The Office for the Prevention of Hate Crimes

March 2022



The City of New York Mayor Eric Adams





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I. INTRODUCTION

Foreword

The New York City Office for the Prevention of Hate Crimes (OPHC) was launched in September 2019. Since then, OPHC has created comprehensive resources on hate crime prevention and response, established and convened an Interagency Committee on Hate Crimes composed of 22 city agencies and all five District Attorney Hate Crime units, created NYC's first-ever cadre of over 80 community-based organizations to serve the communities most vulnerable to hate violence, and served as a bridge between these diverse communities and city government.

OPHC has become the go-to agency on hate crimes in New York City and has raised awareness about the importance of addressing bias and hate violence through a holistic, long-term strategic approach that focuses on intersectional pillars: Education, Community Relations, and Laws/Law Enforcement.

While people understand the importance of our long-term approach, 2021 showed us that that we also need to take immediate, reactive measures to stop hate crimes. NYPD stepped up its patrols in neighborhoods with high rates of hate crimes and added a special Asian Hate Crime Unit to assist its existing task force. OPHC developed resources and programs in multiple languages to educate residents on how to report hate crimes and how to obtain victim services. Nevertheless, OPHC accomplished much, and this Annual Report highlights the team's 2021 deliverables.

COVID-19

2021 was a difficult year: the COVID-19 pandemic continued to severely impact the health and economic well-being of too many, and crime went up across the country, including here in NYC. Hate crimes increased across almost all bias categories, particularly those targeting the AAPI, the Jewish community and the LGBTQ and transgender communities. OPHC's funding and investments into AAPI organizations in 2021, among other communities, through its Partners Against the Hate (P.A.T.H.) Forward Initiative sought to address some of those immediate needs and plan for long-term community safety issues.

Thanks to high vaccination rates and adherence to masking guidance, most city employees and many other workers returned to their offices and students in the fall of 2021. Nevertheless, there was still an overarching feeling that "normal" life had not yet returned in 2021, and many people experienced housing and employment transitions.

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More public spaces reopened in 2021, and the focus shifted from what had largely been —by necessity —virtual engagement to more in-person events, programs, and initiatives. OPHC embraced the opportunity to meet many partners in-person for the first time and responded to this transition by incorporating direct outreach and education with communities, while building partnerships with and across networks of city partners and community-based providers.

In 2021, OPHC:

- Invested in communities. Through the newly announced <u>Partners Against The Hate</u> P.A.T.H. Forward Initiative ("P.A.T.H"), New York City committed \$3 million to organizations working with some of the city's most vulnerable communities.
- *Encouraged innovation*. Through P.A.T.H., OPHC announced **Hate Crime Prevention Innovation Grants**, available for up to \$20,000 each – these grants inspire everyday New Yorkers and smaller non-profits to develop new, innovative approaches to hate crimes.
- Built bridges and connections. In 2021, OPHC focused on growing its connections to vital city and community-based partners and further strengthening these city lifelines. Its Community Advisory and Services Team ("CAST") now has over 80 member organizations directly engaged with New York's most vulnerable, and its Interagency Committee on Hate Crimes ("IAC") regularly convenes 22 city agencies and all five District Attorney Hate Crime Units.
- *Increased awareness of the importance of reporting hate crimes*. Hate crimes are vastly under-reported. OPHC's community education efforts have resulted in a greater number of hate crime complaints being filed.
- **Coordinated city responses.** OPHC continued to regularly coordinate and convene the **Stop AAPI Hate Interagency Working Group** in response to troubling increases in hate and violence against Asian American and Pacific Islander (AAPI) New Yorkers. The working group provided a model for responding to other communities who were also experiencing violence and heightened anxiety, including the LGBTQ+ and Sikh communities.
- Supported educators and students. Investing in our youth and our schools is crucial to building a future without hate. Youth, families, administrators, and educators alike had consistently shared their hopes and concerns around the return to in-person schooling. In preparation for that transition, OPHC and the Department of Education (DOE) worked together to set a supportive, unified climate of respect for all through the Back2School CommUNITY Pledge initiative, which included educational resources and supportive workshops available to students and staff throughout the year.
- *Put boots on the ground across all five boroughs*. Through OPHC's various events, programs, and initiatives, including sessions of its "**Preventing Hate Together**" presentation, the office engaged with thousands of New Yorkers across demographics, in-person and virtually, and in multiple languages. OPHC shared resources with

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organizations and individuals ranging from local businesses, faith leaders, and college students to foreign embassies.

- *Heightened engagement through social media and other online communications*. 2021 reopened traditional avenues for in-person outreach and OPHC has consistently harnessed the potential and impact of virtual and in-person engagements. In 2021 OPHC joined Instagram and Twitter and released the inaugural edition of our quarterly newsletter. Our office will continue to use these platforms to share important information about hate crimes and related events, programs, and initiatives.
- *Notified key stakeholders when violent hate crimes occurred.* In 2021, OPHC delivered 164 notifications of violent hate crimes to stakeholders across the city. As mandated by law, whenever the NYPD Hate Crime Task Force has determined that a violent hate crime has occurred, OPHC sends notifications to elected officials, community boards and community organizations to advising where incidents took place and what was the bias motivation.

Key Data

- Hate crime complaints increased by 97% from 2020 to 2021.¹ Hate crimes complaints increased from 2020 across all but three bias categories, most concerning: Anti-Asian (from 28 to 131), Anti-Jewish (from 121 to 198), and Anti-LGBTQ (from 40 to 97).
- Anti-Asian hate crimes experienced a 368% increase from 2020 to 2021 (from 28 to 131). Anti-LGBTQ increased 143% (from 40 to 97 incidents). Anti-Jewish incidents increased 64% (from 121 to 198) and comprised the largest percentage of complaints (38%).
- Of the anti-Jewish complaints, 70% were incidences of vandalism, i.e., swastikas, property related. Anti-Asian bias comprised the second-highest proportion of hate crime complaints (25%) and the majority of those incidences (60%) were violent.
- Anti-Asian hate crimes comprised the largest percentage of violent offenses (39%) across all bias categories, followed by Anti-LGBTQ (33%).
- Manhattan experienced the highest increase in reported hate crimes, from 86 to 219. Manhattan accounts for 42% of all reported hate crimes in 2021.
- Arrests increased by 135% from 2020 to 2021 (from 93 to 219 arrests). Anti-Asian, Anti-Jewish, and Anti-LGBTQ each comprised the greatest proportion and volume of arrests in 2021 (27%, 26%, and 22% of total, respectively) across all bias categories.

¹ It is important to note that <u>overall</u> hate crime complaints in 2020 were down by 37% in comparison to 2019, due to significant reduction in social interaction during the COVID-19 quarantine period. Therefore, this report also includes the 2019 statistics for a more comprehensive trend analysis.

Pillar One: Education

OPHC Hate Crime Education

OPHC continues to expand its education offerings to all New Yorkers, both in schools and for the public. The primary focus of OPHC's efforts is to educate New Yorkers on hate crimes, bias incidents, the difference between the two, the overall hate crime reporting process, city and state laws, victim resources and services, and what New Yorkers can do to fight hate in their communities. OPHC also works with community organizations to develop curated trainings and events that educate all communities on a variety of issues related to hate crime, bias and discrimination.

These trainings include *Preventing Hate Together*, which is a comprehensive one-hour interactive training on the basics of hate crimes and bias incidents, OPHC's community-based efforts, and how New Yorkers can stand up to hate and the biases and prejudices that can lead to bias or hate-based incidents of violence. *Preventing Hate Together* is offered at events that OPHC coordinates closely with its community organizations and other city agencies throughout all five boroughs. In these events, community members also engage directly with city agencies, including the NYPD. In addition to community trainings, OPHC also produces educational fact sheets, victim guides, and other resources and information as needed throughout the year.

Back2School CommUNITY of Respect Pledge

OPHC created this initiative in response to Asian American and Pacific Islander (AAPI) community concerns around students feeling safe and supported as they returned to in-school learning after a year in which their community had been unfairly demonized and experienced record numbers of hate crimes. The NYC Department of Education (DOE) designed and developed a special website to promote the initiative, which was sent to principals system-wide and provides anti-bias activities and resources that are used year-long.



ABOVE: The Back2School CommUNITY Pledge

Pillar One: Education

In addition to creating Back2School CommUNITY of Respect Pledge, OPHC also connected DOE to the Los Angeles-based Asian American Education Foundation and sponsored workshops for educators on the history of anti-Asian prejudice in the U.S. Workshops are now being offered throughout the year.

Educational Resources Created by OPHC and Distributed Widely

OPHC heightened the discussion of the importance of addressing, preventing, and responding to hate violence by providing new educational resources (see Appendix 5) to lay a strong foundation for making a significant difference in ensuring that New York City is a safe and welcoming place for all.

- <u>Fact Sheet on Hate and Bias Incidents Related to COVID-19</u> an interagency resource on how to report hate crimes and bias incidents; currently available in 14 languages
- <u>'What is a Hate Crime' Guide</u> a guide to what hate crimes and bias incidents are, including examples and ways to get help; currently available in 20 languages
- <u>Hate Crimes Victims' Guide to Help</u> a guide explaining rights, methods of reporting, and identifying local community-based organizations that offer support; currently available in 14 languages
- Educational and curricular resource guides on <u>anti-Semitism and anti-Asian</u> bias for educators developed by or in cooperation with OPHC have been posted on TeachHub and distributed by DOE
- Informational web pages on <u>common hate crimes FAQ and hate symbols</u>
- Produced an extensive Annual Report, summarizing OPHC work and providing data and analysis on hate crimes in NYC, and a <u>report on OPHC's interagency efforts</u> addressing the ongoing trend of hate crimes impacting AAPI communities
- Coordinated advertising and social media campaigns to confront prejudice, encourage mutual respect, and empower victims of hate crimes to report
- Expanded reach through launch of the quarterly OPHC newsletter and OPHC social media on Twitter and Instagram

Follow OPHC on social media at @stophatenyc

Preventing Hate Together – OPHC Training on Hate Crimes

OPHC developed and launched a comprehensive PowerPoint presentation on hate crimes "Preventing Hate Together" is a valuable tool to raise awareness of hate crimes laws, the work of the Office for the Prevention of Hate Crimes, and how people can be partners to stand up to hate and the biases and prejudices that can lead to hate violence.

Pillar Two: Community Relations

As a result of the work of OPHC, for the first time in NYC there is now a **network of over 80 community-based organizations** that is being educated about hate crime prevention and response and being provided resources to serve the communities most vulnerable to hate violence.

Partners Against the Hate – P.A.T.H. Forward Initiative

Launched in May 2021, P.A.T.H. Forward provides support to organizations that serve the communities most vulnerable to bias and hate with funds for programs and services in the following areas: neighborhood safety, community relations, strategies to enhance hate crime reporting, education (including bystander intervention training), victim services, and data collection.

OPHC's Hate Crime Prevention Innovation Grants

In late 2021, OPHC announced a new community initiative called *Hate Crime Prevention Innovation Grants*. These grants gave opportunities to individuals, groups, non-profit organizations, and academic institutions to use their entrepreneurial skills to implement

- **\$3 million** in Executive Budget for Fiscal Years (FY) 2021-22
- 6 anchor organizations
- 50+ sub-organizations now funded to do hate crime prevention and response programming

creative projects that promote community respect, prevent hate violence, and explore ways to address hate crimes, bias-motivated incidents, and discrimination through non-law enforcement deterrence. OPHC set aside \$100,00 dollars for these grants and awarded up to \$20,000 to qualifying projects. Grants were awarded on a rolling basis. OPHC began rewarding projects in early 2022.

City Council Discretionary Grants

OPHC coordinates the work of community-based organizations funded by New York City Council's Hate Violence Prevention Initiative (HVPI) discretionary grants. In addition to overseeing the contracts in 2021, OPHC established close relationships with and convened the organizations regularly, creating a first-time network of diverse communities working together on hate crimes prevention and response. City Council continued HVPI into FY 2022, and the initiative was called Hate Crime Prevention Initiative (HCPI).

- **\$1 million** allocated in FY19; **\$800,000**+ for FY22
- ~16 community-based organizations representing diversity of vulnerable populations

Pillar Two: Community Relations

Community Advisory and Services Team (CAST)

Currently have **30** CBOs participating Formed by OPHC when HVPI funding ceased in 2021 due to the COVID crisis, CAST meets quarterly to share information on hate violence prevention, response, and city services and creates space for communities to share information and programs, challenges, and recommendations.



OPHC EXECUTIVE DIRECTOR DEBORAH LAUTER (RIGHT) AND DEPUTY EXECUTIVE DIRECTOR HASSAN NAVEED (LEFT) AT THE 9/11 INTERFAITH PEACE WALK. BEGINNING AT ST. PATRICK'S CATHEDRAL, NEW YORK COMMUNITY AND CITY LEADERS WALKED ACROSS MIDTOWN MANHATTAN TO VISIT FIVE HOUSES OF WORSHIP IN COMMEMORATION OF THE 20TH ANNIVERSARY OF 9/11.

Pillar Three: Laws & Law Enforcement

OPHC works closely with the NYPD Hate Crimes Task Force, often serving as a bridge to affected communities. Through their data reports, we identify trends and focus resources, programs, and services to vulnerable populations.

What Hate Crimes are – and Aren't

There is a lot of misunderstanding about what hate crimes are and when law enforcement can act on bigoted, biased conduct. This can lead to frustration among those who are targeted, since the impact of being singled out for who you are can be very painful, even absent any physical injury.

Hate crimes can target an individual, a group of individuals, or public or private property. The legal definition of a hate crime differs by state. While New York State takes seriously crimes motivated by hate, there is no separate section of New York State law for hate crimes. Instead, New York State law attaches a **penalty enhancement** to a criminal offense motivated by bias, such as an act of vandalism or an assault.

In accordance with New York State Penal law (See Appendix 4),² the NYPD uses the following guideline to identify hate/bias crimes (the two terms are used interchangeably): "Any offense or unlawful act that is motivated in whole or substantial part by a person's, a group's or a place's identification,"³ such as race, color, religion, ethnicity, gender identity, age, disability, ancestry, national origin, or sexual orientation as determined by the commanding officer of the NYPD's Hate Crime Task Force. In January 2019, New York State Governor Andrew Cuomo signed into law the Gender Expression Non-Discrimination Act (GENDA), expressly expanding the state's hate crimes laws to designate offenses motivated by bias based on gender identity or expression.

²NYS Penal Law § 485.05; see also FBI.gov. Hate Crimes - What We Investigate.

https://www.fbi.gov/investigate/civil-rights/hate-crimes.; New York City Police Department (NYPD). Services - Hate Crimes. https://www1.nyc.gov/site/nypd/services/law-enforcement/hate-crimes.page.; New York State Website. New York State Anti-Hate Crime Resource Guide https://www.ny.gov/we-areall-immigrants/new-york-state-anti-hate-crime-resourceguide.

³ New York City Police Department (NYPD). Services - Hate Crimes. Linked here.

Pillar Three: Laws & Law Enforcement

There is other conduct motivated by bias that the law does not consider a hate crime. For example, when a person is called a derogatory term on the street but is neither threatened nor harassed. These are referred to as "*bias incidents*" (or "hate incidents"), and because they are not proscribed by law, they are not tracked in New York law enforcement records. Bias incidents are incidents that involve non-criminal conduct motivated by hatred or bigotry based on a person's protected characteristics. Despite not rising to the level of a reportable crime, bias incidents can produce similarly profound harms for individuals and communities, and official responses to bias incidents shape a community's relationship with law enforcement.

In New York, biased, discriminatory conduct in housing, employment and education is prohibited by our robust Human Rights Law and is enforced by New York City's Commission on Human Rights (CCHR). See information about these rights and remedies at the Commission's website.

Why Hate Crimes Law and Response are Important

Hate crimes are considered particularly serious beyond their underlying accompanying offenses. For one, hate crimes create a psychological impact extending far beyond the individual victim. A hate crime against an individual on the basis of identity incites fear in those who share the victim's identity; a harm against the individual becomes a harm against the entire community to which the victim belongs. Hate crimes are also more likely than non-bias crimes to "provoke retaliatory crimes... and incite community unrest." By targeting a group as "other" and weakening a sense of belonging, hate crimes undermine the democratic principles and tenets of diversity and inclusion that are the foundation both of New York City and of the United States. On an individual level, research shows that victims of hate crimes are particularly vulnerable to symptoms of post-traumatic stress disorder and are more likely to suffer from health issues and struggle with employment, leading the U.S. Supreme Court to recognize that hate crimes "inflict distinct emotional harms"⁴ on their victims in comparison to other kinds of crimes.

⁴ Wisconsin v. Mitchell, 508 U.S. 476, 488 (1993)

Pillar Three: Laws & Law Enforcement

Hate crimes are less likely than non-hate crimes to be reported to the police, frustrating efforts to address them. Yet without an accurate picture of hate crimes, early identification and prevention becomes more difficult to accomplish. One of the goals of OPHC is to encourage individuals to report hate crimes, allowing the Office 1) to understand patterns of bias to help identify potential hate crimes and bias incidents before they occur; and 2) to appropriately identify all victims and their communities to best distribute services and other resources.

Violent Hate Crime Notification System – Required by LL49 (2020)

Pursuant to Local Law 49 (See Appendix 3), OPHC, in partnership with NYPD, created a system in March 2019 to alert elected officials and affected communities whenever the New York City Police Department (NYPD) has determined that a potential violent hate crime has occurred. Notifications include the hate motivation and the location, date, and time of the incident.

> Developed distribution list of over **500**, including elected officials, Community Boards, and community-based organizations

Between 1/1/2021 and 12/1/2021, OPHC issued <u>155 notifications</u> for potential violent offenses that may have been motivated by bias, as classified by the New York City Police department. These include assault, robbery, homicide, rape, and menacing:

Violent Hate Crime Motivation	# of OPHC Violent Hate Crime
	Notifications (FROM 1/1/2021 -
	12/1/2021)
Anti-Asian	64
Anti-Black	3
Anti-Ethnic (National Origin)	1
Anti-Gender	4
Anti-Hispanic	3
Anti-Jewish	20
Anti-Muslim	3
Anti-Sexual Orientation	45
Anti-Trans	2
Anti-White	10
	<i>TOTAL: 155</i>

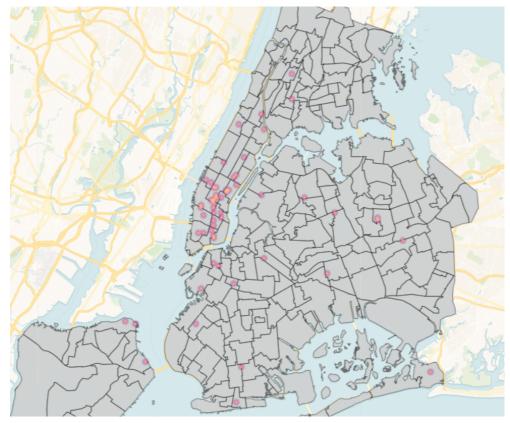
Notifications are not sent for certain offenses such as aggravated harassment and vandalism. All hate crime statistics are posted quarterly by NYPD on its website.

Pillar Three: Laws & Law Enforcement

Data Analysis and Preventing Hate Dashboard

OPHC partnered with the Mayor's Office of the Chief Technology Officer (MOCTO) to develop the **Preventing Hate Dashboard (PHD)**, a groundbreaking tool developed to better understand the landscape of hate crimes in NYC, visualize hate crime data through mapping, explore potential underreporting, and identify gaps using publicly available hate crime and administrative data.

BELOW: A MAP FROM THE OPHC PREVENTING HATE DASHBOARD.



Pillar Three: Laws & Law Enforcement

Interagency Convenor and Coordinator

Interagency Committee on Hate Crimes (IAC)

OPHC convenes an Interagency Committee on Hate Crimes quarterly (in person and virtually). Five Working Groups meet regularly and draft recommendations on education, neighborhood safety & community relations, victim support, restorative justice for hate crimes, and strategies to enhance reporting.

Currently **22** agencies participating, as well as **all five** District Attorney Hate Crime Units

The IAC has served as an important advisory body on how the city handles hate crimes and bias incidents. It has strengthened immediate coordination of hate incidents among city agencies and leveraged the experience and expertise of stakeholders to enhance the city's overall long-term response.



OPHC SHARING IMPORTANT RESOURCES (AND SOME GOODIES FOR HALLOWEEN!) AT "CITY HALL IN YOUR BOROUGH" IN MANHATTAN. NUMEROUS CITY AGENCIES PARTICIPATED IN THIS TOUR OF THE FIVE BOROUGHS.

Stop AAPI Hate Interagency Working Group

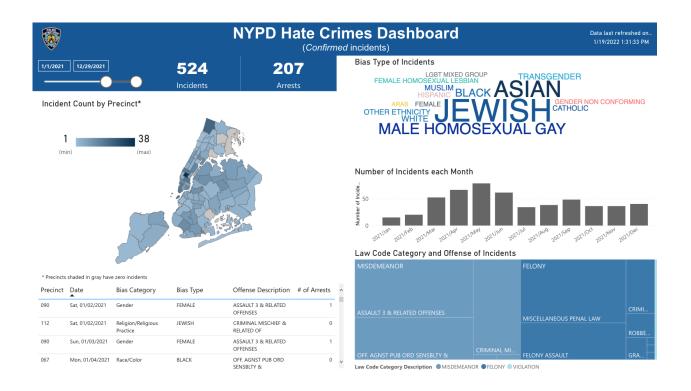
Created in March 2020, OPHC formed the **Stop AAPI Hate Interagency Working Group** to address the disturbing rise in anti-Asian hate crimes and convened the group weekly for over 18 months to plan and coordinate interagency and collaborative responses with Asian American and Pacific Islander (AAPI) community organizations. The Working Group helped create several educational resources for the AAPI community on how to report hate crimes and bias incidents; as well as contributed to social media toolkits, including graphics in multiple languages, for APA Heritage Month in May 2021, among other events.

For more on the Working Group's activities, see <u>"How NYC Fought Back Against Anti-Asian Hate Crimes,"</u> published in August 2021.

2021 NYC Hate Crime Statistics

A critical part of the work of OPHC is to collect and analyze data around hate crime incidents, including numbers of complaints and arrests and most targeted groups, to better understand patterns and inform data-driven solutions.

Since its launch in 2019, OPHC has worked to increase the transparency on hate crime data that would enable our office to perform analysis of patterns of hate crimes and increase public awareness of incidents. NYPD also launched a new public reporting system in 2020, the NYPD Hate Crimes Dashboard, and new structure for quarterly data reporting made accessible via NYC open data which allows for more granular level analysis.



This is a welcome step that creates more transparency and provides necessary data tools to empower communities and community organizations that fight hate through law enforcement and non-law enforcement approaches.

2021 NYC Hate Crime Statistics

Key takeaways of hate crime complaints in 2021:

- Hate crime complaints increased by 97% from 2020 to 2021.⁵ Hate crimes complaints increased from 2020 across all but three bias categories, most concerning: Anti-Asian (from 28 to 131), Anti-Jewish (from 121 to 198), and Anti-LGBTQ (from 40 to 97).
- Anti-Asian hate crimes experienced a 368% increase from 2020 to 2021 (from 28 to 131). Anti-LGBTQ increased 143% (from 40 to 97 incidents).
- Anti-Asian bias comprised the second-highest proportion of hate crime complaints (25%) and the majority of those incidences (60%) were violent.
- Anti-Jewish incidents increased 64% (from 121 to 198) and comprised the largest percentage of complaints (38%).
- Of the anti-Jewish complaints, 70% were incidences of vandalism, i.e., swastikas, property related.
- Anti-Asian hate crimes comprised the largest percentage of violent offenses (39%) across all bias categories, followed by Anti-LGBTQ (33%).
- Manhattan experienced the highest increase in reported hate crimes, from 86 to 219. Manhattan accounts for 42% of all reported hate crimes in 2021.
- Hate crime complaints increased in all boroughs except for Staten Island, which remained constant, at 18.
- Anti-Asian hate crimes comprised the largest percentage of violent offenses (39%) across all bias categories, followed by Anti-LGBTQ (33%).

⁵ It is important to note that <u>overall</u> hate crime complaints in 2020 were down by 37% in comparison to 2019, due to significant reduction in social interaction during the COVID-19 quarantine period. Therefore, this report also includes the 2019 statistics for a more comprehensive trend analysis.

2021 NYC Hate Crime Statistics

Key takeaways of hate crime arrests in 2021:

- Arrests increased by 135% from 2020 to 2021 (from 93 to 219 arrests). Anti-Asian, Anti-Jewish, and Anti-LGBTQ each comprised the greatest proportion and volume of arrests in 2021 (27%, 26%, and 22% of total, respectively) across all bias categories.
- Majority of arrests for hate crimes were in Manhattan (41%, representing 90 incidents), followed by Brooklyn at 22%, (49 incidents) and Queens at 22% (49 incidents).
- 63% (137) of arrests were for violent hate crime incidents.
- The percentage of violent hate crimes has increased. In 2020 24% of the incidents were violent (65 of 420); in 2021, 39% of the hate crimes were violent (202 of 524 incidents).
- Anti-Asian hate crimes experienced a 368% increase from 2020 to 2021 (from 28 to 131). Anti-LGBTQ increased 143% (from 40 to 97 incidents).
- Anti-Asian bias comprised the second-highest proportion of hate crime complaints (25%) and the majority of those incidences (60%) were violent.
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2021 NYC Hate Crime Statistics

Key Terms:

- **Complaint** refers to a reported allegation of a hate crime incident to the NYPD without necessarily having identified a suspect to arrest, such as in the case of a property crime without a witness or recovered video. Given the publishing of NYPD's new format of hate crime data, we can now better understand differences in crime type, geography, and bias motivation.
- Arrest refers to an action against an individual who has been taken into custody by NYPD for a hate crime but does not necessarily mean the individual was prosecuted for such crime.
- Violent hate crimes, according to the OPHC Hate Crime Notification System, include Rape, Robbery, Assault (felony), Assault (misdemeanor), and Menacing. Note that violent hate crimes do not typically include Assault (misdemeanor) or menacing.
- Non-violent hate crimes include all hate crimes which are not violent such as Property/vandalism (Aggravated Harassment 1 and Criminal Mischief 4).
- **Vandalism** hate crimes refer to a subset of non-violent hate crimes which include Criminal Mischief (1,2,3,4) and Aggravated Harassment 1.
- **Multi-Bias** incidents are those in which there were more than one bias motivation. In the NYPD data, this is referred to as "Other;" this report refers to those as "Multi-bias."
- The Anti-LGBTQ category combines bias motivations from a number of different offense categories: Anti-Gay; Anti-Transgender; Anti-Lesbian; Anti-LGBTQ (Mixed Group); Anti-Gender Nonconforming.

2021 NYC Hate Crime Statistics

Complaints

Total Hate Crime Complaints, 2019-2021

Hate crime complaints increased by 97% from 2020-2021. Note that complaints represent both citizen- and officer-initiated reports.⁶

Annual Number of Hate Crime Complaints, 2019 – 2021

	2019	2020	2021	% Δ '20-'2 1	%Δ '19 - '21
Complaints	420	266	524	97%	25%

Complaints by	y Blas Motivation	

Since 2019, anti-Jewish	Bias Motivation	2021	% of Total
complaints have made up	ANTI-JEWISH	198	38%
the highest number of overall complaints (561),	ANTI-ASIAN	131	25%
followed by anti-LGBTQ	ANTI-LGBTQ	97	19%
complaints (203) and	ANTI-MALE HOMOSEXUAL	72	14%
anti-Asian complaints (160). Between 2020-	ANTI-TRANSGENDER	17	3%
2021, anti-Jewish	ANTI-FEMALE HOMOSEXUAL	4	1%
complaints increased by	ANTI-GENDER NON-CONFORMING	3	1%
64%, with 70% of anti- Jewish complaints	ANTI-LGBT	1	0%
consisting of	ANTI-BLACK	38	7%
vandalism/property crimes (Aggravated	ANTI-WHITE	18	3%
Harassment 1, Criminal	ANTI-MUSLIM	11	2%
Mischief). Anti-LGBTQ	ANTI-OTHER ETHNICITY	10	2%
complaints increased by 143% between 2020-	ANTI-CATHOLIC	9	2%
2021; anti-Asian complaints	ANTI-HISPANIC	8	2%
increased by 368% in the same	ANTI-FEMALE	3	1%
period.	ANTI-ARAB	1	0%
	Total	524	100%

Percent of Total Complaints by Bias Motivation, 2021

⁶ Note: the hate crime categories used in this report (e.g., anti-Jewish, anti-Black, anti-Male Homosexual, anti-Female Homosexual) are taken from NYPD data, which are based on the New York State Division of Criminal Justice Services categories and are utilized by the NYPD to facilitate submission of NYC hate crime data to the FBI Uniform Crime Reporting Program.

% of

2021 NYC Hate Crime Statistics

Bias Motivation	2021	% of Total
ANTI-JEWISH	198	38%
ANTI-ASIAN	131	25%
ANTI-LGBTQ	97	19%
ANTI-MALE HOMOSEXUAL	72	14%
ANTI-TRANSGENDER	17	3%
ANTI-FEMALE HOMOSEXUAL	4	1%
ANTI-GENDER NON-CONFORMING	3	1%
ANTI-LGBT	1	0%
ANTI-BLACK	38	7%
ANTI-WHITE	18	3%
ANTI-MUSLIM	11	2%
ANTI-OTHER ETHNICITY	10	2%
ANTI-CATHOLIC	9	2%
ANTI-HISPANIC	8	2%
ANTI-FEMALE	3	1%
ANTI-ARAB	1	0%
Total	524	100%

Percent of Total Complaints by Bias Motivation, 2021

2021 NYC Hate Crime Statistics

Bias Motive	2019	2020	2021	% Δ '20-'2 1	Total '20-'21	%Δ '19- '21	Total '19- '21
Anti-Jewish	242	121	198	64%	319	-18%	561
Anti-Asian	1	28	131	368%	159	13000%	160
Anti-LGBTQ	66	40	97	143%	137	47%	203
Anti-Male Homosexual	42	28	72	157%	100	71%	142
Anti-Transgender	13	4	17	325%	21	31%	34
Anti-Female Homosexual	4	4	4	0%	8	0%	12
Anti-Gender Non-Conforming	0	2	3	50%	5	-	5
Anti-LGBT (Mixed Group)	7	2	1	-50%	3	-86%	10
Anti-Black	35	37	38	3%	75	9%	110
Anti-White	28	10	18	80%	28	-36%	56
Anti-Muslim	12	4	11	175%	15	-8%	27
Anti-Other Ethnicity	9	2	10	400%	12	11%	21
Anti-Catholic	6	9	9	0%	18	50%	24
Anti-Hispanic	9	1	8	700%	9	-11%	18
Anti-Female	0	6	3	-50%	9	-	9
Anti-Arab	5	1	1	0%	2	-80%	7

Annual Number of Hate Crime Complaints by Bias Motivation, Top Hate Crime Categories

Complaints increased across all bias categories (from 2020 to 2021), with the exception of anti-Female (from 6 to 3), and the sub-category of anti-LGBT (Mixed Group, from 2 to 1). Anti-LGBTQ hate crimes increased substantially, most notably anti-Transgender hate crimes by 325% (from 4 to 17).

The significant increase in anti-Asian hate crimes may be attributed to the widespread national misinformation and scapegoating of the Asian community relating to COVID-19, as well as the improvement in reporting due to significant efforts by OPHC working with city agencies and community-based organizations to educate community members on the importance of reporting. The number of reported complaints for several bias categories – anti-Black and anti-Hispanic in particular - are notably smaller in NYC than national statistics for these categories as reported by the FBI under the Hate Crime Statistics Act.⁷

⁷ The Hate Crime Statistics Act may be viewed here, with reports through the Department of Justice available here.

2021 NYC Hate Crime Statistics

	N	on-Violent	Violent		
Bias Motivation	Other Non- Violent	Vandalism/Property (Non-Violent	Violent	Grand Total	% Vandalism of Total
Anti-Jewish	36	139	23	198	70%
Anti-Black	10	22	6	38	58%
Anti-Asian	33	19	79	131	15%
Anti-LGBTQ	15	15	67	97	15%
Anti-Catholic	1	8	0	9	89%
Anti-Other Ethnicity	3	3	4	10	30%
Anti-White	3	3	12	18	17%
Anti-Muslim	7	2	2	11	18%
Anti-Hispanic	1	1	6	8	13%
Anti-Female	0	0	3	3	0%
Anti-Arab	1	0	0	1	0%
Grand Total	110	212	202	524	40%

Hate Crime Complaints by Vandalism/Property, 2021

2021 NYC Hate Crime Statistics

Geographical Trends for Complaints

Manhattan leads the boroughs with the highest number of hate crime complaints (219), followed by Brooklyn (134), Queens (103), the Bronx (50), and Staten Island (18).

Borough	2019	2020	2021	‰ Δ '20-'2 1	Total '20- '21	%Δ '19-'21	Total '19-'21
Manhattan	131	86	219	155%	305	67%	436
Brooklyn	181	93	134	44%	227	-26%	408
Queens	68	48	103	115%	151	51%	219
Bronx	30	21	50	138%	71	67%	101
Staten Island	10	18	18	0%	36	80%	46
Total Complaints	420	266	524	97%	790	25%	1,210

Aggregate Top Hate Crime Complaints by Borough, 2019-2021

The 14th Precinct (Midtown South) in Manhattan leads in hate crime complaints with 38 (19 anti-Asian, 9 anti-Jewish, 8 anti-LGBTQ, 1 anti-Black and 1 anti-White, followed by the 50th Precinct (Marble Hill/Riverdale) in the Bronx with 23 complaints (22 anti-Jewish and 1 anti-Black).

2021 NYC Hate Crime Statistics

Complaints by Precinct, 2019-2021

Precincts with highest number of complaints for 2021										
РСТ	2019	2020	2021	% Δ '20-'2 1	Total '20-'21	% Δ '19-'2 1	Total '19- '21			
14	11	3	38	1167%	41	245%	52			
50	0	2	23	1050%	25	-	25			
13	12	7	19	171%	26	58%	38			
18	11	4	18	350%	22	64%	33			
1	12	4	18	350%	22	50%	34			
19	14	4	15	275%	19	7%	33			
7	7	5	14	180%	19	100%	26			
6	6	5	14	180%	19	133%	25			
62	2	0	13	-	13	550%	15			
25	5	3	13	333%	16	160%	21			
90	12	12	12	0%	24	0%	36			
112	7	8	12	50%	20	71%	27			
108	5	0	12	-	12	140%	17			
110	5	5	11	120%	16	120%	21			
114	6	2	10	400%	12	67%	18			
24	6	4	10	150%	14	67%	20			
61	17	3	10	233%	13	-41%	30			
70	5	14	10	-29%	24	100%	29			
66	16	9	10	11%	19	-38%	35			

Precincts with the highest number of complaints by precinct and stratified by borough are presented below. While there are some similarities with precincts with the highest number of complaints, 2021 presented a high number of precincts across boroughs which did not experience a high number of complaints in 2020. Bolded precincts below are those which experienced the highest number of complaints in both 2020 and 2021.

2021 NYC Hate Crime Statistics

Highest number of complaints for hate crimes in Manhattan by Precinct:

2021

- Precinct 14 (Midtown South, 38 complaints)
- Precinct 13 (Gramercy/Union Square, 19 complaints)
- Precinct 18 (Midtown North, 18 complaints)
- Precinct 1 (WTC/Tribeca/SoHo/Wall Street, 18 complaints)
- Precinct 19 (Upper East Side, 15 complaints)

2020

- Precinct 10 (Chelsea/Hudson Yards, 15 complaints)
- Precinct 13 (Gramercy/Union Square, 7 complaints)
- Precinct 6 (Greenwich/West Village, 5 complaints)
- Precinct 5 (Chinatown/Little Italy/Bowery, 5 complaints)
- Precinct 7 (Lower East Side, 5 complaints)

Highest number of complaints for hate crimes in Brooklyn by Precinct:

2021

- Precinct 62 (Bensonhurst/Mapleton/Bath Beach, 13 complaints)
- Precinct 90 (Williamsburg, 12 complaints)
- Precinct 61 (Kings Bay/Sheepshead Bay, 10 complaints)
- Precinct 66 (Borough Park, 10 complaints)

2020

- Precinct 70 (Ditmars Park/Prospect Park South, 14 complaints)
- Precinct 90 (Williamsburg, 12 complaints)
- Precinct 66 (Borough Park, 9 complaints)
- Precinct 88 (Clinton Hill/Fort Green Park, 7 complaints)
- Precinct 60 (Coney Island/Brighton Beach, 7 complaints)

Highest number of complaints for hate crimes in Queens by Precinct:

2021

- Precinct 112 (Forest Hills/Rego Park, 12 complaints)
- Precinct 108 (LIC/Sunnyside/Woodside, 12 complaints)
- Precinct 110 (Corona/Elmhurst, 11 complaints)
- Precinct 114 (Astoria/LIC/Jackson Heights/Woodside, 10 complaints)

2020

- Precinct 107 (Fresh Meadows, 9 complaints)
- Precinct 112 (Forest Hills/Rego Park, 8 complaints)
- Precinct 100 (Rockaway Peninsula, 7 complaints)
- Precinct 111 (Bayside/Douglaston, 7 complaints)

2021 NYC Hate Crime Statistics

Highest number of complaints for hate crimes in the Bronx by Precinct:

2021

Precinct 50 (Kingsbridge/Marble • Hill/Riverdale, 23 complaints)

Precinct 40 (Melrose/Mott Haven/Port • Morris, 6 complaints)

2020

- Precinct 40 (Melrose/Mott Haven/Port Morris, 6 complaints)
- Precinct 44 (Grand Concourse area, 6 • complaints)

Total number of complaints for all hate crimes in Staten Island by precinct for 2020-2021 are as follows:

		2020
• President 120 (North	Shore, 8 complaints)	•

- Precinct 122 (South Shore, 5 complaints)
- Precinct 121 (Northwestern Shore, 3 • complaints)
- Precinct 123 (South Shore, 2 complaints) •

- - Precinct 120 (North Shore, 14 complaints)
 - Precinct 122 (South Shore, 2 complaints)
 - Precinct 121 (Northwestern Shore, 1 complaint)
 - Precinct 123 (South Shore, 1 complaint)

ARRESTS

Total Hate Crime Arrests, 2019-20218

Hate crime arrests increased from 93 to 219 (+126 arrests, 135% increase) from 2020 to 2021.

Annual Number of Hate Crime Arrests, 2019-2021

	2019	2020	2021	% Δ '20-'2 1	% Δ '19-'2 1	Total '19- '21
Arrests	119	93	219	135%	84%	431

⁸ Note that the data employed for this analysis seemed to have one additional arrest for 2019 which is believed to be a duplicate. This would have brought up the 2019 total to 120 instead of 119.

2021 NYC Hate Crime Statistics

Arrests by Bias Motivation

Between 2020 and 2021, anti-Asian arrests (59) accounted for the highest number of overall arrests, followed by anti-Jewish arrests (57) and anti-LGBTQ arrests (48).

Annual Number of Hate Crime Arrests by Bias Motivation, Top Hate Crime Categories, 2021

Bias Motive	2019	2020	2021	% Δ '20-'2 1
Anti-Asian	1	21	59	181%
Anti-Jewish	41	26	57	119%
Anti-LGBTQ	36	25	48	92%
Anti-Male Homosexual	21	20	33	65%
Anti-Transgender	9	2	11	450%
Anti-Gender Non-Conforming	0	1	3	200%
Anti-Female Homosexual	5	0	1	-
Anti-LGBT (Mixed Group)	1	2	0	-100%
Anti-Black	8	7	18	157%
Anti-White	12	5	10	100%
Anti-Female	0	4	9	125%
Anti-Catholic	1	0	5	-
Anti-Muslim	13	2	5	150%
Anti-Other Ethnicity	0	0	4	-
Anti-Hispanic	3	1	4	300%

Anti-Jewish arrests increased (+119%) from 26 to 57 arrests from 2020 to 2021. Anti-LGBTQ arrests increased (+92%) from 25 to 48 arrests from 2020 to 2021. Arrests increased significantly for anti-Asian bias crimes, increasing from 21 to 59 (+181%), likely due to the spike in anti-Asian hate incidents stemming from Covid-19.

2021 NYC Hate Crime Statistics

Arrest Rates from 2021 Complaints

Bias Motivation	Complaints	Arrests	Arrest Rate
Anti-Jewish	198	49	25%
Anti-Asian	131	57	44%
Anti-LGBTQ	97	40	41%
Anti-Male Homosexual	72	27	38%
Anti-Transgender	17	10	59%
Anti-Female Homosexual	4	0	0%
Anti-Gender Non-Conforming	3	3	100%
Anti-LGBT	1	0	0%
Anti-Black	38	12	32%
Anti-White	18	10	56%
Anti-Muslim	11	5	45%
Anti-Other Ethnicity	10	4	40%
Anti-Catholic	9	5	56%
Anti-Hispanic	8	3	38%
Anti-Female	3	3	100%
Anti-Arab	1	0	0%

Anti-female hate crimes had the highest arrest rate per complaint (100%), followed by anti-Catholic and anti-White both with 56% clearance. 44% of anti-Asian hate crimes resulted in an arrest. Most Anti-Asian complaints were violent (60% or 79/131) which will be discussed further below.

2021 NYC Hate Crime Statistics

Arrest Trends by Geography

Between 2020 and 2021, Manhattan led the boroughs with the highest number of hate crime arrests (90), followed by Brooklyn and Queens with 49 arrests each. Arrests increased across all boroughs.

	2019	2020	2021	% Δ '20-'2 1	Total '20- '21	%Δ '19-'21	Total '19- '21
Manhattan	34	24	90	275%	114	165%	148
Brooklyn	56	33	49	48%	82	-13%	138
Queens	18	20	49	145%	69	172%	87
Bronx	11	11	20	82%	31	82%	42
Staten Island	0	5	11	120%	16	-	16
Total Arrests	119	93	219	135%	312	84%	431

Hate Crime Arrests by Borough, 2019-2021

Percent of Total Arrests by Borough, 2021

Borough	2021	% of Total
MANHATTAN	90	41%
BROOKLYN	49	22%
QUEENS	49	22%
BRONX	20	9%
STATEN ISLAND	11	5%
Total Citywide Arrests	219	100%

The 14th precinct (Midtown South) experienced both the highest number of hate crime arrests (18) and the highest percent increase from 2020 (1700%). The incidents in the 14th precinct were comprised of anti-Asian (19), anti-Jewish (9), anti-LGBTQ (8), anti-Black (1) and anti-White (1).

2021 NYC Hate Crime Statistics

Precincts	2019	2020	2021	%Δ '20- '21	Total '20- '21	%Δ '19- '21	Total '19- '21
14	1	1	18	1700%	19	1700%	20
50	0	0	13	-	13	-	13
18	6	2	10	400%	12	67%	18
70	2	6	9	50%	15	350%	17
90	2	9	9	0%	18	350%	20
120	0	5	8	60%	13	-	13
7	0	2	7	250%	9	-	9
13	3	1	7	600%	8	133%	11
5	3	2	6	200%	8	100%	11
25	5	0	6	-	6	20%	11
110	3	1	6	500%	7	100%	10
24	0	1	6	500%	7	-	7
1	1	1	6	500%	7	500%	8
115	2	5	5	0%	10	150%	12
71	10	1	5	400%	6	-50%	16
102	1	0	5	-	5	400%	6
109	0	0	5	-	5	-	5
66	5	3	5	67%	8	0%	13

Precincts with Highest Number of Hate Crime Arrests, 2019-2021

Precincts with the highest number of arrests by precinct and stratified by borough are presented below. While there are some similarities with precincts with the highest number of arrests across both years, 2021 presented a high number of precincts across boroughs which did not experience a high number of arrests in 2020. Bolded precincts below are those which were among the precincts with the greatest volume of hate crime arrests in both 2020 and 2021.

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III. HATE CRIME DATA

2021 NYC Hate Crime Statistics

Highest number of arrests for hate crimes in Manhattan by Precinct:

2021

- Precinct 14 (Midtown South, 18 arrests)
- Precinct 18 (Midtown North, 10 arrests)
- Precinct 7 (Lower East Side, 7 arrests)
- Precinct 13 (Gramercy/Union Square, 7 arrests)

Highest number of arrests for hate crimes in Brooklyn by Precinct:

2021

- Precinct 70 (Flatbush/Midwood, 9 arrests)
- Precinct 90 (Williamsburg, 9 arrests)
- Precinct 71 (Wingate/Prospect Lefferts, 5 arrests)
- Precinct 66 (Borough Park, 5 arrests)

Highest number of arrests for hate crimes in Queens by Precinct:

2021

- Precinct 110 (Corona/Elmhurst, 6 arrests)
- Precinct 115 (Jackson Heights/East Elmhurst, 5 arrests)
- Precinct 102 (Kew Gardens/Woodhaven, 5 arrests)
- Precinct 109 (Flushing/Bay Terrace/Whitestone, 5 arrests)

2020

- Precinct 10 (Chelsea/Hudson Yards, 4 arrests)
- Precinct 23 (East Harlem/El Barrio, 3 arrests)

- Precinct 90 (Williamsburg, 9 arrests)
- Precinct 70 (Flatbush/Midwood, 6 arrests)
- Precinct 84 (Brooklyn Heights area, 4 arrests)
- Precinct 66 (Borough Park, 3 arrests)

- Precinct 115 (Jackson Heights/East Elmhurst, 5 arrests)
- Precinct 112 (Forest Hills/Rego Park, 4 arrests)
- Precinct 100 (Rockaway Peninsula, 4 arrests)

2020

2020

2021 NYC Hate Crime Statistics

Highest number of arrests for hate crimes in The Bronx by Precinct:

2021

2020

- Precinct 50 (Kingsbridge/Marble Hill/Riverdale, 13 arrests)
- Precinct 40 (Melrose/Mott Haven/Port Morris, 2 arrests)
- Precinct 44 (Grand Concourse area, 5 arrests)
- Precinct 40 (Melrose/Mott Haven/Port Morris, 3 arrests)

Highest number of arrests for hate crimes in Staten Island by Precinct:

2021

2020

- Precinct 120 (North Shore, 8 arrests)
- Precinct 120 (North Shore, 5 arrests)

VIOLENT V. NON-VIOLENT COMPLAINTS

By Bias Group

Total Number of Violent and Non-Violent complaints

	2019					2020				2021	_	
Bias Motivation	Non- Violent	Violent	% Violent	Total	Non- Violent	Violent	% Violent	Total	Non- Violent	Violent	% Violent	Total
Total	322	98	23%	420	201	65	24%	266	322	202	39%	524

Since 2019, there have been 365 violent hate crime complaints. In 2020, violent hate crime complaints (65) comprised 24% of all hate crime complaints. In 2021, violent hate crime complaints increased substantially (+137, from 2020 to 2021) comprising 39% of all hate crimes. Anti-Asian hate crimes comprised the largest raw number of violent hate crime complaints (79), followed by anti-LGBTQ (67).

2021 NYC Hate Crime Statistics

Bias Motivation	Non-Violent	Violent	% Violent	2021 Total
Anti-Asian	52	79	60%	131
Anti-LGBTQ	30	67	69%	97
Anti-Male Homosexual	26	46	64%	72
Anti-Transgender	2	15	88%	17
Anti-Female Homosexual	1	3	75%	4
Anti-Gender Non-Conforming	0	3	100%	3
Anti-LGBT (Mixed Group)	1	0	0%	1
Anti-Jewish	175	23	12%	198
Anti-White	6	12	67%	18
Anti-Black	32	6	16%	38
Anti-Hispanic	2	6	75%	8
Anti-Other Ethnicity	6	4	40%	10
Anti-Female	0	3	100%	3
Anti-Muslim	9	2	18%	11
Anti-Arab	1	0	0%	1
Anti-Catholic	9	0	0%	9
Total	322	202	39%	524

2021 NYC Hate Crime Statistics

By Geography

Forty-two percent of all hate crime complaints occurred in Manhattan (219), followed by Brooklyn (134). The majority of violent complaints in Manhattan were anti-Asian (45), followed by anti-LGBTQ (31). The majority of violent complaints in Brooklyn were anti-Asian (17) and anti-Jewish (14).

Borough Name	Non-Violent	Violent	% of Total	% Violent	Total
Manhattan	125	94	42%	43%	219
Brooklyn	81	53	26%	40%	134
Queens	62	41	20%	40%	103
Bronx	38	12	10%	24%	50
Staten Island	16	2	3%	11%	18
Grand Total	322	202	100%	39%	524

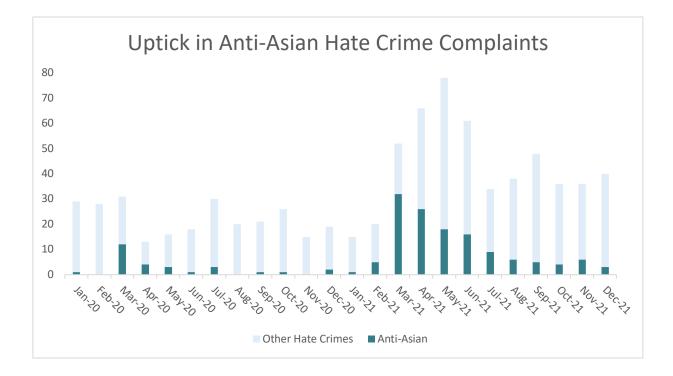
Total Number of Violent v. Non-Violent Incidents by Borough, 2021

Manhattan had both the highest number of violent hate crimes as well as non-violent hate crimes.

Increase in Anti-Asian Hate Crimes and COVID-19

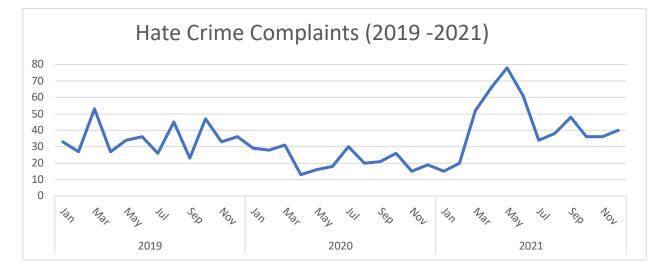
The unprecedented increase in anti-Asian hate crimes may be attributed to the widespread misinformation, stigmatization, and scapegoating of the Asian community relating to COVID-19, as well as OPHC and other city agencies and community-based organizations significant efforts to educate community members on the importance of reporting.

2021 NYC Hate Crime Statistics



The first determined COVID/Anti-Asian incident occurred on March 10, 2020. Subsequently, there was a string of concerning COVID-19 related hate crimes which primarily targeted Asian victims. As discussed above, Anti-Asian hate crimes were majority violent (79/131) and experienced an increase in arrests (from 21 to 59).

Though other bias category hate crimes spiked between February – April 2021, there was a decrease in reported anti-Asian hate crimes.



2021 NYC Hate Crime Statistics

Underreporting

According to CCHR's 2018 Annual Report, 71% of people in some vulnerable groups do not report bias incidents and hate-motivated harassment. Some of the following reporting barriers were identified by respondents:

- Believing that no one would take the report seriously or that the incident was not significant enough to report to police.
- Distrust of law enforcement due to negative experiences with law enforcement and/or historically strained and abusive relationship with law enforcement.
- Concern about reprisal or other bad consequences.¹⁰
- Concerns that it could impact immigration status (though NYPD never asks for this information)
- Trying to report and not being taken seriously.¹¹

As evidenced by the statistic that only 1 anti-Asian hate crime was reported in 2019, there has historically been a vast under-reporting of incidents by members of the Asian American and Pacific Islander communities as well as other vulnerable communities. At the onset of the COVID-19 pandemic when reports of incidents began to come in from AAPI organizations, OPHC, working with a number of city agencies (e.g., City Commission on Human Rights and the Mayor's Office of Immigrant Affairs) and in partnership with AAPI community-based organizations, devoted significant efforts to educate AAPI community members on the importance of reporting incidents to NYPD. While the numbers are likely still under-reported, the increase in reporting may reflect the results of joint government and community efforts that highlighted the importance of filing official hate crime complaints.

¹⁰ U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Special Report: Hate Crime Victimization Statistical Tables, 2004-2015. Washington, D.C., Bureau of Justice Statistics, June 2017.

¹¹ NYC Commission on Human Rights (CCHR). Xenophobia, Islamophobia, and Anti-Semitism in NYC Leading Up To and Following the 2016 Presidential Election: A Report on Discrimination, Bias, and Acts of Hate Experienced by Muslim, Arab, South Asian, Jewish, and Sikh New Yorkers. New York City, Strength in Numbers Consulting Group, 2018.

LOCAL LAWS OF THE CITY OF NEW YORK FOR THE YEAR 2019

No. 46

Introduced by Council Members Levine, Cumbo, Deutsch, Richards, Constantinides, Koslowitz, Chin, Treyger, Maisel, Levin, Rosenthal, Kallos, Vallone, Gibson, Rodriguez, Williams, Ayala and Cornegy.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section

20-g to read as follows:

§ 20-g Office for the prevention of hate crimes. a. The mayor shall establish an office for the prevention of hate crimes. Such office may be established within any office of the mayor or as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a coordinator who shall be appointed by the mayor or the head of such department. For the purposes of this section only, "coordinator" shall mean the coordinator of the office for the prevention of hate crimes.

b. Powers and duties. The coordinator shall have the power and the duty to:

1. Advise and assist the mayor in planning and implementing for coordination and cooperation among agencies under the jurisdiction of the mayor that are involved in prevention, awareness, investigation and prosecution, and impact on communities of hate crimes.

2. Create and implement a coordinated system for the city's response to hate crimes. Such system shall, in conjunction with the New York city commission on human rights' bias response teams, the police department, and any relevant agency or office, coordinate responses to hate crime allegations. *3.* Review the budget requests of all agencies for programs related to hate crimes, and recommend to the mayor budget priorities among such.

4. Prepare and submit to the mayor and the council and post on the city's website by January 30 of each year an annual report of the activities of the office, regarding the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, making recommendations for improvements of the same, and (iii) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation, and demographic characteristics such as age and gender of offenders.

5. Study the effectiveness of, and make recommendations with respect to, the expansion of safety plans for neighborhoods and institutions that are particularly vulnerable to hate crimes, and the resources available for victims. This paragraph shall not require the disclosure of material that would reveal non-routine investigative techniques or confidential information or where disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations.

6. Serve as liaison for the city with providers of victim services, community groups, and other relevant nongovernmental entities and assist in the coordination among such entities on reporting and responding to allegations of hate crimes, to ensure that city residents have access to relevant services after hate crime events.

7. Perform other duties as the mayor may assign.

§2. This local law takes effect nine months after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council

on January 24, 2019 and returned unsigned by the Mayor on February 26, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 46 of 2019, Council Int. No. 1234-A of

2018) to be filed with the Secretary of State contains the correct text of the local law passed

by the New York City Council, presented to the Mayor and neither approved nor disapproved

within thirty days thereafter.

STEVEN LOUIS,

Acting Corporation Counsel.

LOCAL LAWS OF THE CITY OF NEW YORK FOR THE YEAR 2019

No. 47

Introduced by Council Members Deutsch, Richards, Levine, Vallone, Eugene, Menchaca, Moya, Ampry-Samuel, Cabrera, Gibson, Levin, Lancman, Rodriguez, Kallos, Williams, Koslowitz, Chin, Cumbo and Ayala.

A LOCAL LAW

To amend the New York city charter, in relation to requiring educational outreach within the office of prevention of hate crimes

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision b of section 20-g of the New York city charter, as added by a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, is amended to read as follows:

4. Prepare and submit to the mayor and the council and post on the city's website by January 30 of each year an annual report of the activities of the office, regarding the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, making recommendations for improvements of the same, [and] (iii) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation, and demographic characteristics such as age and gender of offenders. *(iv) the populations to which the division of educational outreach addressed, (v) the types of programs created or provided by the division of educational outreach and the names of the providers of such programs, and (vi) any other outreach, education, and prevention efforts made by the division of educational outreach.*

§ 2. Section 20-g of the New York city charter, as added by a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, is amended by adding a new subdivision c to read as follows:

c. The coordinator shall establish a division of educational outreach. The division shall have the power and the duty to:

1. Ensure, by such means as necessary, including coordination with relevant city agencies and interfaith organizations, community groups, and human rights and civil rights groups, the provision of effective outreach and education on the impact and effects of hate crimes, including measures necessary to achieve greater tolerance and understanding, and including the use of law enforcement where appropriate.

2. Create a K-12 curriculum addressing issues related to hate crimes, in consultation with the department of education.

3. Perform other duties as the mayor may assign.

§ 3. This local law takes effect on the same date as a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, takes effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council

on January 24, 2019 and returned unsigned by the Mayor on February 26, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 47 of 2019, Council Int. No. 1261-A of

2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter. STEVEN LOUIS, Acting Corporation Counsel.

LOCAL LAWS OF THE CITY OF NEW YORK FOR THE YEAR 2020

No. 49

Introduced by Council Members Treyger, Rivera, Torres, Koslowitz, Brannan, Ayala, Richards, Kallos, Louis, Chin and Vallone.

A LOCAL LAW

To amend the New York city charter, in relation to individualized responses to violent hate crimes

Be it enacted by the Council as follows:

Section 1. Section 20-g of the New York city charter, as amended by local law number 47 for the year 2019, is amended to read as follows:

§ 20-g. Office for the prevention of hate crimes. a. The mayor shall establish an office for the prevention of hate crimes. Such office may be established within any office of the mayor or as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a coordinator who shall be appointed by the mayor or the head of such department. For the purposes of this section only, "coordinator" shall mean the coordinator of the office for the prevention of hate crimes.

b. Powers and duties. The coordinator shall have the power and the duty to:

1. Advise and assist the mayor in planning and implementing [for] *the* coordination and cooperation among agencies under the jurisdiction of the mayor that are involved in *the following:* [prevention] *preventing hate crimes, raising* awareness *of hate crimes,* [investigation and prosecution] *investigating and prosecuting hate crimes,* and *addressing the* impact *of hate crimes* on communities [of hate crimes.];

2. Create and implement a coordinated system for the city's response to hate crimes. Such system shall, in conjunction with the New York city commission on human rights' bias response teams, the police department[,] and any relevant agency or office, coordinate responses to hate crime allegations. *Such system shall make provision for an individualized response to all alleged violent hate crimes;*

3. Review the budget requests of all agencies for programs related to hate crimes[,] and recommend to the mayor budget priorities among such[.] *requests;*

4. Prepare and submit to the mayor and the council and post on the city's website by [January 30] *March 1* of each year an annual report of the activities of the office *for the prevention of hate crimes*, [regarding] the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such

report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, [making] *and* recommendations for improvements of the same, (iii) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation[,] and demographic characteristics such as age and gender of offenders, (iv) the populations [to which] the division of educational outreach [addressed] *engaged with*, (v) the types of programs created or provided by the division of educational outreach and the names of the providers of such programs[,] and (vi) any other outreach, education[,] and prevention efforts made by the division of educational outreach[.];

5. Study the effectiveness of, and make recommendations with respect to, the expansion of safety plans for neighborhoods and institutions that are particularly vulnerable to hate crimes[,] and the resources available for victims. This paragraph [shall] *does* not require the disclosure of material that would reveal non-routine investigative techniques or confidential information or [where] *when* disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations[.];

6. Serve as liaison for the city with providers of victim services, community groups[,] and other relevant nongovernmental entities and assist in the coordination among such entities on reporting and responding to allegations of hate crimes[,] to ensure that [city residents] affected persons have access to relevant services after hate crime events[.];

7. Provide relevant information to the affected community, including the local community board, within 72 hours of a determination that a violent hate crime has occurred. Such information shall include how the administration is responding to the alleged violent hate crime and the resources currently available to affected persons. This paragraph does not require the disclosure of confidential information or any material that could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations;

8. Within 24 hours of a determination that a violent hate crime has occurred, notify the mayor, speaker of the council, public advocate and council member of the relevant district that such hate crime occurred, the date and time the incident was reported, and the date and time the incident was referred to the hate crimes task force of the New York City police department; and

[7.] 9. Perform other duties as the mayor may assign.

c. The coordinator shall establish a division of educational outreach. The division shall have the power and the duty to:

1. Ensure[, by such means as necessary, including coordination with relevant city agencies and interfaith organizations, community groups, and human rights and civil rights groups,] the provision of effective outreach and education on the impact and effects of hate crimes, including measures necessary to achieve greater tolerance and understanding, and including the use of law enforcement [where] *when* appropriate. *Such outreach and education shall include coordination between relevant city agencies and interfaith organizations, community groups and human rights and civil rights groups;*

2. Create a K-12 curriculum addressing issues related to hate crimes[,] in consultation with the department of education[.]; and

3. Perform other duties as the mayor may assign.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 27, 2020 and returned unsigned by the Mayor on April 16, 2020.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 49 of 2020, Council Int. No. 1847-A of 2020) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.

Legislative findings Penal (PEN)

The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York state in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes", victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. Current law does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.

Accordingly, the legislature finds and declares that hate crimes should be prosecuted and punished with appropriate severity.

Section 485.05

Hate crimes

Penal (PEN) *Listing of Specified Offenses*

1. A person commits a hate crime when he or she commits a specified offense and either:

- a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
- b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.

3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree);

section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the third degree); section 135.61 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson

in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

- 4. For purposes of this section:
 - a) the term "age" means sixty years old or more;
 - b) the term "disability" means a physical or mental impairment that substantially limits a major life activity.
 - c) the term "gender identity or expression" means a person's actual or perceived gender-related identity, appearance, behavior, expression, or other genderrelated characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.

Section 485.10

Sentencing

Penal (PEN)

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.

2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant`s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:

- a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter;
- b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter;
- c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter;
- d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and
- e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter.

4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall not less than twenty years.

5. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.

- What Is A Hate Crime Resource
- 311-911 Resource on Bias Incidents and Hate Crimes
- Hate Symbols Informational Web Page
- Hate Crime Frequently Asked Questions (FAQs)
- OPHC Hate Crime Notification System Frequently Asked Questions (FAQs)
- Education Resource on Anti-Asian Bias
- Educational Resource Guide on Anti-Semitism



A hate crime is a crime that is motivated in whole or substantial part by bias against certain personal characteristics. According to New York State law, there must be an underlying crime in order for an incident to be classified as a hate crime. That means authorities must first determine there was a crime committed. If it's determined that the crime was motivated by bias, then hate crime charges may be added to the original charge.

These enhanced penalties exist because while any crime has a negative impact on the victim, hate crimes impact victims on a much deeper and emotional level, and the impact is wider—creating fear and community unrest with those who share the victim's characteristics. There are many types of underlying crimes that, when combined with biased intent, can be considered hate crimes, including physical assault, verbal threats, robberies and burglaries, and property damage such as graffiti.

New York law also specifically provides that anyone who places a swastika or noose—both historical expressions of hate—with the intent to harass, annoy, threaten, or alarm, can also be charged with aggravated harassment.

What is a hate crime?

Examples of hate crimes

- A passenger on the train says, "I hate gays," and threatens to beat a same-sex couple holding hands.
- A group of teenagers spray paint a swastika on a building or hang a noose from a tree.
- A passerby spits in someone's face and yells, "You Asians are spreading the Coronavirus!"

What groups are recognized under New York hate crime law?

New York State law considers the following identities when determining whether a crime was motivated by bias:

- Race or color
- Ancestry or place of national origin
 Gender identity or expression
- Religion or religious practice

- Disability
- Sexual orientation

Gender

Age

What if there isn't an underlying crime?

One can still be victimized by bias and hate if there is no underlying crime. A bias incident is when someone verbally harasses or discriminates against you based on your identity, but the incident does not involve a physical attack, a threat of attack, or property damage.

Bias incidents are taken seriously as examples of discrimination, but they are not necessarily crimes. Some bias incidents may be protected by free speech provisions of the Constitution. Others may give rise to civil penalties in New York City under the NYC Human Rights law, which is administered by the NYC Commission on Human Rights.

Examples of bias incidents

- Someone walks by a Latinx person on the street and yells, "I hate Mexicans," and, "Go back to your own country!"
- A group of teenagers call a Black teenager the "N" word.
- A restaurant owner tells a customer in a turban, "Muslims are not welcome here".

What should I do...

...if I find graffiti that includes hate speech or hate symbols, like a swastika?

Graffiti is a crime in New York, and graffiti that includes hate speech or hate symbols can be considered a hate crime. Swastikas and nooses are the most common hate symbols.

If you find graffiti that includes hate speech or hate symbols, call 911 and say "hate crime". It would also be helpful to take a picture of the graffiti to share with law enforcement.

...if I find stickers or fliers promoting a white supremacist group on a lamppost?

Even though stickers, fliers, and posters are protected by the First Amendment and are not considered to be hate crimes, it's important to report the biased or hateful messages.

If the fliers include certain images such as a swastika or a noose, that may elevate charges against the people who distributed the materials and should be reported to your local precinct.

...if someone physically threatens me while making biased remarks?

A physical threat, even without contact, can be considered a crime. As soon as someone includes a physical threat along with biased language, it could be classified as a hate crime.

If someone yells, "I'm going to punch your Asian face," before physically engaging a victim, it may be a hate crime and you should report the incident to police by calling 911 or going to your local precinct.

YOU WILL BE CONNECTED TO CCHR STAFF WHO CAN INVESTIGATE THE CASE OR HELP YOU FILE A COMPLAINT

...if someone verbally harasses me about my identity, but doesn't threaten or touch me?

If a person harasses you because of your race, national origin, religion, gender, sexual orientation or gender identity, disability, or any other protected category, that can be considered discriminatory harassment and you should call 311 and say "human rights" or report the bias incident to the NYC Commission on Human Rights (CCHR)

If you are not sure if the harassment was discriminatory or if it was based on your identity, you can still call or email the CCHR and they will help you understand your rights and assist you in filing a complaint.

...if I'm not sure if I experienced a hate crime or a bias incident?

If someone has physically harmed you or threatened to harm you, you should call 911. But you should feel free to call either 311, 911, or both if you are unsure which one to call.

Whether you call 311 or 911, your complaint will be forwarded to the right place. It is more important to report the incident than to worry about which number to use.



YOU WILL BE CONNECTED TO AN OPERATOR WHO WILL ASK FOR DETAILS AND WILL DETERMINE IF POLICE SHOULD BE SENT TO INVESTIGATE. LANGUAGE ASSISTANCE IS AVAILABLE AND YOU WILL NEVER BE ASKED ABOUT IMMIGRATION STATUS.

Hate or discrimination on the basis of race, national origin, or other characteristics is not tolerated in NYC.

The New York City Commission on Human Rights (CCHR), the Office for the Prevention of Hate Crimes (OPHC), and the NYPD are monitoring and responding to reported hate and bias incidents related to COVID-19 and coronavirus.

If you or someone you know has been physically harassed or assaulted because of your identity—including your race, ethnicity, or religion—please call 911.

NYPD officers will not ask about the immigration status of anyone seeking help and language assistance is available. Officers can also help connect individuals to victim support services available to them. You can also contact a Crime Victim Advocate to help deal with the emotional, physical, and financial aftermath of a crime, and explore other options. Call the All Crimes Hotline at 1-866-689-HELP (4357) TDD: 866-604-5350.

If you or someone you know has been harassed or discriminated against by a business, employer, or landlord because of your identity—please call 311 and say, "human rights."

You are protected against discrimination in housing, at work, or in public places based on your race, national origin, age, immigration status, disability, or other protected classes under the NYC Human Rights Law. The New York City Commission on Human Rights is charged with the enforcement of this law. Violators may be required to pay penalties and/or damages to victims.

Do you need immigration assistance?

All New Yorkers, regardless of immigration status, can call the ActionNYC hotline for free, safe immigration legal help. Call the ActionNYC hotline at 1-800-354-0365, or call 311 and say, "ActionNYC."

Are you seeking mental health support?

NYC Well is also available to support you with your mental health needs. Trained counselors can provide confidential support 24 hours a day, 7 days a week, in more than 200 languages. Call 888-NYC-WELL, text "WELL" to 65173, or chat online at nyc.gov/nycwell.



the Mayor's Office of Immigrant Affairs Bitta Mostofi Commission on Human Rights

Carmelyn P. Malais Commissioner/Chair



Information on Hate Symbols

Hate crimes are not limited to violent or physical attacks. Hateful symbols can also create pain and fear within vulnerable communities. In New York, some hate-motivated symbols can result in hate crime charges in addition to the underlying committed crime.

New York State Laws on Hate Crimes and Hateful Vandalism

<u>New York State Penal Law</u> defines hate crimes as criminal acts that are motivated in whole or substantial part by an offender's identification of a person, group, place, or property with a particular "race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation."

New York law also provides that anyone who "etches, paints, draws upon or otherwise places a swastika or noose," or "sets a cross on fire in public view" <u>can be charged with first-degree</u> <u>aggravated harassment</u>. Anyone who displays such symbols with the "intent to damage property of another person" <u>can be charged with criminal mischief</u>, which falls underneath New York State's list of <u>designated hate crimes</u>.

Swastikas

The swastika has been used by Hindus, Buddhists, and Jains for millennia as a symbol of wellbeing. However, Nazi Party leader Adolf Hitler, an anti-Semitic nationalist and fascist, appropriated the swastika for the Nazi Party in Germany and designed the Nazi swastika flag in 1910. Hitler's rise would lead to the deaths of millions of people, including the genocide of over 6 million Jews.

Hitler wrote in his autobiography: "[We see] in the swastika the mission of struggle for the victory of the Aryan man, and, by the same token, the victory of the idea of creative work, which as such always has been and always will be anti-Semitic." On September 15, 1935, Hitler marked the passage of the Nuremberg Laws, which included a law proclaiming the swastika flag the sole state flag of Germany, as well as a law that deprived individuals of citizenship who were not of "German or cognate blood."

Today, the swastika is widely seen as a hate symbol that promotes white supremacy and genocide. Displaying a swastika is a criminal offense punishable by New York State law, as it provokes fear and distress in Jewish and other historically targeted communities.

Learn more about the swastika as a symbol of hate:

Anti-Defamation League: Swastika

Facing History: Holocaust Education Amid Rising Antisemitism: An Interview with Leslie White

The Art of Hitler. By Steven Kasher in the MIT Press Journal

U.S. Holocaust Memorial Museum: The History of the Swastika

Echoes & Reflections: Swastikas and Nazi Salutes: Addressing Holocaust Symbols in the Age of Image

Nooses & Cross-Burning

Nooses as hate symbols are connected to the United States history of lynching. The NAACP estimates that more than 4,700 people were lynched between 1882 and 1968 in the United States, the vast majority of whom were Black. Most of these racially motivated lynchings took place in the South, where many Black men and women were dismembered, beaten to death, and strung from trees for any number of alleged minor crimes. In Turner v. Commonwealth of Virginia, the Court of Appeals of Virginia ruled that displaying a noose hanging a Black, life-size mannequin on one's own property violated a state law criminalizing the display of a noose on public property with an intent to intimidate others. Today, displaying a noose in a public space is considered to be an anti-Black, racist hate symbol.

Crosses were burned by the Ku Klux Klan, a group identified by the Southern Poverty Law Center as a hate group that advocates white nationalism, at lynchings but were also generally used to terrorize Blacks, Roman Catholics, Jews, and others groups. In Virginia v. Black, the U.S. Supreme Court ruled that burning a cross with the intent to intimidate or terrorize is not protected free speech. In New York State, cross-burning is considered a hate crime.

Learn more about the noose as a symbol of hate:

Court of Appeals of Virginia - Turner v. Commonwealth of Virginia (2018)

U.S. Supreme Court - Virginia v. Black, 538 U.S. 343 (2003)

NAACP: History of Lynchings

Equal Justice Initiative: Lynching in America

Anti-Defamation League: Noose Incidents & Their Historical Context

Facing History: The Origins of Lynching Culture in the United States

Southern Poverty Law Center: "Ku Klux Klan"

Other Hate Symbols

Swastikas and nooses are the most common hate symbols seen in the U.S. today, but there are a number of other hate symbols.

Learn more about other hate symbols from the Anti-Defamation League's Hate On Display Symbols resource.

Reporting Hate Symbols

In order to create a safe and democratic society, it is important to call out instances of anti-Semitism, racism, and all other forms of bigotry and hate, including swastikas and nooses.

The New York Police Department keeps track of such incidents so that it can identify any patterns and address illegal activity, and support those who are targeted. The City of New York can also provide individuals and communities targeted or impacted by hate with physical and mental health services or financial support.

Learn more about Victim Support services.

If you see a swastika, noose, or other imagery you believe might be hateful, call 911 or your local precinct to report it. If possible, take a photograph of the symbol, noting the exact address or cross streets to help with the investigation.



Frequently Asked Questions

What is a Hate Crime?

Hate crimes are defined under Section 485.05 of New York State penal law.

Read more about the New York State law on hate crimes

Aggravated harassment crimes (etching swastikas, displaying nooses, and publicly burning crosses) are defined under Section 240.31 of New York State penal law.

Read more about the New York State law on aggravated harassment crimes

The New York City Police Department uses the following guidelines to identify hate crimes and bias incidents: "A bias incident is any offense or unlawful act that is motivated in whole or substantial part by a person's, a group's or a place's identification with a particular race, color, religion, ethnicity, gender, age, disability, ancestry, national origin, or sexual orientation (including gay, lesbian, bi-sexual, and transgender) as determined by the commanding officer of the Hate Crime Task Force."

All hate crimes are serious incidents and are treated as such by the Police Department. Crimes that are motivated by hate are vigorously investigated by the NYPD Hate Crime Task Force.

Learn more about NYPD and the Hate Crime Task Force

How Do I Report a Hate Crime?

If you are the victim of crime, call 911 immediately. If it is a non-serious crime, or a crime that occurred in the past, contact If you are the victim of crime, call 911 immediately. If it is non-violent crime, or a crime that occurred in the past, contact your local precinct.

Find your nearest precinct

The responding police officers will provide whatever immediate assistance is needed and begin the reporting process. If the situation is deemed to be a possible biasmotivated incident, the NYPD Hate Crime Task Force will be notified. A person's immigration status does not prevent them from reporting a hate crime or receiving services. You can also report hate crimes to the District Attorney hate crime unit in your borough.

Why Are Hate Crimes Treated Differently Than Other Crimes?

Hate crimes are subject to enhanced penalties because they have a different, greater impact. They send a message to victims that they have been targeted because of their personal identity, creating a deep sense of insecurity. Not only does the victim suffer, but the entire class of individuals who share the victim's characteristics is also impacted, damaging the fabric of democratic society by giving rise to community fear and disruption.

Why Are Hate Crimes Under-Reported?

There are a number of reasons that hate crimes are under-reported, including that a victim may believe that the incident was not important enough to report to police, may feel that their complaint will not be taken seriously or may not trust the government to act on it, or may be concerned about their immigration status or about retaliation.

In New York City, victims are not asked about their immigration status and their personal information (e.g., sexual orientation) is not made public without the victim's consent.

Why Is It Important to Report Hate Crimes?

It is critically important to report hate crimes so the City can provide victims with resources such as physical and mental health services or financial support. It is also important for the City to keep track of incidents so it can gather statistics and ascertain patterns (e.g., neighborhoods targeted, age of offenders, most frequent bias motivations, etc.) and determine ways to address them. Also, if a hate crime is not reported, the perpetrator(s) may go on to hurt another person in the same way or worse.

Once a hate crime is made public, it is important for community leaders to be able to send a united message of support for the victim and the victim's community and make it clear that New York City will not tolerate these types of crimes and that our City values diversity, inclusion, and safety for all.

Are All Bias Incidents Hate Crimes?

No. In many instances there can be verbal harassment or discrimination against someone based on their identity, but the incident does not involve an underlying crime, such as aggravated harassment, physical attack, a threat of attack, or property damage.

Bias incidents are taken seriously because they also impact someone's identity and can create fear and community disruption. Some bias incidents may be protected by free speech provisions of the Constitution (e.g., calling someone a racial epithet without any threat), while others may give rise to civil penalties under the NYC Human Rights law.

Learn how to file a discrimination complaint.



OPHC Hate Crime Notification System

In March 2020, the New York City Council passed Local Law 49, mandating an "individualized response to alleged violent hate crimes."

Pursuant to this legislation, the Office for the Prevention of Hate Crimes (OPHC) is required to provide relevant information about the crime, including incident date and time, and information on the administration's response to elected officials and affected communities.

Learn more about Local Law 49

Frequently Asked Questions

Who receives these notifications?

Currently, OPHC sends e-mail notifications to:

- 1. Elected officials and other local representatives who serve the geographic area where the incident occurred (e.g., the affected district's City Council member),
- 2. The community board of the area where the incident occurred, and
- 3. Community-based organizations that serve the affected community throughout the city, as determined by the bias motivation of the crime (e.g., LGBTQ organizations receive notification of all anti-sexual orientation or anti-gender identity assaults).

OPHC's Hate Crime Notification System does not include any confidential information that compromises the identities of any parties involved or the integrity of any ongoing investigations.

When does the OPHC send these alerts?

OPHC sends notifications only after the New York City Police Department's Hate Crimes Task Force has made an initial determination that a violent incident is being investigated as a hate crime. OPHC will then send notifications via e-mail and is committed to relaying relevant information accurately and in a timely manner.

What qualifies as a "violent hate crime"?

Violent hate crimes that will activate notifications currently include (but are not limited to):

- 1. Violent felonies under 70.02 of the New York State Penal Law
- 2. Article 125 crimes
- 3. Article 130 crimes
- 4. Assault 3
- 5. Strangulation

Who do I contact for more information about a particular incident?

For any press inquiries or public information related to a specific incident, **please** contact the NYPD Office of the Deputy Commissioner, Public Information (DCPI).

For general questions or concerns, please contact OPHC.





COVID-19-RELATED ANTI-BIAS EDUCATION RESOURCE GUIDE

These are extraordinary times. As we adjust to the new realities of remote learning, we are also facing a disturbing rise in bias incidents and hate crimes against the Asian-American community. These incidents have targeted Asian-Americans of all ages across New York City based on false and biased perceptions of COVID-19. The virus of hate can have long-term consequences after the pandemic passes, and it is imperative that we be proactive in confronting it early and ensuring NYC's commitment to a safe, welcoming city for all.

As educators, we are tasked with creating safe and inclusive spaces for all our students, whether we teach in person or remotely. As always, it is our job to develop empathic and thoughtful individuals who can recognize the value of diversity, particularly in the greatest and most diverse city in the world. This critical job matters now more than ever.

As we adjust to the new reality and you are preparing your lesson plans, we encourage you to incorporate lessons that address the consequences of bias and discrimination. The following resources have been compiled by the Department of Education and the Mayor's Office for the Prevention of Hate Crimes (OPHC) to help initiate discussions with your students and to provide empowering ways to stand up against hate, even in the virtual space. We hope you find them useful.

Thank you for all you are doing to keep our students safe, engaged, and responsible citizens.

RESOURCES AND LESSONS FOR EDUCATORS

RESOURCES RELATED TO COVID-19

- "<u>Coronavirus: Protect Yourself And Stand Against Racism</u>" Lesson plan from Facing History that outlines facts about COVID-19 and gives students the opportunity to explore instances of related discrimination.
- <u>"Coronavirus: Countering Biased Responses"</u> A three-lesson series from Morningside Center with guidelines on how to counter biased or uniformed student responses and to increase student empathy.
- <u>"Guidelines for Addressing the Coronavirus Outbreak"</u> Guidelines from Morningside Center on creating a supportive space for students to discuss coronavirus in an online classroom setting.
- <u>"Speaking Up Against Racism Around the New Coronavirus"</u> Educator resources from Teaching Tolerance on understanding the historical context and confronting racist tropes.
- <u>"The Coronavirus Surfaces Fear, Stereotypes and Scapegoating"</u> Information and resources from ADL on scapegoating throughout history and ways for schools and communities to address it.

HISTORIES OF ASIAN-AMERICAN DISCRIMINATION

- <u>"Asian American Stereotypes"</u>, a lesson plan and toolkit from Teaching Tolerance for discussing the diversity of the Asian-American label.
- Educator resources from Facing History on the <u>legacies of Chinese exclusion</u> and on bearing witness to <u>Japanese</u> <u>internment</u> during WWII.
- Special curriculum unit from ADL for high schoolers on WWII-era Japanese internment.

For questions about educational resources and additional support related to hate crimes, please email <u>RespectForAll@schools.nyc.gov</u>. For questions and resources about hate crimes in general, please email the Office for the Prevention of Hate Crimes at <u>ophc@nyc.cityhall.nyc</u>.





COVID-19-RELATED ANTI-BIAS EDUCATION RESOURCE GUIDE

HISTORIES OF DISCRIMINATION RELATED TO PUBLIC HEALTH

- Articles on the history of face masks, different cultural associations with face masks, and face masks and anti-Asian discrimination.
- Articles on the history of <u>anti-Asian xenophobia</u> during <u>public health emergencies</u>, <u>scapegoating</u> during times of health crisis, and why viruses <u>are no longer named</u> after places.
- How to Survive the Plague, award-winning documentary and <u>question guide</u> on homophobia and the AIDS crisis; <u>"Anti-Judaism before the Enlightenment"</u>, Facing History resource on anti-Jewish scapegoating during the Bubonic Plague

MULTIMEDIA RESOURCES

- **Comics**: <u>"The Wuhan I Know"</u>, online comic about growing up in Wuhan before the coronavirus; <u>"Exploring the New Coronavirus"</u>, a popular PBS comic zine for students, also available in Chinese.
- Audio: NPR Podcast, <u>"As Coronavirus Spreads, Racism and Xenophobia Are Too"</u>; <u>"Lost in Translation"</u>, Filipino-American history as a spoken word poem.
- Video: <u>New York Times conversation</u> with Asian-Americans on race and New York Times video, <u>"Coronavirus</u> <u>Racism Infected My High School"</u>; CAAM <u>Asian-American home movies</u> project; PBS documentary and educator guide, <u>Becoming American: The Chinese Experience</u>.
- Multimedia: <u>The Orange Story</u>, digital humanities platform on Japanese internment using primary sources; <u>A</u> <u>Lens Into the Past</u>, Kennedy Center lesson plan using photographs to understand the lives of 20th century immigrants.

EDUCATIONAL RESOURCES ON HATE ONLINE

- <u>Digital Citizenship curriculum</u> from Common Sense with cyberbullying and online hate speech lesson plans.
- <u>"Addressing Hate Online: Countering Cyberhate with Counterspeech"</u> High-school lesson plan from ADL on recognizing and responding to online hatred.
- <u>"Five Ways to Counter Extremists on Social Media"</u> How-to resource sheet and accompanying question sheet from the Tannenbaum Center.

EDUCATIONAL RESOURCES ON RESPONDING TO BIAS

- <u>"How to Respond to Coronavirus Racism"</u> and <u>"Speak Up! Responding to Everyday Bigotry"</u> Detailed guide from Teaching Tolerance on how to speak out against xenophobia and racism in a range of different settings.
- <u>"Anti-Bias Tools and Strategies"</u> A wide range of tools and strategies from ADL for educators and families to
 promote safe and inclusive learning environments.
- <u>"Show Up: Your Guide to Bystander Intervention"</u> Bystander guide from Hollaback! on how to intervene when you see harassment.
- The Center for Anti-Violence Education (CAE) <u>online workshops</u> training youth to become upstanders against COVID-related scapegoating and discrimination. Available May 1.

For questions about educational resources and additional support related to hate crimes, please email <u>RespectForAll@schools.nyc.gov</u>. For questions and resources about hate crimes in general, please email the Office for the Prevention of Hate Crimes at <u>ophc@nyc.cityhall.nyc</u>.



Promoting Respect and Addressing Hate Crimes



Schools are safe havens for communities and must be free from discrimination and intolerance of any kind. The recent anti-Semitic events that have taken place across our city and nearby are deeply troubling and will not be tolerated. We must ensure that our schools remain safe, inclusive, and nurturing spaces for all students, staff, and families. It is our job as educators to create thoughtful, productive citizens who understand the value of living in a diverse and accepting society.

The recent anti-Semitic events in New York City reflect behaviors that have no place in our schools. As educators, part of our responsibility requires leading thoughtful conversations with students and staff about how to promote respect and address related negative behaviors. Although these conversations can be difficult, it is imperative to talk about prejudice in all its forms in order to educate our school communities. In addition, it is important to incorporate student voice and meaningful dialogue, and create opportunities for students to share their beliefs and feelings. Students can discuss what discrimination and religious intolerance might look like in a school and collectively explore the positive actions they can take to promote diversity. Schools should designate a safe place where students can go if they are anxious or upset, as so many of us are, by the hate and violence in our society. All students should have access to school-based staff (i.e. RFA liaison, guidance counselor, teacher, etc.) who they can turn to and discuss their concerns.

To help you as school communities plan for these conversations, the New York City Department of Education (NYCDOE) has prepared a list of resources that you may use. These resources are organized by audience and grade level (where applicable).

RESOURCES AND LESSONS FOR EDUCATORS:

<u>Teaching Tolerance</u>: Teaching Tolerance provides free resources to educators—teachers, administrators, counselors, and other practitioners—who work with children from kindergarten through high school. These materials can be used to supplement existing curriculum, to inform practices, and to create civil and inclusive school communities where children are respected, valued, and welcomed participants.

1. <u>G</u>	rades K-2	2.	Grades 3-5	3.	<u>Grades 6-8</u>	4.	<u>Grades 9-12</u>
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Anti-Defamation League (ADL): ADL is a leading anti-hate organization. Founded in 1913 in response to an escalating climate of anti-Semitism and bigotry, its timeless mission is to protect the Jewish people and to secure justice and fair treatment for all. ADL Today, ADL continues to fight all forms of hate with the same vigor and passion. ADL is a global leader in exposing extremism and delivering anti-bias education and is a leading organization in training law enforcement. ADL is the first call when acts of anti-Semitism occur. ADL's goal is a world in which no group or individual suffers from bias, discrimination, or hate.

 1. Preschool
 2. Grades K-5
 3. Grades 6-8
 4. Grades 9-12

ADL along with its partners, the USC Shoah Foundation and Yad Vashem, provide "<u>Echoes and Reflections</u>," Holocaust education materials to empower middle and high school educators with dynamic classroom materials and professional development.

<u>Facing History and Ourselves</u>: Facing our collective history and how it informs our attitudes and behaviors allows us to choose a world of equity and justice. Facing History's resources address racism, anti-Semitism, and prejudice at pivotal moments in history and help students connect choices made in the past to those they will confront in their own lives. Through their partnership with educators around the world, Facing History and Ourselves reaches millions of students in thousands of classrooms every year. Facing History and Ourselves offers resources for <u>grades 6-12</u>.





Promoting Respect and Addressing Hate Crimes



<u>Museum of Jewish Heritage</u>: The Museum of Jewish Heritage provides a free Holocaust Curriculum, developed with the support of the New York City Department of Education, for middle and high school students and their educators. The curriculum is an innovative teaching resource featuring lesson plans, primary sources, and other resources to educate students about Jewish life before, during, and after the Holocaust.

<u>The Tanenbaum Center</u>: The Tanenbaum Center is non-sectarian nonprofit that promotes mutual respect with practical programs that bridge religious difference and combat prejudice in schools, workplaces, health care settings and areas of armed conflict. Tanenbaum designs trainings and educational resources to change the way people treat one another and to celebrate the richness of our country's diversity. Tanenbaum is engaging on a series of resources (<u>fact sheets</u>, <u>video</u> <u>interviews</u>, <u>and questions for conversation</u>) on the rise of anti-Semitism and actions that people can take to learn about and take action to combat the problem.

NYCDOE K-11 Passport to Social Studies (available on <u>www.WeTeachNYC.org</u>): The Passport to Social Studies Curriculum was created by the New York City Department of Education to address the standards and learning expectations of social studies for New York State. In developing an extensive and coherent array of resources, one of the most common themes through all the grades is promoting tolerance and acceptance of all people and acknowledging when and where in the past that has not happened.

RESOURCES FOR STUDENTS AND FAMILIES:

- <u>Teaching Tolerance</u>: Offers webinars with guidance and best practices, from their highly experienced teaching and learning specialists and from other educators in the Teaching Tolerance community.
- <u>Anti-Defamation League (ADL)</u>: Table Talk: Family Conversations about Current Events: Anti-Semitism Today.
- <u>Challenging Biased Language (from the ADL)</u>: Strategies and resources for everyone to help challenge bigoted and offensive remarks to ensure dignity and respect for all people.
- <u>Coalition for Asian American Children and</u> <u>Families (CACF)</u>: Educate Asian Pacific American parents in their preferred languages on their rights, responsibilities, and opportunities to attain services within the school system.
- <u>Muslim Community Network</u>: Develops the capacity of Muslim New Yorkers and their allies

to fully participate in the social and political landscape of New York City.

- <u>Sikh Coalition</u>: A community-based organization that works towards the realization of civil and human rights for all people.
- <u>Unity Productions Foundation (UPF)</u>: UPF can work with Islamic centers, Mosques, and even educational institutions to host screenings and events dedicated to fighting Islamophobia.
- Speak Up: <u>Responding to Everyday Bigotry</u>
- <u>Advocates for Youth (AFY)</u>
- Parents, Families, Friends, and Allies of Lesbians and Gays (PFLAG)
- <u>The Trevor Project: Education and Resources for</u> Adults
- <u>NYCDOE Respect for All</u>: Provides anti-bullying and anti-discrimination policies and resources



Stay Connected. For updates on our criminal justice initiatives follow us on Twitter at **@CrimJusticeNYC** and visit <u>nyc.gov/stophate.</u>