coalition aims to “advance equity, justice, and power by dismantling systemic racism and building a multiracial movement to end anti-Asian American and Pacific Islander (AAPI) hate.”¹ The coalition reported a total of 10,905 hate incidents against AAPI persons between March 19, 2020 and December 31, 2021, including 4,632 in 2020 and 6,273 in 2021.²

In January 2021, the White House under the Biden Administration issued an Executive Order “on Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders.”³ The decree acknowledges deep roots of “anti-Asian bias, xenophobia, racism, and nativism” and prescribes policy resolutions to address such problems.

The Stop AAPI Hate or Stop Asian Hate movement has garnered tens of millions of funding from various entities to carry on its mission of combatting AAPI hate. For instance, in March 2022, the California State Government distributed \$14 million in grant funds to 80 regional and local organizations, part of a \$166.5 million pledge to “combating bias-motivated attacks.”⁴ In April 2022, the New-York-based AAPI Equity Budget Coalition, a coalition of over 50 AAPI community leaders and organizations, announced a \$20 million investment to “address the horrific surge in AAPI hate crimes.”⁵

¹ Stop AAPI Hate, “About,” accessed January 30, 2023, <https://stopaapihate.org/about/>.

² Stop AAPI Hate, “National Report,” accessed January 30, 2023, <https://stopaapihate.org/national-report-through-december-31-2021/>.

³ The White House, “Executive Order on Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders,” May 28, 2021, accessed January 30, 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/28/executive-order-on-advancing-equity-justice-and-opportunity-for-asian-americans-native-hawaiians-and-pacific-islanders/>.

⁴ Office of Governor Gavin Newsom, “California Distributes \$14 Million in ‘Stop the Hate’ Funds to 80 Organizations to Combat Hate Incidents,” March 31, 2022, accessed January 30, 2023, <https://www.gov.ca.gov/2022/03/31/california-distributes-14-million-in-stop-the-hate-funds-to-80-organizations-to-combat-hate-incidents/>.

⁵ New York State Senator John C. Liu, “AAPI Coalition Celebrates \$20M in New State Funding,” April 29, 2022, <https://www.nysenate.gov/newsroom/press-releases/john-c-liu/aapi-coalition-celebrates-20m-new-state-funding>.



Is there a rise in hate crimes against Americans of Asian descent? If so, how can we explain the uptick? Is it a result of systemic racism or of more mid-range causal factors such as growing threats to public safety in general, proliferating reporting mechanisms, and deteriorating race relations? What are the most consequential forms of discrimination and civil rights violations impacting Asian Americans?

Does the “AAPI Hate” hypothesis hold?

According to Asian Americans Advancing Justice (AAJC), a leading national Asian-American non-profit organization, increased racism and discrimination against Asian Americans emerged because they “are being wrongly blamed for the coronavirus.”⁶ Rather than analyzing desegregated data which certainly reveals complex patterns of racially motivated crimes against Asian Americans, AAJC and other mainstream Asian-American groups crudely blamed partisan politics (as in “former President Donald Trump’s use of the term ‘China virus’ to describe COVID-19”).⁷

When confronted with real-time crime statistics showing that the majority of violent crimes victimizing Asian Americans involved perpetrators who were of one particular minority group at a disproportionate rate and most offenders were *not* so-called “MAGA Trump supporters,” AAJC and its establishment peers twisted the narrative again. Claiming documented instances of interminority animosity as misconceptions⁸, they skew historical data and paint a picture of white supremacy or systemic racism as the most underlying variable of hate incidents against Asian Americans.⁹

Proponents of the Stop Asian Hate movement even took one further step to contextualize the subject matter in the intersectionality of anti-Asian racism and anti-Blackness. AAJC published a compilation of resources educating the Asian-American community on “how to be effective allies in dismantling white supremacy and anti-blackness.”¹⁰ With an ideological overtone, the resource

⁶ Asian Americans Advancing Justice (AAJC), “Anti-Asian Hate,” accessed January 30, 2023, <https://www.advancingjustice-aajc.org/anti-asian-hate>.

⁷ Vignesh Ramachandran, “‘Words matter’ as Asian American leaders urge action against hate crimes,” *February 23, 2021*, <https://www.pbs.org/newshour/nation/words-matter-as-asian-american-leaders-urge-action-against-hate-crimes>.

⁸ Kimmy Yam, “Viral images show people of color as anti-Asian perpetrators. That misses the big picture,” *NBC News*, June 25, 2021, <https://www.nbcnews.com/news/asian-america/viral-images-show-people-color-anti-asian-perpetrators-misses-big-n1270821>.

⁹ Janelle Wong, “Beyond the Headline, Review of National Anti-Asian Hate Incident Reporting/Data Collection Published Over 2019-2021,” June 7th 2021, <https://docs.google.com/document/d/19IIMUCDHX-hLKru-cnDCq0BirIpNgF07W3f-q0J0ko4/edit>.

¹⁰ AAJC, “Resources for the Asian American Community on Anti-Blackness,” June 11, 2020, accessed January 30, 2023,



guide calls on Asian Americans to “stand together with our Black siblings to fight for transformative change to a system that incarcerates, dehumanizes, and oppresses Black Americans.”

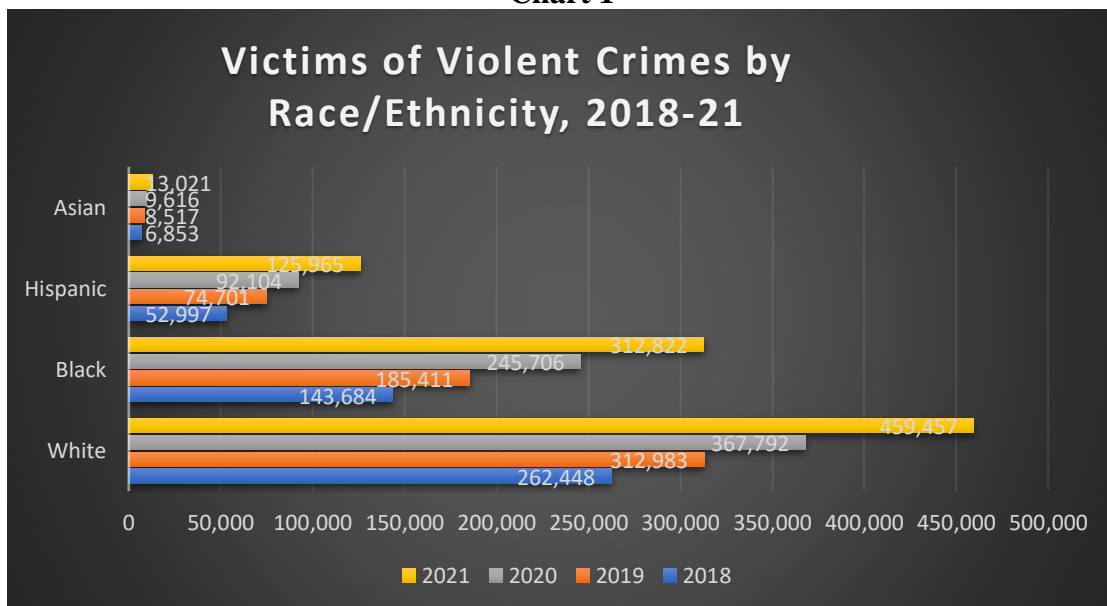
Is “AAPI Hate” or systemic racism the real culprit behind the wave of recent attacks against Asian Americans?

The recent crime wave in the U.S. holds more explanatory power

The FBI Crime Data Explorer database contains national, state and local jurisdiction data on crimes. National trends on violent incidents can also be desegregated by race/ethnicity, age, types of weapon and crime clearing rates. Recent data from 2018 to 2021 shows a 90% increase from 6,853 in 2018 to 13,021 in 2021 in crimes involving Asian-American victims. An initial reading of such an increase could validate the Asian/AAPI hate thesis. But further analysis reveals interlocking nuances.

First, on violent incidents by victim race and ethnicity, the percentage change from 2018 to 2021 was 75% (262,448 to 459,457) for White victims, 117.7% (143,684 to 312,822) for Black victims, and 137.7% for Hispanic victims (52,997 to 125,965). Although Asian Americans are 6.1% of the general population in the U.S. according to the 2020 Census, crimes victimizing Asian Americans hovered around 2% of all violent crimes. On the other hand, while 13.6% of the U.S. population are Blacks or African Americans, violent incidents hurting Blacks accounted for 38% of all such crimes in 2021. Chart 1 shows trends of violent crime victims between 2018 and 2021.

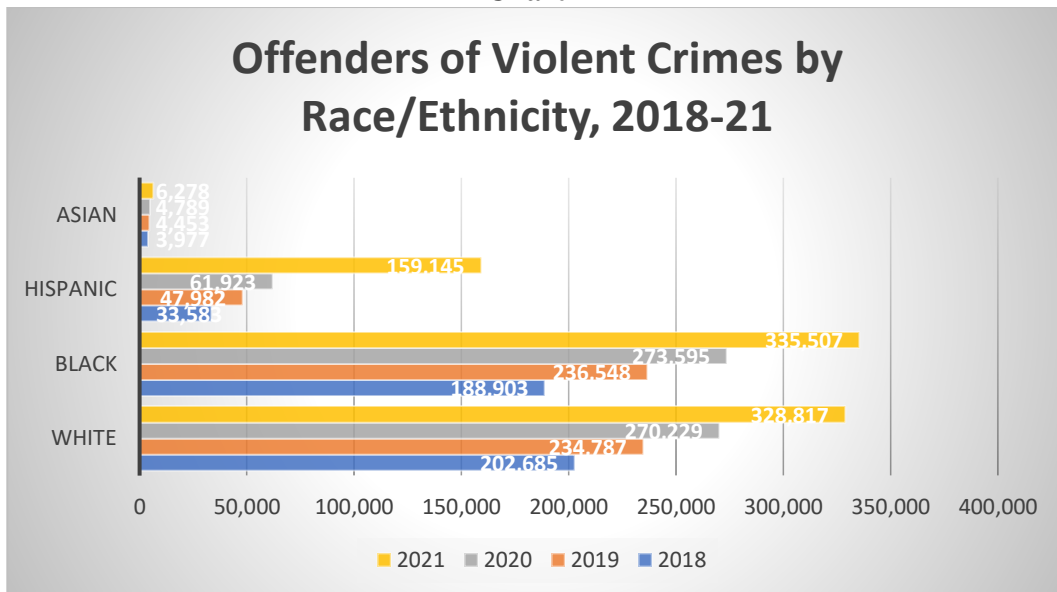
Chart 1





The data also mirrors trends in rates of violent crime offenders desegregated by race and ethnicity during the same period. Generally speaking, Asian Americans committed about 1% of all violent crimes in America, while Whites accounted for 44%, Blacks another 44% and Hispanics about 20%. From 2018 to 2021, violent crimes committed by Asian Americans grew by 57.9% (from 3,977 to 6,278), those perpetrated by White offenders increased by 62.2% (from 202,685 to 328,817), incidents by Hispanic offenders increased by 373.9% (from 33,583 to 159,145), and crimes committed by Blacks grew by 77.6% (from 188,903 to 335,507). Chart 2 visualizes the changes in violent incidents by offender race and ethnicity.

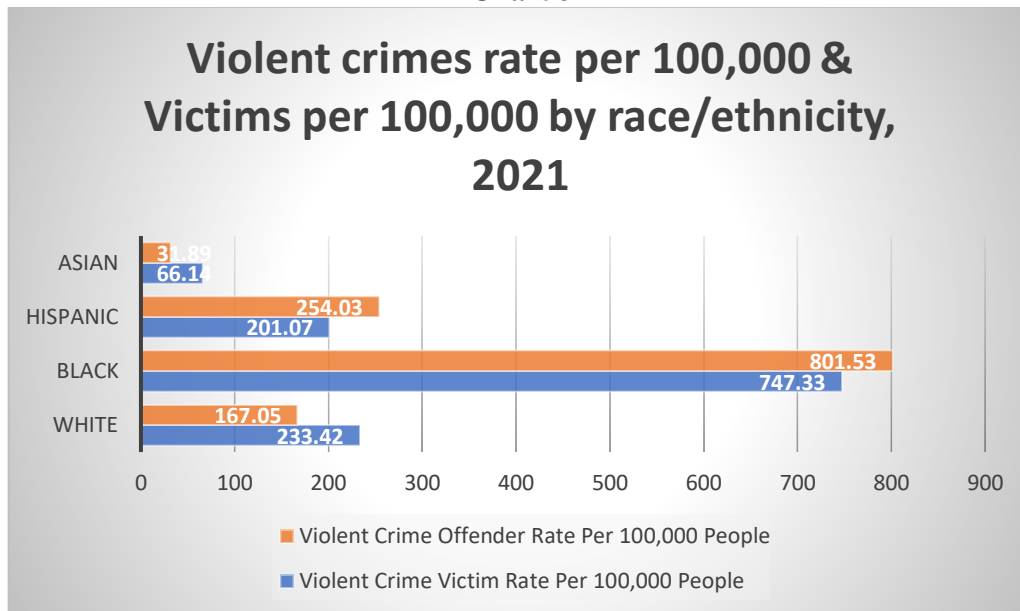
Chart 2



The rates of violent incidents victims and offenders per 100,000 people (chart 3), desegregated by race and ethnicity, are even more telling. Severe imbalances at the group level between the Asian Americans with lowest crime rates and certain minority groups that disproportionately commit violent crimes and fall victim to criminal violence deserves attention here. The pattern of disproportionate criminality is reflected in the growing body of video evidence of vicious attacks on Asian-American elderly and women. This also explains why proactive law enforcement activities tend to concentrate in certain minority communities in efforts to suppress crime and enhance safety.



Chart 3



When it comes to fighting crimes targeting Asian Americans, a strong case can be made for strengthening law enforcement, especially in urban minority neighborhoods where rampant crimes have disrupted everyday living of law-abiding citizens from all racial backgrounds.

All things considered, taking into account their percentages in the general population, Asian Americans can be said to be “under-committing” crimes by over 5 percentage points and “over-victimised” by about 4.5 percentage points. That is only if we were to go along with the crime-to-population proportionality rationale which has underwritten most left-leaning narratives concerning crimes, justice, and other public policy topics.

A more sensible perspective to look at the short-term changes in crime data should be engaged with the long-term historical trend based on the same database. Official data between 1985 and 2020 shows a slight reversal of a historical trend of lowering crimes in recent years, especially since 2014, although the rate of violent crime offenses per 100,000 people was much lower in 2020 than in 1990 (Chart 4 and Chart 5). In other words, violent crimes committed by all racial and ethnic groups and victimizing all groups have been on the rise in recent years.



Chart 4

Rate of Violent Crime Offenses per 100,000 people by year 1985 to 2020

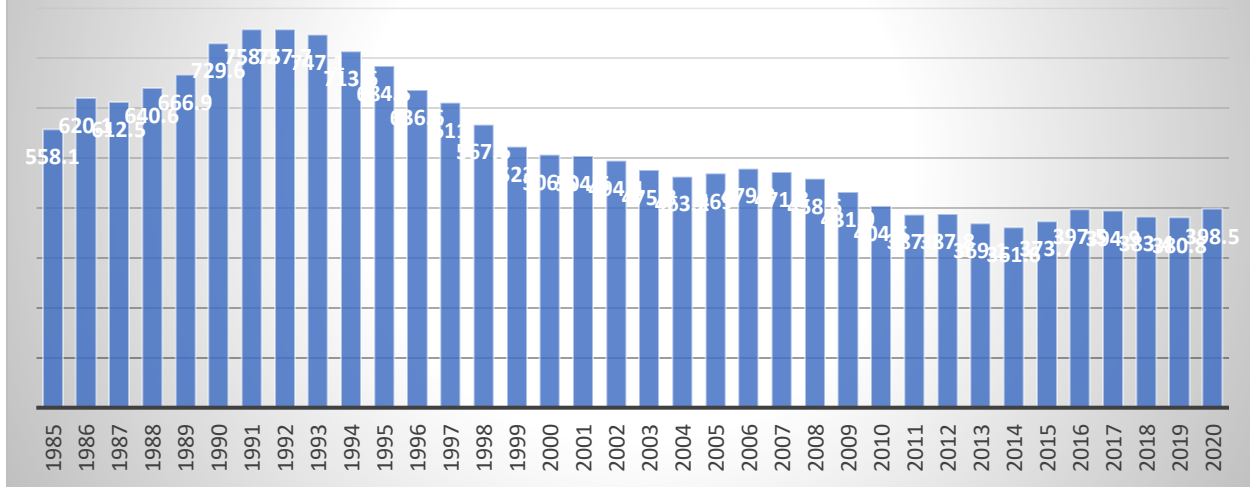
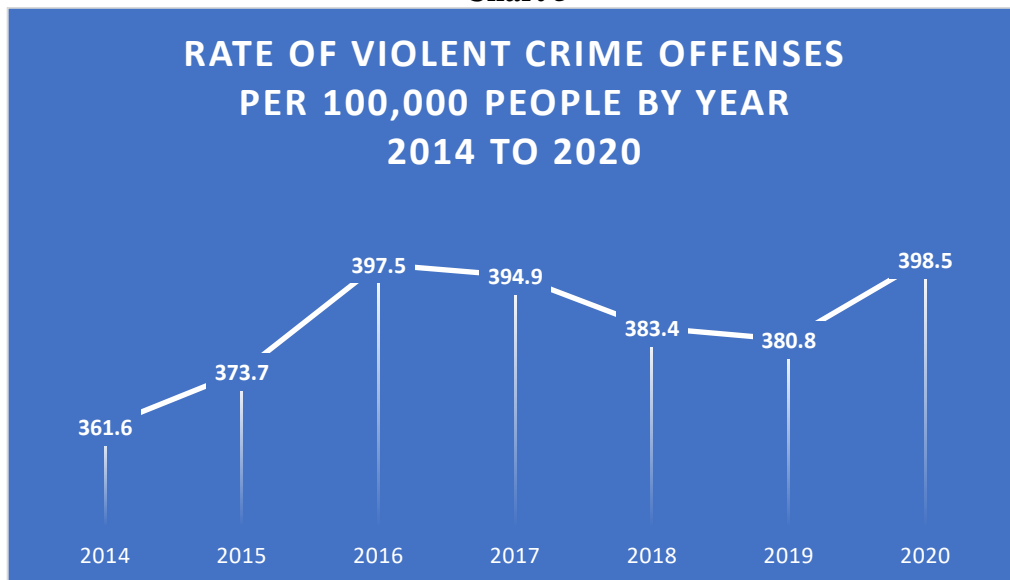


Chart 5

RATE OF VIOLENT CRIME OFFENSES PER 100,000 PEOPLE BY YEAR 2014 TO 2020





Reforms Weakening Proactive Policing Have an Impact too

More alarmingly, given the current political climate in which activists and politicians have, increasingly since the media frenzies on the Michael Brown tragedy in 2014, called for structural reforms to abolish proactive policing, the rates of crimes cleared by the police have decreased in major U.S. cities where such reforms have been adopted to various degrees.

In San Francisco, the city police department reported a 29% drop in crimes cleared between 2014 and 2020 (Chart 6). The New York City Department reported a 60.6% drop in crimes solved from 2013 to 2020 (Chart 7).

The crusade against law enforcement has done a huge disservice by degrading the dignity of the profession and compromising public safety. Rather than sharing the generational pride of serving and protecting, young people born into families of police officers nowadays do not want to join the profession in large part because of steady declines in public trust. A 2022 Pew Research Center survey showed that America public's confidence in police officers decreased by over 10 percentage points between 2018 and 2021.¹¹ Another opinion research project by Gallup focused on a 27-year time period and found that public trust in the police delved to a record low in 2020 when the percentage fell five points to 48%.¹²

As a result, police departments across the nation have been experiencing critical staffing shortages. Last year, the nonprofit Police Executive Research Forum (PERF) found a total decrease of 3.48% in officer staffing levels between 2020 and 2021 and a 3.9% decrease in officer hirings from 2019 to 2021.¹³ Resignations grew significantly by 40.4% from 2020 to 2021. Although the statistics for 2022 have yet to be released, widely circulated reports from departments across the country indicate that these staffing shortages are exponentially higher now and will be into the foreseeable future.

New York, for example, has a shortage of over 3,700 officers with little ability to replenish the ranks and keep up with attrition (the normal ongoing evolution of retirements/separations).¹⁴

¹¹ Brian Kennedy, Alec Tyson, and Cary Funk, "Americans' Trust in Scientists, Other Groups Declines," *Pew Research Center*, February 15, 2022, <https://www.pewresearch.org/science/2022/02/15/americans-trust-in-scientists-other-groups-declines/>.

¹² Megan Brennan, "Amid Pandemic, Confidence in Key U.S. Institutions Surges," *Gallup*, August 12, 2020, <https://news.gallup.com/poll/317135/amid-pandemic-confidence-key-institutions-surges.aspx>.

¹³ Police Executive Research Forum, "PERF survey shows steady staffing decrease over the past two years," <https://www.policeforum.org/workforcemarch2022>.

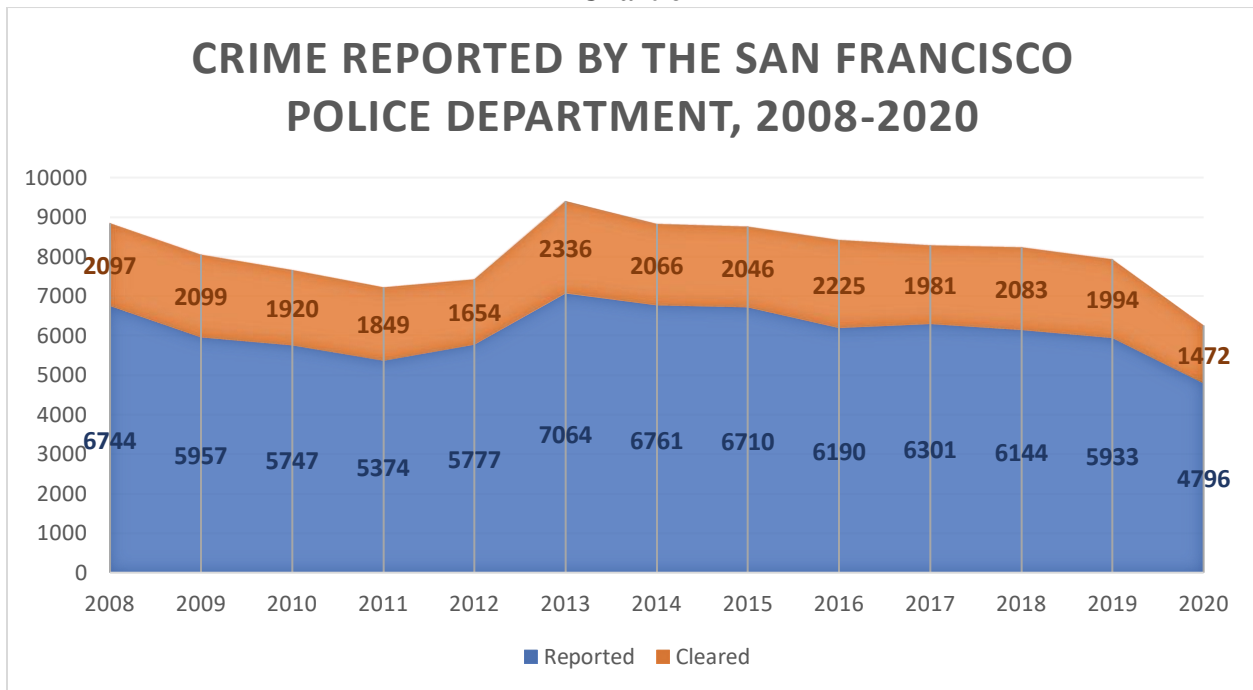
¹⁴ Emma Colton, "NYPD sees largest staff exodus in decades with leaders 'refusing to acknowledge' mounting crisis: union boss," *Fox News*, February 2, 2023, <https://www.foxnews.com/us/nypd-sees-largest-staff-exodus-decades-as-leaders-refusing-acknowledge-mounting-crisis-union-boss>.



According to the New York Police Benevolent Association, NYPD would need at least 1,200 new recruits to fill budgeted positions, and an additional 2,500 recruits to maintain 2019 staffing levels.

In a vicious cycle, many law enforcement agencies have responded to the staffing issues by lowering recruitment and training standards. In Chicago, the city police department caved to demands for justice reforms and eliminated requirements for job applicants. New Orleans opened up 50 to 70 “civilian detective” positions and lowered standards for uniformed officers to allow previously disqualified applicants to re-apply.¹⁵

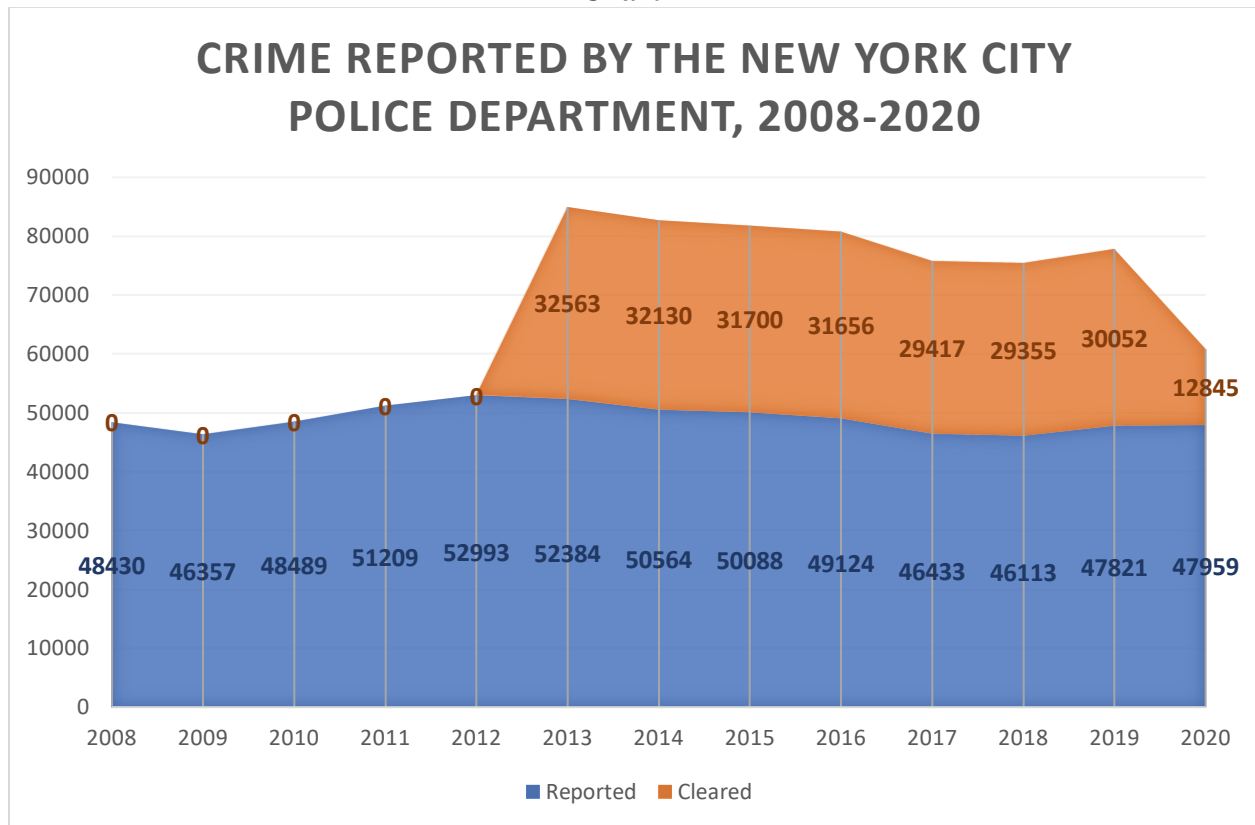
Chart 6



¹⁵ Lauren C. Moye, “New Orleans to include civilian officers, lower police standards to combat surging crime,” *FISM News*, September 27, 2022, <https://fism.tv/new-orleans-to-include-civilian-officers-lower-police-standards-to-combat-surging-crime/>.



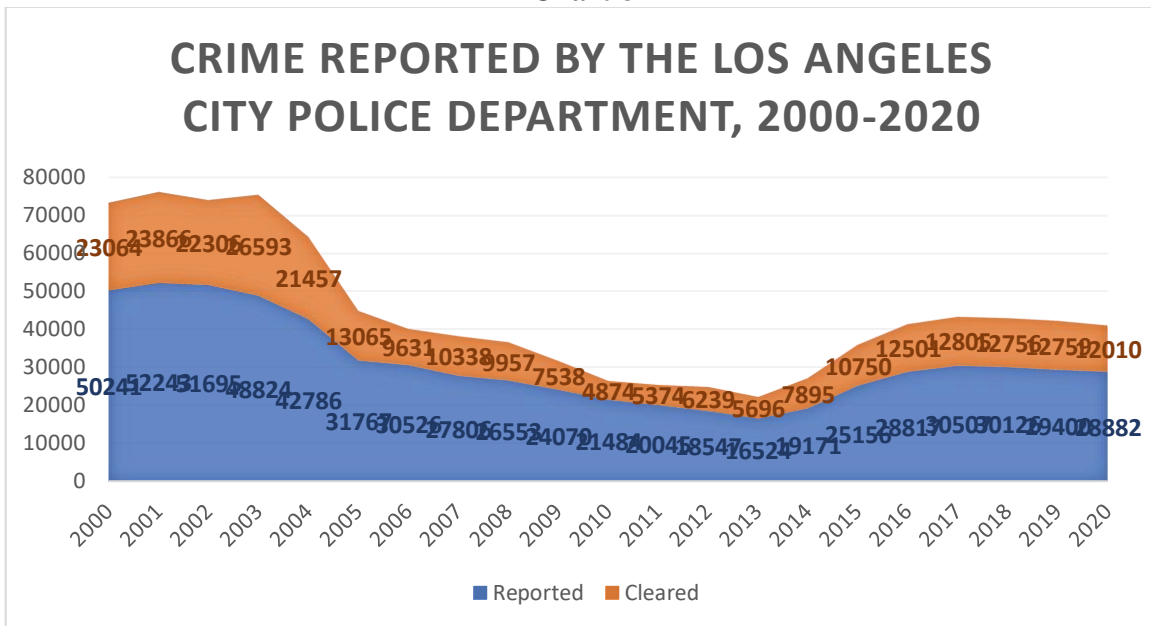
Chart 7



Perhaps the most compelling case of the devastating effect of regulatory oversight against proactive policing on the police's ability to solve crimes can be found in Los Angeles. From 2000 when the city police department entered a consent decree with the U.S. Department of Justice to curb an alleged "pattern of practice of excessive force, false arrests and unreasonable searches and seizures," the rate of crimes reported by the LAPD dropped by 42.5% and crimes cleared dropped 47.9% (Chart 8). Is Los Angeles becoming much safer? Common sense would negate that!



Chart 8



In short, when we situate crimes targeting Asian Americans in the broad context of increases in violent crimes and decreases in the capacity of law enforcement to adequately address crimes, the wave of “Asian/AAPI Hate” is part and parcel of general crime patterns.

Issues with Focusing on Hate

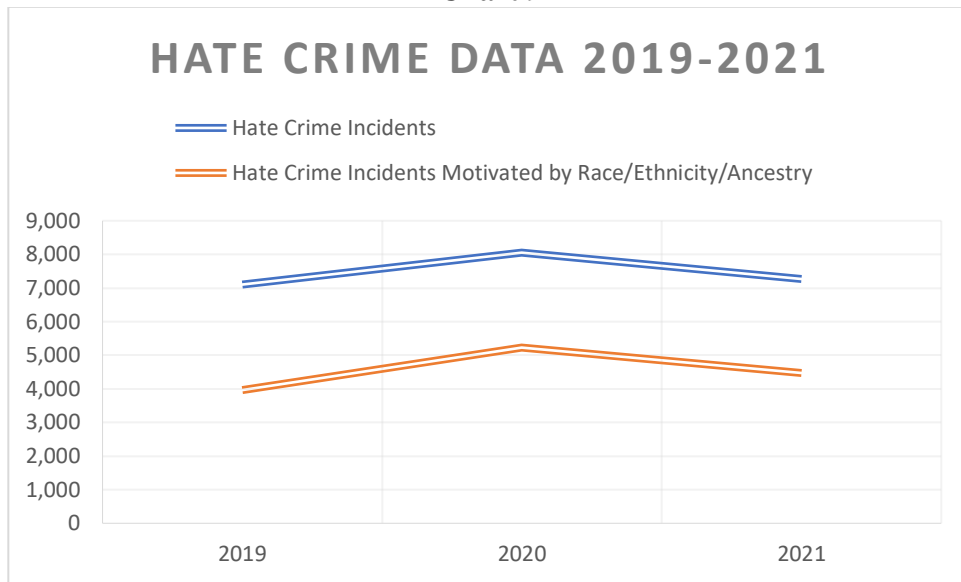
Framing “Asian/AAPI Hate” as a natural outgrowth of rising threats to public safety based on government crime statistics yields more rigor than pegging the issue to racism on conceptual and methodological grounds. The Department of Justice defines a hate crime as a crime “committed on the basis of the victim’s perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.”¹⁶

The FBI reported 7,264 hate crime incidents in 2021, of which 4,470 or 64.8% were motivated race, ethnicity or ancestry. There was a 12% decrease compared with the total number of hate crimes in 2020 and a 14.5% drop compared with the number of hate crimes motivated by race, ethnicity or ancestry. Chart 9 demonstrates the three-year changes in hate crimes reported to FBI.

¹⁶ The U.S. Department of Justice, “Learn about hate crimes,” accessed January 30, 2023, <https://www.justice.gov/hatecrimes/learn-about-hate-crimes>.

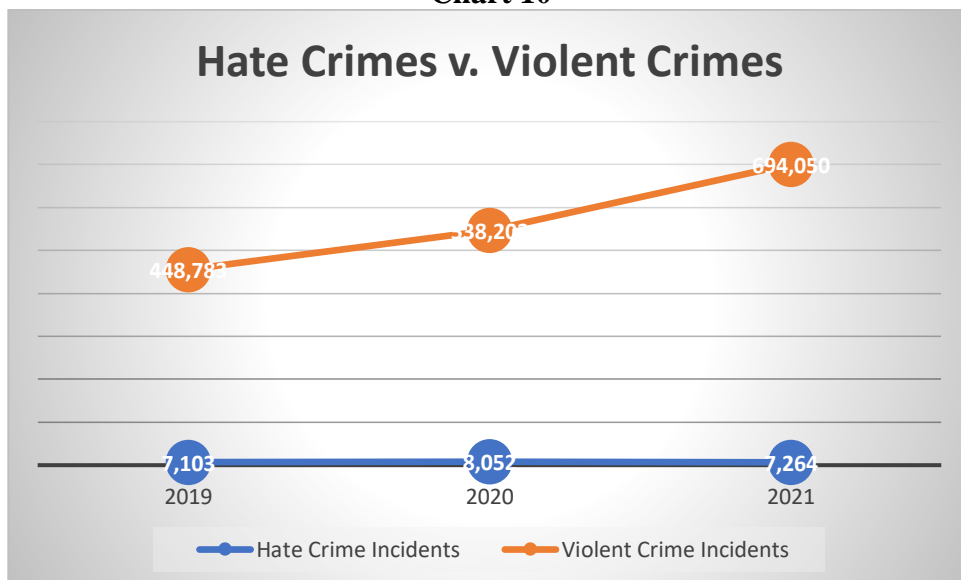


Chart 9



While there were incremental shifts, the amount of hate crimes recognized by the FBI pales in scale to all violent crime incidents reported in the FBI Crime Data Explorer (Chart 10). This reinforces the importance of framing the discussion in broader crime statistics.

Chart 10





However, national reports by Stop AAPI Hate, which are frequently cited in media as proof of “Asian/AAPI Hate,” endorse a much more expansive conceptualization: not only do hate crimes involving physical assaults are counted, hate incidents such as verbal harassment, avoidance or shunning, denial of service, and online trolling are also computed. Of the 10,905 Asian/AAPI hate incidents documented in its 2020 national report, 66.9% were incidents of verbal harassment and 16.2% were physical assaults. The former does not always result in an actual hate crime.

Therefore, the claim of unprecedented anti-Asian hate is inflated by events without traceable criminal element. Such conceptual and methodological pitfalls are consequential. Upholding anti-Asian racism as a structural issue warranting transformative changes can divert public policy focuses and public funds away from community building to ideological exercises that ultimately do not improve public safety. More importantly, drummed up charges of hate incidents can have a fear-mongering psychological effect on members of the Asian-American community, especially those who are first-generation immigrants or low-income.

Imagine what bearing the burden of feeling like a perpetual victim and being pressured to support virtue-signaling practices of condemning racism would do to an Asian American who has not analyzed the data? He or she would feel powerless and threatened by an imaginary enemy. He or she may even partake in the unproven (and unsuccessful in many cases) reforms of anti-racism and restorative justice, only to see an escalation in crimes harming the community because the underlying issues related to public safety would remain unsolved.

A Bigger Threat to Asian Americans: Persistent Discrimination in Education

If policy makers and observers are serious about identifying and tackling discrimination against Asian Americans, they must confront the elephant in the room: systemic and ongoing anti-Asian discrimination in education through the practice of race-conscious admissions. Whether it is in admissions to selective U.S. colleges and universities or in recruitment of gifted and talented students at the K-12 level, evidence regarding higher standards, *de facto* quotas, and negative stereotypes to limit the access of Asian-American applicants abound.

In higher education, admission barriers hampering the chances of Asian-American students have been well documented by statistical evidence and eyewitness accounts. A 2009 study by Thomas Espenshade and Alexandra Radford found that for an equal chance to enter a selective school, an Asian-American applicant needs to score on average 140 points higher than a White student, 270 points higher than a Hispanic student and 450 points higher than a Black student on SAT¹⁷ (Chart 11). Racial preferences for the so-called underrepresented minority students at elite colleges come almost entirely at the expense of Asian Americans. If race-based affirmative action were eliminated, “[n]early four out of every five places . . . not taken by African-American and Hispanic

¹⁷ Thomas Espenshade and Alexandra Radford, *No Longer Separate, Not Yet Equal: Race and Class in Elite College Admission and Campus Life*, Princeton University Press, 2009.



students would be filled by Asians.”¹⁸ In reality, for each SAT test score bracket, Asian-American applicants have the lowest rate of acceptance (Chart 12). The scale of racial preferences is also larger than that of need-based preferences.

Richard Sander and Stuart Taylor conducted a similar study in 2014 and reached the same conclusion: “No other racial or ethnic group at these three of the most selective Ivy League schools is as underrepresented relative to its application numbers as are Asian- Americans.”¹⁹ The glaring contrast exists even in spite of accounting for generally higher academics and matching non-academic performances.

Chart 11

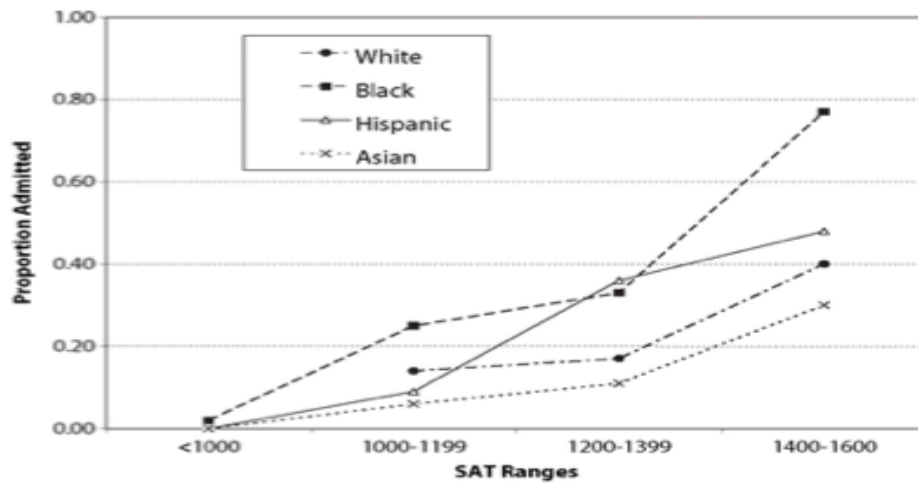
| <i>Item</i> | <i>Public Institutions</i> | <i>Private Institutions</i> |
|--------------|--|--|
| | <i>ACT-Point Equivalents (out of 36)</i> | <i>SAT-Point Equivalents (out of 1600)</i> |
| Race | | |
| (White) | — | — |
| Black | 3.8 | 310 |
| Hispanic | 0.3 | 130 |
| Asian | -3.4 | -140 |
| Social Class | | |
| Lower | -0.1 | 130 |
| Working | 0.0 | 70 |
| (Middle) | — | — |
| Upper-Middle | 0.3 | 50 |
| Upper | 0.4 | -30 |

¹⁸ Ibid.

¹⁹ Richard Sander and Stuart Taylor, “The Painful Truth About Affirmative Action,” *The Atlantic*, October 2, 2012, <https://www.theatlantic.com/national/archive/2012/10/the-painful-truth-about-affirmative-action/263122/>.



Chart 12



The trend of racial preferences also continues at the graduate school level. For instance, for those applying to medical school with average undergraduate GPAs (3.40 to 3.59) and average MCAT scores (27-29), Asian-American applicants have only a 22.5% acceptance rate, about one fourth of that of black applicants, one third of that of Hispanic applicants and 66% of that of white applicants (Chart 13).

Chart 13

| US Medical School Acceptance Rates (2013) | | | | | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| MCAT | 24-26 | 24-26 | 24-26 | 27-29 | 27-29 | 27-29 | 30-32 | 30-32 | 30-32 |
| GPA | 3.20-3.39 | 3.40-3.59 | 3.60-3.79 | 3.20-3.39 | 3.40-3.59 | 3.60-3.79 | 3.20-3.39 | 3.40-3.59 | 3.60-3.79 |
| Asian | 7.7% | 10.9% | 18.4% | 15.1% | 22.5% | 38.7% | 30.1% | 43.7% | 63.1% |
| White | 9.4% | 14.3% | 24.6% | 18.8% | 33.2% | 46.9% | 34.9% | 49.2% | 65.4% |
| Hispanic | 34.0% | 41.3% | 53.7% | 44.8% | 64.1% | 79.4% | 70.0% | 83.1% | 93.4% |
| Black | 65.8% | 71.1% | 73.8% | 81.6% | 81.0% | 85.7% | 78.2% | 93.1% | 94.6% |
| ALL | 19.0% | 22.0% | 27.2% | 24.1% | 34.6% | 46.9% | 36.8% | 50.4% | 67.7% |

Source: Association of American Medical Colleges

The disproportionately negative effects of race-preferential admissions are best observed in Harvard's college admissions process, in which the elite school has used racial balancing tools such as "ethnic stats," and "one-pager," applied higher standards, and given lowest personal ratings (Chart 14). A statistical analysis by Peter Arcidiacono found that an Asian American applicant



with a 25% chance of admission would see his odds rising to 35% if he were white, 75% if he were Hispanic, and 95% if he were African American (Chart 15).²⁰

Chart 14

Table 5.6: Share Receiving a Two or Better on the Personal Rating and Alumni Interview Personal Rating by Race/Ethnicity and Academic Index Decile, Baseline Dataset

| Academic Index Decile | Personal | | | | | Alumni Personal | | | | |
|-----------------------|----------|------------------|----------|----------------|--------|-----------------|------------------|----------|----------------|--------|
| | White | African American | Hispanic | Asian American | Total | White | African American | Hispanic | Asian American | Total |
| 1 | 8.04% | 9.53% | 8.58% | 7.99% | 8.83% | 25.77% | 30.52% | 26.21% | 27.29% | 27.84% |
| 2 | 12.38% | 15.31% | 12.76% | 12.73% | 13.24% | 32.71% | 38.65% | 32.44% | 31.49% | 33.94% |
| 3 | 16.11% | 22.39% | 17.46% | 13.23% | 16.79% | 39.38% | 46.34% | 37.70% | 35.58% | 39.50% |
| 4 | 18.04% | 28.00% | 20.16% | 14.42% | 18.56% | 43.69% | 54.42% | 42.83% | 39.29% | 43.73% |
| 5 | 20.03% | 32.05% | 24.95% | 14.64% | 19.93% | 47.06% | 58.97% | 48.73% | 43.00% | 47.02% |
| 6 | 21.62% | 32.66% | 26.53% | 16.26% | 20.73% | 50.61% | 61.31% | 52.54% | 46.19% | 50.04% |
| 7 | 21.83% | 39.16% | 29.74% | 17.52% | 21.26% | 52.91% | 68.93% | 56.28% | 50.50% | 52.80% |
| 8 | 24.99% | 37.41% | 30.25% | 16.76% | 22.01% | 57.19% | 67.78% | 61.33% | 52.31% | 55.54% |
| 9 | 26.99% | 37.72% | 27.95% | 19.89% | 23.50% | 61.02% | 68.86% | 60.26% | 55.98% | 58.75% |
| 10 | 28.52% | 42.86% | 32.71% | 20.57% | 23.89% | 63.63% | 72.53% | 69.78% | 61.48% | 62.67% |
| Average | 20.57% | 18.17% | 18.09% | 16.76% | 18.73% | 48.74% | 41.76% | 40.15% | 48.55% | 46.82% |

*Note that those who do not have an alumni interview are coded as not having received a 2 or better on the alumni overall rating

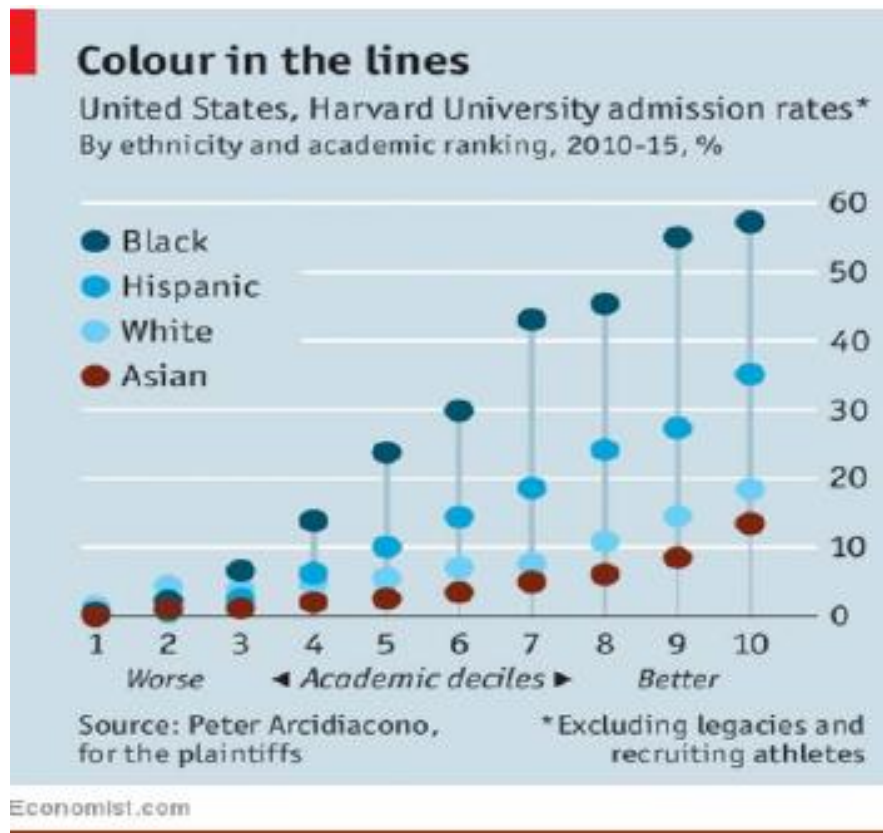
Sara Harberson, former associate dean of admissions at the University of Pennsylvania, observed that “Asian Americans will be the highest test scorers and at the top of their class; anything less can become an easy reason for a denial. And yet even when Asian American students meet this high threshold, they may be destined for the wait list or outright denial because they don't stand out among the other high-achieving students in their cohort. The most exceptional academic applicants may be seen as the least unique, and so admissions officers are rarely moved to fight for them.”²¹

²⁰ Kevin Kiley, “Think Outside ‘The Box’,” *Inside Higher Ed*, October 12, 2012, <https://www.insidehighered.com/news/2012/10/12/asian-american-students-perceive-bias-university-admissions-and-counselors-want>.

²¹ Sara Harberson, “The truth about ‘holistic’ college admissions,” *The Los Angeles Times*, June 9, 2015, <https://www.latimes.com/opinion/op-ed/la-oe-harberson-asian-american-admission-rates-20150609-story.html>.



Chart 15



Another former college admissions officer acknowledged the wide-spread use of racial stereotypes to discrimination against Asian-American students.²² “Often high-scoring Asian applicants with top GPA's were seen as ‘passive,’ ‘robotic,’ and ‘just another violin/piano playing standout’ with ‘lack of spark.’”

In almost every case, race is not used as a plus factor, as claimed by proponents of race-conscious admissions to achieve a critical mass of underrepresented minority students, but to discriminate against Asian Americans. To make matters worse, this practice has filtered down to the K-12 level.

In 2016, Montgomery County Public Schools in Maryland announced a pilot study on racial disparities in its gifted education, which led to the school district’s decision to transform

²² Michele Bayliss, “The Ivy League Asian Problem,” *The Huffington Post*, May 25, 2016, https://www.huffpost.com/entry/the-ivy-league-asian-prob_b_10121814.



admissions to its middle school magnet programs from being merit-based to a lottery system. Within two years, Asian-Americans students' admission rate into these programs decreased by 20% annually.²³ In 2018, then New York City mayor Bill De Blasio campaigned for a reform in the city's world-class specialized high schools to do away with their admissions test SHSAT, claiming that there are too many Asians in these schools.²⁴

Along the same line of promoting equity and representation, Lowell High School, a top-performing public school in San Francisco, was subjected to a proposal for scraping its admissions test in 2021. Once again, school board members in San Francisco deemed the school's majority Asian student population hampered diversity and perpetuated white supremacy.²⁵ Similar reforms, anchored in ideological obsessions rather than empirical realities of failing public education policies, have been tried in other places including Fairfax County and Boston. Anti-Asian discrimination goes hand in hand with ideological attacks on merit, tests and excellence.

The persistence of a racial academic achievement gap is frequently cited as the chief factor behind these reforms: the average SAT score by race is distributed as 1223 (Asian), 1114 (white), 978 (Hispanic), 933 (black), and 913 (American Indian/Alaska Native).²⁶ The highest-performing group by aggregated data on high school graduation and college preparedness is also Asian Americans, 93 percent of whom graduated from high schools in 2019 (compared with 89 percent of white students, 82 percent of Hispanic students, 80 percent of black students) and 75 percent were college-ready (compared with 57 percent of white, 29 percent of Hispanic, and 20 percent of black students).

Failing to explain why Asian Americans have higher academic performance in spite of historical marginalization and inter-group diversities, the notion of inequity causing discrepancies defies logic. Equally ludicrous is the assertion that high-stakes testing naturally disadvantages students of color. To construct divergent testing scores as a symptom of racism is tantamount to arguing that other achievement gaps in K-12 are a direct result of racist institutions and practices.

Efforts to eliminate standardized tests exacerbate discrimination against Asian Americans: my preliminary data analysis below on 12 high schools in Bay Area, California shows that majority-Asian schools have suffered steep declines in student admissions by UC Berkley in the last three

²³ Alex Zhong, "A Brief Introduction of Magnet Program Reform in MCPS," *Association for Education Fairness*, September 16, 2018, <https://www.edufair.us/about-us>.

²⁴ William McGurn, "De Blasio Sees Too Many Asians," *The Wall Street Journal*, December 17, 2018, <https://www.wsj.com/articles/de-blasio-sees-too-many-asians-11545090940>.

²⁵ Renu Mukherjee, "A Tale of Two High School," *The City Journal*, August 3, 2022, <https://www.city-journal.org/discarding-merit-at-san-franciscos-lowell-high-school>.

²⁶ National Center for Education Statistics, "SAT Scores," <https://nces.ed.gov/fastfacts/display.asp?id=171>.



test-free admissions cycles. In Berkley’s traditional feeder school—Lynbrook High where Asian students take up an 85 percent majority— for instance, the admission rate by Berkley dropped from 29.8 percent in 2019 to 8.84 percent in 2020 and 5.98 percent in 2021. And the racial balancing acts took place regardless of discrepancies in math and reading among these high schools (Chart 16).

Chart 16
UC Berkeley Admissions in High Schools in Bay Area, California

| School | 2019 | 2020 | 2021 | Demographics | Proficiency Levels |
|-----------------------|------------|------------|------------|------------------------------------|----------------------------|
| Lynbrook | 61 (29.8%) | 26 (8.84%) | 22 (5.98%) | 85% Asian | 92% Math 94% Reading |
| Henry M. Gunn | 51 (21.8%) | 30 (12.7%) | 48 (18%) | 44% Asian | 82% Math 87% Reading |
| Mission San Jose | 67 (22.3%) | 47 (14.6%) | 36 (10.3%) | 93% Asian | 92% Math 94% Reading |
| Monta Vista | 54 (16.2%) | 38 (11%) | 58 (15.7%) | 80% Asian | 89% Math 86% Reading |
| San Jose | 4 (14.8%) | 6 (27.3%) | 7 (25%) | 9% Asian, 83% Hispanic | 15% Math 39% Reading |
| Cupertino | 40 (14.8%) | 32 (11.9%) | 35 (12.6%) | 70% Asian | 84% Math 80% Reading |
| Fremont (Santa Clara) | 10 (11.1%) | 16 (18%) | 26 (18.7%) | 32% Asian, 42% Hispanic | 49% Math 69% Reading |
| Homestead | 42 (22.5%) | 24 (10.5%) | 35 (13.7%) | 44% Asian, 31% white, 16% Hispanic | 74% Math 79% Reading |
| Palo Alto | 38 (16.1%) | 31 (12.7%) | 41 (14.6%) | 33% Asian, 11% Hispanic, 46% white | 75% Math 83% Reading |
| Saratoga | 33 (19.3%) | 31 (14.4%) | 33 (16.3%) | 60% Asian | 90% Math 93% Reading |
| Santa Clara | 8 (17%) | 17 (23%) | 24 (21.6%) | 32% Asian, 35% Hispanic, 23% white | 41% Math 70% Reading |
| Mountain View | 19 (13.7%) | 20 (14.8%) | 32 (21.2%) | 26% Asian, 22% Hispanic, 42% white | 70% Reading 82% Reading |

When more nuances are introduced into the picture, the disparities-equal-discrimination thesis becomes pseudo-science. Factors other than racism, including family culture, personal motivation,



and community cohesiveness, are clearly at play. However, in the single-minded universe of equity reformers, such complex interdependence of multiple factors and conjunctures is inconceivable. If “leveling the playing field” requires undue discrimination against a minority group in the name of equity, so be it—call it a small cost of inconvenience in a bigger game for power and favoritism.

In summary, while it is true that hate crimes targeting Asian Americans are on the rise, especially in urban centers, the uptick must be understood in the general context of rising criminal violence in recent years. To reduce criminal violence targeting Asian Americans, policy makers should devise policy solutions to improve public safety and support law enforcement. On the other hand, if public policy decision-makers are committed to combatting discrimination and bias against Americans of Asian descent, they should not ignore the prevalence of race-conscious education policies which disproportionately harm Asian-American students.