

California State Capitol
10th and L Streets
Sacramento, CA 95814

August 16, 2022

Dear Senate Majority Leader Hertzberg:

We write as a diverse coalition of interfaith and civil rights leaders to urge you to support AB 2282, which will reform California's penal code in a way that is culturally sensitive to the state's diverse faith communities. AB 2282 will put Hinduism, Buddhism, Jainism, and Zoroastrianism at parity with other faith groups in California by explicitly acknowledging the swastika as a symbol of peace and permitting its display for religious purposes. Specifically,

AB 2282 would:

- Make California the first state to recognize the Nazi emblem by its correct name, the *hakenkreuz*, or "hooked cross" in its penal code
- Make California the first state to recognize the swastika as sacred symbol in Hinduism, Buddhism, and Jainism in its penal code
- Legalize the display of the swastika in California

As an interfaith coalition, we recognize that the swastika—a Sanskrit word literally translated to "good existence"—has been a sacred symbol in Hinduism, Buddhism, Jainism, and Zoroastrianism for thousands of years, used in cultural and religious contexts to invoke peace and prosperity. It is often used in daily religious practice, special rites, and displayed in homes, temples, places of business, jewelry, clothing, and art by nearly one billion people across the world. The Nazi Party adopted the hooked cross (*hakenkreuz* in German) as its emblem in 1920. Nazism is the hateful ideology that is responsible for the killing of millions of Jewish people and other innocents. When translating hateful Nazi progranda from German to English, the *hakenkreuz* was incorrectly translated as *swastika*, resulting in the Nazi emblem being mistakenly known as the "Nazi swastika" ever since. These two symbols, their meanings and their uses could not be more different.

In criminalizing the swastika, California conflated two symbols with very different meanings and ideologies in its penal code. AB 2282 takes the progressive step of correcting this error by acknowledging the practices of the Hindu, Buddhist, Jain and Zoroastrian faith communities and permitting the display of the sacred swastika. AB 2282 will also align the California penal code with the FBI Uniform Crime Reporting Hate Crime Training Manual, released March 2022, which explicitly defines the swastika as "*a holy symbol in the Hindu, Buddhist, and Jain faiths.*"

In addition to equalizing penalties against perpetrators of hate crimes, AB 2282 will educate the public and law enforcement about the differences between the Nazi *hakenkreuz* white

nationalists use to terrorize, and the Hindu, Buddhist, Jain, and Zoroastrian communities' sacred swastika. It will provide an equitable opportunity to Hindus, Buddhists, Jains and Zoroastrians to practice their faith without fear of legal recourse, promote dignity, and reduce the incidence of violence and bullying arising from ignorance of the swastika's sacred meaning to more than half a million Californians.

We applaud the California State Legislature's efforts to create a more inclusive and balanced penal code by equalizing penalties for hate crimes while also recognizing the sanctity of the swastika in the Hindu, Buddhist, Jain faith communities. As an interfaith coalition, we strongly urge the passage of AB 2282, so that California's Hindu, Buddhist, Jain and Zoroastrian communities can practice their faith without fear of legal recourse through the decriminalization of the swastika.

Thank you,

Organizations

BAPS Public Affairs

Federation of Indian Association (FIA) of Northern California

Federation of Zoroastrian Associations of North America (FEZANA)

Forcefield, NFP

Hindu American Foundation (HAF)

Hindu American Political Action Committee (HAPAC)

Hindu American PAC of Florida

Hindu Speakers Bureau

Hindu Swayamsevak Sangh (HSS) USA

Interfaith Center at the Presidio

Interfaith Shaadi

Israeli American Coalition for Action

Jain Center of Northern California (JCNC)

Patriot American Council

Silicon Valley Interreligious Council (SiVIC)

The Combat Antisemitism Movement

The Khalsa Today

Vedic Dharma Samaj

Individual Leaders

Dr. Richard Benkin - President, Forcefield NFP (Mount Prospect, IL)

Rev. Gerald Caprio - Executive Director, Interfaith Center at the Presidio (San Rafael, CA)

Stephen S. Pearce, PhD - Senior Rabbi Emeritus, Congregation Emanu-El (San Francisco, CA)

Garth Pickett - Executive Committee and Vice President, Silicon Valley Interreligious Council (Los Altos Hills, CA)