

# The Office for the Prevention of Hate Crimes

2019 Annual Report



The City of New York  
Mayor Bill de Blasio

**NYC** Office for the  
Prevention of  
Hate Crimes

**NYC** Criminal  
Justice



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**Letter from  
Executive  
Director  
Deborah Lauter**

The Office for the Prevention of Hate Crimes (OPHC) submits its first report to the Mayor and the New York City Council in compliance with Local Laws 46 and 47 of 2019 (See Appendix 1). It describes the activities of OPHC in its first five months of existence, providing data and information on the prevalence of hate crimes during the previous calendar year and responses to these crimes in New York City.

In January 2019, the New York City Council passed legislation to create the Office for the Prevention of Hate Crimes—the first of its kind for a city in the United States—with a deadline to open in November 2019. Mayor Bill de Blasio, while celebrating that overall crime had gone down in NYC, was concerned about the continuing rise in hate crimes. The Mayor’s Office escalated its search for an executive director and announced my appointment in early September.

OPHC’s early launch proved prescient. Bias incidents and hate crimes, particularly targeting religious Jews in Brooklyn neighborhoods, continued. Reports of swastika graffiti increased dramatically around the City. And, in the wake of horrendous anti-Semitic murders and attacks in nearby communities of Jersey City, NJ and Monsey, NY, we were faced with a crisis of fear in a city that cherishes and defines itself by its diversity and inclusiveness.

As this report details, OPHC has, in just five months, accomplished much. We: 1) completed the administrative work of opening a new office, including hiring six full-time staff, creating a robust website, compiling resources and data, and conducting dozens of media interviews to raise awareness about hate crime prevention and responses; 2) formed an Interagency Committee for the Prevention of Hate Crimes, convening eleven city agencies and the City’s five District Attorney offices, all of whom are stakeholders in preventing and addressing hate violence; 3) launched three Neighborhood Safety Coalitions in Brooklyn neighborhoods that have seen alarming increases in hate crimes; 4) undertook contracting with and coordination of sixteen community-based organizations provided grants from the City Council for the City’s Hate Violence Prevention Initiative; and 5) in cooperation with the Department of Education (DOE), began developing dedicated school curriculum resources on hate crimes, among other things. At the same time as this proactive work, we were responsive to the anti-Semitism crisis, participating in scores of meetings, and engaging directly with members of the Jewish community, working with NYPD to ensure the safety of the community, and co-developing with DOE immediate resources that were sent to 150,000 educators to encourage conversations with students about hate incidents and the importance of respect for all.

The experience responding to the anti-Semitic incidents has punctuated exactly why we have hate crimes laws in the first place. Bias-motivated crimes strike at the heart of a victim's identity and create insecurity and fear at a much deeper level than other crimes. As we have seen, that fear spreads to others who share those identities—not just in the immediate surrounding neighborhood or borough, but even nationally and internationally. Just as OPHC is concerned about every single hate crime that occurs, we are focused on the big picture that emerges from examining data in order for us to address trends and interrupt patterns.

What I have stressed to community members, elected officials, media, and others is that there is not one way to fight hate. Having devoted almost three decades of my professional career to combatting stereotypes, prejudice, discrimination, hate, and extremism, I know that this fight requires a multi-pronged approach that focuses on three intersectional pillars: education, community relations, and law enforcement. This report documents how OPHC, in just a short time, has used this strategic approach to respond to and prevent hate crimes.

While these first months have necessitated particular attention to the Jewish community, I have also been committed to working on behalf of and meeting with representatives of other vulnerable victim groups, including leaders from Muslim, immigrant, and LGBTQ communities. They report that their communities, too, are experiencing an upsurge in bias-motivated incidents and hate crimes, yet many of these incidents go unreported. According to the NYC Commission on Human Rights' 2018 Annual Report, 71% of individuals from vulnerable groups do not report bias incidents or hate-motivated harassment. A goal of OPHC is to address this problem of under-reporting not only to provide support and get help for victims, but also so that we can fully understand the scope of the problem and recommend strategies and resources to address it.

There are no easy answers and no quick fixes. In establishing OPHC, the Mayor and City Council have backed up their condemnations of hate violence with tangible action that demonstrates that New York City has a long-term commitment to the core values of promoting diversity and respect for all. It is more important than ever to provide tools to stand up to those who seek to divide and tear at the fabric of our communities. I am optimistic that when people stand up to hate, we can and will make a positive difference for all New Yorkers.

## Executive Summary

The Office for the Prevention of Hate Crimes (OPHC) has launched brand new programs, expanded existing efforts, and brought together a network of City agencies and community partners to fight recent rises in hate incidents and crimes.

This new Office, housed within the Mayor's Office of Criminal Justice, is fully staffed with a team of seven professionals with expertise in hate crimes prevention and response. The goals of OPHC are long-term, but the office has taken immediate action in the face of a clear crisis. The Office began by soliciting input from dozens of leaders from the religious, education and nonprofit community about existing approaches to confronting hate, and identified areas where City government could take a more active role convening stakeholders and augmenting and innovating new tools.

### The Latest Data

Hate crime complaints (which can be the result of civilian reporting or officer activity) went up by 19% percent from 2018 to 2019, in part because of the increase in anonymous hate-crime vandalism without an identifiable suspect to arrest. Arrests (referring to an individual who has been taken into custody) decreased by 11% from 2018 to 2019, from 150 to 133 arrests. In 2019, the increase in hate crimes was related to property crimes. This includes hate-crime vandalism where there is no crime against a person and which may be observed after the time of the incident. These types of incidents may not necessarily have a suspect to arrest. Anti-Jewish bias comprised the largest proportion of complaints (58%) and arrests (35%) of all bias categories. 76% of anti-Jewish complaints were for incidences of swastika vandalism. Anti-LGTBQ bias comprised the second-highest proportion of hate crime complaints (16%) and arrests (27%). White individuals made up the highest proportion of arrests across all bias categories, with the highest proportion of arrests for males between the ages of 26 to 35 years old. Brooklyn led the boroughs with the highest number of hate crime complaints and arrests, followed by Manhattan.

### The Response

In establishing this office, City leaders recognized that it is not enough to just condemn hate crimes—they took tangible action to put in place an initiative to address the problem long-term and holistically.

OPHC is using a strategy that focuses on three pillars: community relations, education, and law enforcement.

Since September, OPHC has:

- Partnered with the Department of Education and the Museum of Jewish Heritage on a new initiative to bring 14,000 students from Brooklyn to tour the Museum's Auschwitz exhibit, with families of students to receive tickets to visit the Museum. This initiative will educate students about the consequences of hate through powerful images and survivors' stories.
- Launched three new Neighborhood Safety Coalitions. NSCs in Williamsburg, Crown Heights and the greater Borough Park area consist of leaders from community religious congregations, local organizations, tenant associations, community boards, businesses, and schools. The OPHC is funding each coalition with \$200,000 and is working with each to conduct anti-bias workshops, host community building events, set up speakers' bureaus that connect diverse leaders to nearby schools, and conduct neighborhood walks and corner watches.
- Convened an Interagency Committee (IAC) on Hate Crimes to coordinate City efforts to prevent and respond to hate crimes. Eleven city agencies and DA offices were identified by OPHC as being critical stakeholders in hate crime prevention, detection, and response. By bringing them together with an intentional focus on addressing hate crimes, the OPHC is breaking down silos and engaging educators, first responders, victim service providers, and restorative justice and other subject matter experts. IAC members are sharing information about current programs, resources, and best practices and engaging together in creative thinking and recommendations that will have long-term impact.



- Coordinated the work of 15 community-based organizations funded through the New York City Council’s Hate Violence Prevention Initiative. These grants are focused on addressing underreporting of hate crimes in vulnerable communities.
- The Office is currently partnering with the Department of Education to develop new curriculum resources on hate crimes at middle and high schools to be introduced in the 2020-21 school year. These resources will be available to teachers citywide.
- In addition, the Office is overseeing the development of new advertising and social media campaigns to confront prejudice, encourage mutual respect, and empower anyone who is a victim of a hate crime to come forward and report it.
- These are immediate actions amid a growing crisis, but they are part of a longer-term strategy to build a larger network of community-based voices and organizations actively engaged in promoting tolerance and confronting prejudice at the grassroots level.

## Introduction

## What is a Hate Crime?

### The Law

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 law<sup>1</sup> (*See Appendix 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,”<sup>2</sup> 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.

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*, and because they are not proscribed by law, they are not tracked in 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.

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<sup>1</sup> NYS Penal Law § 485.05; see also FBI.gov. *Hate Crimes - What We Investigate*. <https://www.fbi.gov/investigate/civil-rights/hate-crimes>.; New York 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-are-all-immigrants/new-york-state-anti-hate-crime-resource-guide>.

<sup>2</sup> New York Police Department (NYPD). *Services - Hate Crimes*. Linked [here](#).

## Why It Matters

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.<sup>3</sup> Hate crimes are also more likely than non-bias crimes to “provoke retaliatory crimes... and incite community unrest.”<sup>4</sup> 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”<sup>5</sup> on their victims in comparison to other kinds of crimes.

Hate crimes are less likely than non-hate crimes to be reported to the police,<sup>6</sup> 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 in order to help identify potential hate crimes and bias incidents before they occur; and 2) to appropriately identify all victims and their communities in order to best distribute services and other resources.

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<sup>3</sup> International Society for Traumatic Stress Studies. *Global Perspectives on the Trauma of Hate-Based Violence*. Linked [here](#).

<sup>4</sup> *Wisconsin v. Mitchell*, 508 U.S. 476, 488 (1993)

<sup>5</sup> *Ibid*

<sup>6</sup> Lantz, B., Gladfelter, A.S., & Ruback, R.B. (2017). Stereotypical Hate Crimes and Criminal Justice Processing: A Multi-Dataset Comparison of Bias Crime Arrest Patterns by Offender and Victim Race. *Justice Quarterly*, 36(2)

## *Launch of the Office for the Prevention of Hate Crimes*

In summer 2019, new legislation established the New York City Office for the Prevention of Hate Crimes (OPHC). Months ahead of schedule, Mayor Bill de Blasio announced the hiring of Deborah Lauter as the new OPHC Executive Director. The Office was officially launched on September 3, 2019.

Embedded in the Mayor's Office of Criminal Justice (MOCJ), OPHC's mandate is to take a holistic approach to preventing and responding to hate crimes; developing and coordinating community-driven prevention strategies to address biases that fuel hate crimes; using evidence-based research to identify and respond to patterns of hate crime; and fostering healing for victims of hate crimes as well as their communities.

All seven OPHC staff members have been hired: an executive director, a deputy executive director, a program director, two program managers, a research manager, and a program analyst.

OPHC staff includes:

### **Deborah M. Lauter, Executive Director**

Deborah Lauter is the Executive Director of the newly-established Office for the Prevention of Hate Crimes. A native of California, Director Lauter attended U.C. Berkeley and received a J.D. from Cardozo School of Law, Yeshiva University. After practicing law in San Francisco, she spent 16 years in Atlanta, where she served as the Community Relations Director for the Jewish Federation of Greater Atlanta and then as the Southeast Region Director of the Anti-Defamation League.

Director Lauter moved to NYC in 2006 to become the National Civil Rights Director of the ADL, where she oversaw the organization's domestic agenda, including programs and policies to fight all forms of discrimination. During her tenure, the ADL led the national coalition work that resulted in the passage of the Matthew Shepard, James Byrd Jr. Federal Hate Crimes Act. She also oversaw the organization's Center on Extremism, which provided law enforcement and media with research and analysis on extremism, as well as provided law enforcement with training on hate crime detection and response.

While at the ADL, Director Lauter worked closely with the major Silicon Valley tech companies on the growing problem of hate on the internet and in 2015 she became Senior Vice President for Policy & Programs, assuming additional responsibility for anti-bias education programs. She served as an expert advisor to the Aspen Institute's Inclusive America Project, and is currently a member of the Board of Directors of The Olga Lengyel Institute for Holocaust Education and Human Rights (TOLI), which provides Holocaust education training for teachers in the U.S. and Europe.

**Hassan Naveed, Deputy Executive Director**

**Daria Vaisman, Program Director**

**Eunice Lee, Program Manager**

**Alicia Miranda, Program Manager**

**Abdul Rad, Research Manager**

**Ashtan Grace Towles, Program Analyst**

The OPHC is also actively supported by staff at MOCJ and at other Mayor's offices and City agencies.

OPHC launched its website in late January, including information about the Office, educational materials, hate crime statistics, and victim resources. OPHC will continue to regularly update its information and resources on its website.

## *Three Pillars of OPHC*

There is not one way to fight hate. It takes a multi-pronged approach that engages three pillars: education, community relations, and law enforcement. The following sections focus on the work of OPHC during its first five months of operation, from September 2019 through January 2020.

As following sections show, the intersection of initiatives in these three areas promotes a holistic strategy crucial to the prevention and reduction of hate crimes in both the short and long term.

## Pillar One: Education

*“If you teach kids not to hate, they're not going to hate....If you teach kids about other cultures, they're going to learn about other peoples and the wonderful contributions those people bring to this society called America.”*

– *DOE Chancellor Richard Carranza*

No one is born hating. Hate is learned and can be unlearned. Prejudice and violence motivated by biases against others based on their identities, such as race, ethnicity, religion, sexual orientation, gender identity, or disability, are not inevitable. Developing skills of empathy, and encouraging youth to put themselves in the place of another, has consistently proved promising in reducing prejudice. Teaching about the Holocaust and other genocides shows students how stereotypes can lead to acts of prejudice, discrimination, violence, and, ultimately, genocide.

In the wake of increasing hate crimes in New York City, OPHC has worked closely with New York City’s Schools Chancellor Richard Carranza and the City’s Department of Education (DOE) to implement the following:

### *Education in the Schools*

#### **1. Resources on Promoting Respect and Addressing Hate Crimes.**

In response to the growing trend of anti-Semitic hate crimes in 2019, OPHC and DOE promptly developed resources to facilitate important conversations in the classroom promoting respect and understanding the impact of hate crimes. Chancellor Carranza disseminated these resources in early January 2020, (*See Appendix 3*).

#### **2. Planning for 2020 *Respect for All* week.**

Schools citywide will celebrate the annual *Respect for All* week in February. OPHC is working with DOE to provide educational materials to school that focus on preventing and addressing hate crimes. Schools have been encouraged to develop opportunities for students to discuss what discrimination, racism, and religious intolerance look like in a school, and collectively to explore the positive actions they can take to promote acceptance, inclusion, and diversity in their schools and communities.

**3. Conveying the Importance of Fighting Hate with Community Leader Visits to Schools.**

In January, Chancellor Carranza, First Lady Chirlane McCray, Borough President Eric Adams, Councilman Mark Treyger, and Director Lauter visited Franklin Delano Roosevelt High School in Brooklyn to convey to students the importance of standing up to hate. They met with 10<sup>th</sup>-grade history students and engaged them in a discussion about the recent wave of hate crimes and how they can be “upstanders” against racist, anti-Semitic, homophobic, Islamophobic, or other offensive speech and actions. Under the new Neighborhood Safety Coalitions initiative (*see below*), community leaders will visit their neighborhood schools throughout the year to lead these discussions with students.

**4. Holocaust Education as a Vehicle to Teach the Consequences of Hate.**

On January 15, Mayor de Blasio announced a partnership between DOE and the Museum of Jewish Heritage (MOJH) for students to visit the exhibit, “Auschwitz. Not Far Away. Not Long Ago,” as part of the City’s commitment to implementing hate-crime awareness programming in schools across the City. DOE is working with school principals in Williamsburg, Crown Heights, and Borough Park to send all eighth- and tenth-grade classes—14,000 students in these neighborhoods—on field trips to the Museum. In addition, all New York City public school families with students 12 years old and older will be able to visit the Museum free of charge.

During the announcement of the partnership, Chancellor Carranza said, “As a former social studies teacher, I know how important it is for students to learn about the past in order to understand the world around them. The lessons of the Holocaust must never be forgotten. In the wake of recent anti-Semitic attacks in our City, we’re committed to helping students and school communities engage in thoughtful and respectful dialogue, and the MOJH is instrumental in achieving that goal.”

Director Lauter added, “We have seen a startling increase in swastika vandalism in NYC, which has contributed to the high number of anti-Semitic hate crimes. By studying the Holocaust, students learn about the meaning of this symbol and where stereotypes, prejudice, and discrimination can lead.”

In addition to the field trips and tickets for families, DOE will continue to partner with MOJH to provide professional development to teachers. It has also committed to providing Holocaust survivors who are part of the Museum’s Speakers Bureau to address NYC schools and OPHC has been a partner in connecting schools to this invaluable resource.

**5. 2020 Hate Crimes Curriculum Resources.**

OPHC is working with DOE to create comprehensive hate-crimes curriculum resources to be rolled out in the 2020-21 academic year.

**6. Direct Educational Outreach.**

Director Lauter has met with District 14 (Williamsburg) Community Education Council as well as middle- and high-school principals to brief them on the rise of hate crimes in Brooklyn and the work of OPHC. Additionally, she has helped initiate community relations programs to strengthen education about Chassidic members in their neighborhoods and break down stereotypes and prejudice. Such programs will continue throughout the year.

**7. Providing Guidance on Hate Crimes.**

OPHC has been responding to requests from schools for guidance and assistance in the wake of racist and/or anti-Semitic graffiti incidents.

**8. Making School “No Place for Hate.”**

The Anti-Defamation League (ADL) has been provided a Hate Violence Prevention Initiative (HVPI) grant managed by OPHC (*see below*) to increase its anti-bias training programs. In partnership with Borough President Eric Adams, ADL announced it is expanding its “No Place for Hate” program in Brooklyn, doubling the number of schools that commit to a series of activities to improve and maintain a school climate where all students can thrive.



## *Educating Communities*

In addition to steps to educate youth, OPHC is engaged in educating adult community members about hate crimes. In its first five months, OPHC has spoken at over 50 meetings and town halls, reaching New Yorkers from diverse communities about the new office's work. This included information on what hate crimes are, how to report them, and resources available to prevent and respond to them.

Additionally, OPHC worked to educate the public through over 30 media interviews, press conferences, podcasts, TV appearances, and radio shows. Resources and other printed materials are being developed in the coming months to educate communities on hate crimes, and materials will be available through the OPHC website.

NYPD Hate Crime Task Force and Community Affairs Bureau, along with the District Attorney Offices, regularly conduct community education and outreach to neighborhood associations, community based organizations, and faith communities, often in conjunction with OPHC.

## Pillar Two: Community Relations

### OPHC Community Outreach & Engagement

Over the past five months, OPHC staff has met with leaders of LGBTQ, Muslim, immigrant, Jewish, and other vulnerable communities to hear first-hand about how hate and bias incidents have affected them. These briefings are helping OPHC assess the scope of the problem, including under-reporting. Additionally, OPHC has provided support, healing, and reassurance to vulnerable populations; has informed them about the office; and has identified needs as well as best practices that can help reduce hate crime incidents for all communities in the City.

### Hate Violence Prevention Initiative (HVPI)

*“No group in New York City is immune from the alarming increase in hate crimes here, and all New Yorkers must come together to combat this epidemic. We need to support the community-based organizations that are on the ground in the impacted communities, ensuring they have the resources to help prevent and respond to the terrible acts of bias impacting so many,”*

– *City Council Member Mark Levine*

In 2019, the New York City Council also created the Hate Violence Prevention Initiative (HVPI), allocating funds to 15 community-based organizations representing all five boroughs and the diversity of the City. OPHC is coordinating the work of these organizations. OPHC’s multi-pronged approach involves working with these and other organizations and relevant city agencies to educate the public about bias-motivated incidents and hate crimes, the prevalence of underreporting among vulnerable communities and the importance of reporting, and culturally competent responses and victim services. OPHC and HVPI strive to promote a culture of respect and safety for all to contribute to the City’s strength as a welcoming and diverse place. HVPI member organizations include:

- [Anti-Defamation League \(ADL\)](#) was founded in 1913 in response to an escalating climate of anti-Semitism and bigotry. Its timeless mission is to stop the defamation of the Jewish people and to secure justice and fair treatment to all. As part of the initiative, ADL will facilitate their signature K-12 No Place for Hate and A World of Difference Institute anti-bias training with students citywide.

- **Arab American Association in New York (AAANY)** supports and empowers the Arab immigrant and Arab-American community by providing services to help them adjust to their new home and become active members of the society. As part of the initiative, AAANY will do bystander intervention trainings, support community members in reporting hate violence, do community care with survivors of violence and participate in rapid incident response alerts and rallies. AAANY, based in Bay Ridge, Brooklyn, works citywide.
- **Brooklyn Movement Center (BMC)** is a Black-led, membership-based organization of primarily low-to-moderate income Central Brooklyn residents. BMC builds power and pursues self-determination in Bedford-Stuyvesant and Crown Heights by nurturing local leadership, waging campaigns and winning concrete improvements in people's lives. Through intersectional organizing, BMC centers a full range of issues and Black bystander intervention trainings, community care for survivors, and rapid incident response alerts and rallies.
- **Center for Law and Social Justice (CLSJ)'s** mission and vision is to provide quality advocacy, training, and expert services in a personal manner to New Yorkers of African descent and the disenfranchised. CLSJ is at Medgar Evers College, part of the City University of New York. As part of the initiative CLSJ will organize community forums, coordinate media campaigns, and provide free legal counseling to victims of hate crimes and victim service support. CLSJ operates citywide, with an office in Crown Heights, Brooklyn.
- **Desis Rising Up & Moving (DRUM)** is a multigenerational, membership led organization of low-wage South Asian and Indo-Caribbean immigrant workers and youth in New York City. As part of the initiative, DRUM will do bystander and self-defense training sessions, public education, and work to build mutual safety networks and alternatives to policing. DRUM operates citywide, with an office in Jackson Heights, Queens.

- **Global Action Project (GAP)** with an office in Manhattan, develops the capacities and skills of youth most affected by injustice, to create powerful media, cultural expression, and social change. GAP provides effective media-arts programming to youth from low-income, new immigrant, and TLGBQ (Transgender, Lesbian, Gay, Bi, and Queer) communities. As part of the initiative GAP will do community education through media-making projects that are youth-led and sit at the intersections of multiple identities.
- **Jewish Children’s Museum (JCM)** in Crown Heights, Brooklyn, provides exhibitions and programs for all children in an educational and entertaining format. Through contemporary technology and a hands-on approach to learning, visitors experience Jewish history, values and traditions in a manner that inspires an increased interest in Jewish culture. As part of the initiative, JCM will develop a curriculum that focuses on historical data to facilitate “Youth Conversations” with the NYPD, DOE and community stakeholders in a preventative effort to stop hate violence.
- **The Center for Anti-Violence Education (CAE)** is an intersectional feminist organization that works to disrupt sexual, gender and hate-based violence through educational programming, leadership development and activism. As part of the initiative CAE will do upstander/bystander trainings, pilot an upstander/bystander training of trainers, raise awareness and mobilize for rapid response. It works citywide, with an office in Brooklyn.
- **The Lesbian, Gay, Bisexual & Transgender Community Center (The Center)** was formed in 1983 in response to the HIV/AIDS epidemic, ensuring a place for LGBTQ people to access the information, care, and support they were not receiving elsewhere. As part of the initiative The Center will provide free case management, counseling, group support, peer support and referral to a vetted network of strategic partners to ensure that individuals are supported. Citywide, with an office in Manhattan.
- **LGBT Network (Long Island Gay and Lesbian Youth, Inc.)** operates Long Island’s four community centers for the lesbian, gay, bisexual, and transgender community, as well as the Queens LGBT Community Center (Q-Center) in Little Neck. As part of the initiative the LGBT Network will provide incident reporting, client advocacy, and victim support services, community mobilizing, and training for victim services providers citywide.

- **Project Witness**, based in Brooklyn, offers resources for Holocaust education while remaining deeply committed to its unique mission of exploring the spiritual, ethical, and intellectual responses of Holocaust survivors and victims. As part of the initiative Project Witness will develop a hate crime curriculum.
- **Muslim Community Network (MCN)** is dedicated to using civic education and leadership development to shape the public narrative about what it means to be Muslim in America. As part of the initiative MCN will hire a full time community outreach coordinator to work with Muslim houses of worship and community centers throughout New York City to inform them about how to identify and report hate crimes and help reporting these crimes through culturally competent reporting mechanisms.
- **New York City Anti-Violence Project (AVP)** empowers lesbian, gay, bisexual, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing and education, and supports survivors through counseling and advocacy. As part of the initiative, AVP will do bystander intervention trainings, collect data about hate violence and support survivors in reporting, provide counseling and support services for survivors, and do rapid incident response including alerts, media and rallies. AVP is based in lower Manhattan with a presence in Family Justice Centers in all five boroughs.
- **New York Immigration Coalition (NYIC)** was founded in 1987 and has evolved into a powerful voice of advocacy by spearheading innovative policies, promoting and protecting the rights of immigrant communities, improving newcomer access to services, developing leadership and capacity, expanding civic participation, and mobilizing member groups to respond to the fluctuating needs of immigrant communities. As part of the initiative NYIC will host Know Your Rights (KYR) workshops and outreach events citywide, develop community toolkits, and refine educational materials in English, Spanish, Arabic, Korean, Chinese, French, and Haitian Creole languages.

- **United Jewish Organizations of Williamsburg and North Brooklyn (UJO)** was formed after the Holocaust in 1966, to give the newly arrived refugees a voice and helping hand in their native Yiddish language. As part of the initiative UJO will provide community education forums to raise awareness of hate crimes, educate members of the Hasidic Jewish Community through written materials in Yiddish, and provide Anti-Semitism Education in Public Schools.

## *Neighborhood Safety Coalitions (NSCs)*

The violent rampage at a kosher market in Jersey City, NJ on December 10 left three dead. Then, weeks later, a vicious attack on Jewish individuals praying at a rabbi's home in Monsey, NY shook to the core Chassidic and other Jewish New Yorkers already reeling from an increase in anti-Semitic incidents and hate crimes in their own neighborhoods. On December 29, 2019, Mayor de Blasio announced an increased NYPD presence in the Jewish religious neighborhoods of Brooklyn, new education programs in the areas' middle and high schools, as well as the formation of new Neighborhood Safety Coalitions (NSCs).

Set to kick off work in February, the Coalitions are modeled on anti-violence programs that have for years operated throughout the City as proven ways to generate safety by neighbors for their neighborhoods. Applying these core, time-tested principles, each NSC consists of leaders from approximately 24 community religious congregations, local organizations, tenant associations, community boards, businesses, and schools from each of the three neighborhoods.

OPHC will work with the individual coalitions to identify the unique needs within each neighborhood, and will both scale existing efforts as well as develop innovative, long-term strategies that promote respect and break down stereotypes. The NSCs will also offer visible, physical presences in their communities, such as neighborhood walks and speakers' bureaus in schools and community organizations.

Each NSC will look to design and implement neighborhood-specific efforts to address hate crimes, providing a platform for community-driven solutions. Meeting regularly, the coalitions are tasked with facilitating real and productive dialogue among community partners to generate concrete strategies that address the root causes of hate crimes, mobilize residents in response to incidents, and promote cultural understanding among community groups that leads to opportunities for positive social interaction.

To help provide day-to-day support for the coalitions' initiatives, the City plans to provide \$200,000 to each of the three neighborhoods.

While each coalition will determine the programming best suited for their neighborhood, programs may include:

- Neighborhood walks and corner watches led by diverse groups of NSC members, reinforcing a message of unity and common purpose to confront bias-motivated violence
- Speakers' bureaus consisting of diverse community members and peer messengers that will tour neighborhood schools to educate students about how stereotypes and prejudice can escalate into hate incidents and violence
- Distribute Safe in the City micro-grants, a proven tool to support community-based actions that reduce conflict
- Conduct neighborhood anti-bias workshops and community-building events
- Work with local schools to promote parent engagement and workshops
- Produce and distribute materials combatting hate that use credible neighborhood messengers
- Pop-up tents to encourage neighbors to gather and meet one another

## Pillar Three: Law Enforcement

### *New York City Police Department (NYPD)*

The New York City Police Department is a critical partner in OPHC's efforts to address hate crimes. NYPD treats all hate crimes as serious incidents, and understands the impact they can have both on individuals and on affected communities. OPHC engages with NYPD, including the following entities within the Department, on hate crime incidents:

*NYPD Hate Crime Task Force (HCTF):* HCTF is a citywide team that investigates all hate crimes and related incidents in the City. HCTF is part of the Special Investigations Division of the NYPD. If an incident is believed to possibly be motivated by bias, the responding officers notify the HCTF; investigators in the HCTF respond to the incident and conduct a thorough investigation. OPHC regularly engages with the HCTF to review current incidents and data, analyze trends across the city, and advise on response and prevention strategies. HCTF is also proactive in its efforts with training and presentations. HCTF currently conducts training presentations at the Criminal Investigators Course (CIC), as well as Department promotional classes for Captains, Lieutenants, and Sergeants. In addition to internal trainings, HCTF also provides community presentations that address key topics, such as hate crime definitions, methods of reporting hate crimes, overview of the HCTF, and various partners that the HCTF works with to combat hate crimes in New York City.

*NYPD Intelligence Bureau Racially and Ethnically Motivated Extremism (R.E.M.E.) Unit:* In December 2019, The NYPD announced the creation of a proactive intelligence-gathering unit within the Department's Intelligence Bureau. Known as the "R.E.M.E." unit, its primary function is to identify and investigate racially and ethnically motivated extremist threats from individuals and/or organizations.

*NYPD Transit Bureau:* The Transit Bureau addresses incidents occurring within the NYC transit system's subways and buses. The Special Investigations Unit (SIU) increased coordination with this unit, which is part of the Detective Bureau Central Robbery Division, to gather potential video of hate crime suspects, with particular emphasis on those individuals writing swastikas while in transit.



*NYPD Crime Prevention Division:* The Crime Prevention Division focuses on critical cultural and religious locations (museums, churches, synagogues, temples, mosques, etc.) that could be possible targets of hate crime, working with such institutions to enhance their overall security plans and systems. *NYPD Youth Strategy:* The Youth Strategy coordinates and aligns NYPD efforts with the key components of the Department's new core Youth Strategy Team – Community Affairs Bureau/School Safety, Collaborative Policing, and RTCC/Juvenile Crime Desk.

*NYPD Patrol Services Bureau (PSB):* The Patrol Services Bureau plays an active role in combating hate crime through visible presence and quick response to incidents. PSB works directly with the Detective Bureau, Transit Bureau, and Housing Bureaus to keep overlap and lines of communication, where possible, open and consistent. The PSB is assisted by the Community Affairs Bureau (CAB) on outreach and education to the public, establishing working relations with community groups, and partners to leverage assistance from other public agencies and private organizations in dealing with bias-related crime.

*NYPD Community Affairs Bureau (CAB):* The Community Affairs Bureau is committed to achieving and sustaining gains against crime by strengthening community relationships and trust. CAB seeks to build relationships with local businesses, schools, young people, community organizations, and various constituent groups representing the diversity of New York City, among other public stakeholders. Additionally, CAB is comprised of four divisions: Community Outreach, Crime Prevention, Youth Strategies, and School Safety. In addition, the Community Outreach Division partners with various communities to address issues and challenges facing vulnerable constituent groups. The division remains linked closely to these communities through events, meetings, and other activities, and through the following outreach units: Borough Outreach Teams, Clergy Outreach Unit, Immigrant Outreach Unit, and LGBTQ Outreach Unit.

*NYPD Critical Response Command (CRC) Deployment:* The Critical Response Command (CRC) has been deployed to provide supplementary protection to critical sensitive/religious institutions throughout the City using the deployment of heavy-weapons teams, fixed-posts coverage, and roving House of Worship (HOW) autos in affected communities.

## *District Attorney's Offices*

The New York District Attorney (DA) Offices play a vital role in investigating and prosecuting hate crimes, connecting victims to services, and working with other government agencies to coordinate a cohesive and consistent hate crimes strategy throughout the City. OPHC Interagency Committee on Hate Crimes (*see below*) includes representatives from the offices of the Bronx, Brooklyn, Queens, Staten Island, and Manhattan DAs.

## *Interagency Committee on Hate Crimes (IAC)*

The Interagency Committee on Hate Crimes (IAC) was created to coordinate the City's efforts to prevent and respond to hate crimes. Eleven city agencies and District Attorney Offices were identified by OPHC as being critical stakeholders in hate-crime prevention, detection, and response. By bringing these stakeholders together with an intentional focus on addressing hate crimes, OPHC is breaking down silos and engaging educators, first responders, victim-service providers, and restorative justice and other subject-matter experts. The IAC convened for its first quarterly meeting on December 11, 2019, sharing information and resources, and kicking off strategic planning for long-term, holistic ways to address bias-motivated incidents and hate crimes.

The following city agencies and DA Offices are participants in IAC:

- [New York Police Department \(NYPD\)](#)
- [New York City Commission on Human Rights \(CCHR\)](#)
- [Mayor's Community Affairs Unit \(CAU\)](#)
- [Department of Education \(DOE\)](#)
- [Mayor's Office to End Domestic and Gender-Based Violence \(ENDGBV\)](#)
- [Mayor's Office of Immigrant Affairs \(MOIA\)](#)
- [Department of Health & Mental Hygiene \(DOHMH\)](#)
- [ThriveNYC](#)

- [Unity Project](#)
- [Department of Youth and Community Development \(DYCD\)](#)
- [Brooklyn District Attorney's Office – Hate Crimes Bureau](#)
- [Bronx District Attorney's Office – Hate Crimes Unit](#)
- [Manhattan District Attorney's Office – Hate Crimes Unit](#)
- [Queens District Attorney's Office – Gang Violence and Hate Crimes Bureau](#)
- [Staten Island District Attorney's Office – Hate Crimes Task Force](#)

## 2019 NYPD Hate Crime Statistics

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

The following data are taken from the NYPD Hate Crimes Reports, publicly available on the NYPD's website.<sup>7</sup>

### *Overview of 2019 Trends*

Hate crime complaints, which can be the result of civilian reporting or officer activity, went up by 19% percent from 2018 to 2019. A 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.

Arrests, which refers to an individual who has been taken into custody, decreased by 11% from 2018 to 2019, from 150 to 133 arrests. In 2019, the increase in hate crimes was related to property crimes. This includes hate-crime vandalism where there is no crime against a person and which may be observed after the time of the incident. These types of incidents may not necessarily have a suspect to arrest.”

Anti-Jewish bias comprised the largest proportion of complaints (58%) and arrests (35%) of all bias categories. 76% of anti-Jewish complaints were for incidences of swastika vandalism. Anti-LGTBQ bias comprised the second-highest proportion of hate crime complaints (16%) and arrests (27%).

The demographic breakdown of individuals arrested for hate crimes in 2019 are as follows:

- White individuals made up the highest proportion of arrests (46%) across all bias categories;
- Individuals between the ages of 26 to 35 comprised the greatest proportion of arrests (31%)

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<sup>7</sup> <https://www1.nyc.gov/site/nypd/stats/reports-analysis/hate-crimes.page>.

The geographical landscape of hate crime arrests in 2019 is as follows:

- Brooklyn experienced the highest number of arrests, followed by Manhattan.
- The highest number of arrests for hate crimes in Brooklyn was for incidents occurring in Crown Heights and the surrounding area (10), Greenpoint (9), East New York/Cypress Hills (6), and Borough Park (6)
- The highest number of arrests for hate crimes in Manhattan was for incidents occurring in Midtown North (6) and East Harlem (5)

## *Complaints and Arrests*

The NYPD Hate Crimes Reports collect statistics on both complaints and arrests. The hate crimes captured in the data below reflect incidents ranging from graffiti on a building to violent assaults. A complaint refers to a reported allegation of a hate crime incident to the NYPD, while an arrest refers to an individual who has been taken into custody. Not all complaints result in arrests, and not all arrests are the result of complaints. Thus, when looking at the data, it is important to bear in mind the following:

- Complaints may be the result either of civilian reporting or of a proactive officer-led initiative.<sup>8</sup>
- Complaints such as hate-crime vandalism, which may be observed after the time of the incident, may not necessarily have a suspect to arrest.
- Both complaints and arrests can refer to multiple incidents perpetrated by one individual, such as multiple incidents of hate-crime vandalism later attributed to a single person.

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<sup>8</sup> Hate crime complaints in these data may either have been initiated by a civilian complaint or by a police officer on patrol identifying criminal activity. Complaint data obtained at the time of this report did not include detailed information on the breakdown of complaints filed by civilians versus officers.

It is important to acknowledge that complaint numbers do not capture all incidents of hate. Complaints, in part, reflect individuals’ willingness to report potential hate crimes to law enforcement. Some sub-populations may feel more comfortable reporting incidents, while individuals from other vulnerable populations may be reluctant to report hate crime incidents, fearing, for example, repercussions pertaining to undocumented immigration status or tensions in relations with law enforcement. As a result, data on hate crime incidents reported to NYPD may under-represent the volume of incidents occurring in the City overall and among the most vulnerable subpopulations in particular.

As the work of the OPHC continues and initiatives with HVPI partners and others address drivers of underreporting, we anticipate that hate crime complaints will likely increase, reflecting increased confidence and trust in law enforcement.

## Complaints

### *Total Hate Crime Complaints, 2017 – 2019*

Hate crime complaints increased by 9% from 2017-2018 and by 19% from 2018-2019. Note that a rise in complaints may reflect a rise in property crimes, in which a suspect has not been identified in order to arrest.

***Annual Number of Hate Crime Complaints, 2017 - 2019***

	2017	2018	2019	%Δ 17-18	%Δ 18-19	Total 17-19
<b>Complaints</b>	325	353	420	9%	19%	1,098

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

### *Complaints by Bias Motivation*

Over the past three years, Anti-Jewish complaints have made up the highest number of overall complaints (579), followed by anti-LGBTQ complaints (176) and anti-Black complaints (115). Between 2018-2019, anti-Jewish complaints increased by 30%, with 76% of anti-Jewish complaints consisting of incidences of swastika vandalism. Anti-LGBTQ complaints increased by 29% between 2018-2019, while anti-Black complaints decreased by 20%, from 45 to 36 complaints.

The number of reported complaints for several bias categories - anti-Muslim and anti-Hispanic in particular - are notably small given state and national trends and anecdotal reports. These disparities may suggest underreporting from different sub-populations.

\*Note: the hate crime categories used in this report (e.g., anti-Jewish, anti-Black) are taken from NYPD data, which are based on the NYS 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.

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

Bias Motivation	2017	2018	2019	%Δ 17-18	%Δ 18-19	Total 17-19
<b>Anti-Jewish</b>	151	186	242	23%	30%	579
<b>Anti-LGBTQ</b>	59	51	66	-14%	29%	176
<i>Anti-Gay</i>	40	35	42	-13%	20%	117
<i>Anti-Transgender</i>	11	11	13	0%	18%	35
<i>Anti-Lesbian</i>	6	5	4	-17%	-20%	15
<i>Anti-LGBT</i>	2	0	0	-100%	NA	2
<i>Anti-LGBT (mixed group)</i>	0	0	7	NA	NA	7
<b>Anti-Black</b>	34	45	36	32%	-20%	115
<b>Anti-White</b>	9	19	28	111%	47%	56
<b>Anti-Islamic (Muslim)</b>	14	16	12	14%	-25%	42
<b>Anti-Other Ethnicity</b>	15	12	9	-20%	-25%	36
<b>Anti-Arab</b>	18	2	5	-89%	150%	25
<b>Anti-Hispanic</b>	7	7	8	0%	14%	22
<b>Anti-Catholic</b>	7	4	6	-43%	50%	17
<b>Anti-Asian</b>	6	5	1	-17%	-80%	12

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

### Borough Trends for Complaints

Brooklyn leads the boroughs with the highest number of hate crime complaints (422), followed by Manhattan (388), Queens (165), Bronx (83), and Staten Island (40).

#### Aggregate Top Hate Crime Complaints by Borough, 2017-2019

Borough	2017	2018	2019	%Δ 17-18	%Δ 18-19	Total 17-19
Brooklyn	116	126	180	9%	43%	422
Manhattan	109	146	133	34%	-9%	388
Queens	52	45	68	-13%	51%	165
Bronx	32	22	29	-31%	32%	83
Staten Island	16	14	10	-13%	-29%	40
Total Complaints	325	353	420	9%	19%	1,098

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

In 2018, the highest number of complaints for hate crimes in **Brooklyn** was for incidents occurring in:

- Precinct 71 (Crown Heights/Wingate/Prospect Lefferts , 18 complaints)
- Precinct 66 (Borough Park, 14 complaints)
- Precinct 60 (Coney Island/Brighton Beach, 12 complaints)
- Precinct 90 (Williamsburg,10 complaints)
- Precinct 61 (Kings Bay/Gravesend/Sheepshead Bay/Manhattan Beach, 10 complaints)

In 2019, the highest number of complaints for hate crimes in **Brooklyn** were for incidents occurring in:

- Precinct 71 (Crown Heights/Wingate/Prospect Lefferts, 20 complaints)
- Precinct 94 (Greenpoint, 18 complaints)
- Precinct 61 (Kings Bay/Gravesend/Sheepshead Bay, 17 complaints)
- Precinct 66 (Borough Park,16 complaints)



In 2018, the highest number of complaints for hate crimes in **Manhattan** were for incidents occurring in:

- Precinct 18 (Midtown North, 16 complaints)
- Precinct 24 (Upper West Side/Manhattan Valley, 15 complaints)
- Precinct 6 (Greenwich Village/West Village, 11 complaints)
- Precinct 20 (Upper West Side – Lincoln Center Area, 9 complaints)
- Precinct 10 (Chelsea, Clinton/Hell's Kitchen/Hudson Yards, 9 complaints)

In 2019, the highest number of complaints for hate crimes in **Manhattan** were for incidents occurring in:

- Precinct 19 (Upper East Side, 15 complaints)
- Precinct 14 (Midtown South, 12 complaints)
- Precinct 13 (Gramercy/Union Square area, 12 complaints)
- Precinct 1 (WTC/Tribeca/SoHo/Wall Street, 12 complaints)
- Precinct 18 (Midtown North, 10 complaints)

In 2018, the highest number of complaints for hate crimes in **Queens** were for incidents occurring in:

- Precinct 108 (LIC/Sunnyside/Woodside, 7 complaints)
- Precinct 100 (Rockaway Peninsula, 7 complaints)
- Precinct 114 (Astoria/LIC/Woodside/Jackson Heights, 5 complaints)

In 2019, the highest number of complaints for hate crimes in **Queens** were for incidents occurring in:

- Precinct 104 (Ridgewood/Glendale/Middle Village/Maspeth, 10 complaints)
- Precinct 115 (Jackson Heights/East Elmhurst/North Corona, 9 complaints)
- Precinct 112 (Forest Hills/Rego Park, 7 complaints)
- Precinct 107 (Fresh Meadows area, 7 complaints)
- Precinct 114 (Astoria/LIC/Woodside/Jackson Heights, 6 complaints)

In 2018, the highest number of complaints for hate crimes in **Bronx** were for incidents occurring in:

- Precinct 40 (Port Morris/ Mott Haven/Melrose, 5 complaints)
- Precinct 52 (Bedford Park/Fordham/Kingsbridge area, 3 complaints)
- Precinct 50 (Riverdale/Kingsbridge area, 3 complaints)
- Precinct 44 (Grand Concourse/Yankee Stadium, 3 complaints)

In 2019, the highest number of complaints for hate crimes in **Bronx** were for incidents occurring in:

- Precinct 48 (Belmont/East Tremont/West Farms, 10 complaints)
- Precinct 46 (Fordham/University Heights area, 3 complaints)
- Precinct 45 (Co-op City/City Island, 3 complaints)
- Precinct 41 (Hunts Point/Longwood, 3 complaints)

In 2018, the total number of complaints for hate crimes in **Staten Island** occurred in:

- Precinct 120 (North Shore, 9 complaints)
- Precinct 122 (East Shore, 3 complaints)
- Precinct 123 (South Shore, 2 complaints)

In 2019, the total number of complaints for hate crimes in **Staten Island** occurred in:

- Precinct 121 (Northwestern Shore, 4 complaints)
- Precinct 122 (East Shore, 3 complaints)
- Precinct 120 (North Shore, 2 complaints)
- Precinct 123 (South Shore, 1 complaint)

## Arrests

### *Total Hate Crime Arrests, 2017 - 2019*

Hate crime arrests increased from 135 to 150 arrests from 2017 to 2018 (15 cases, for an 11% increase) and decreased from 150 to 133 cases (17 cases, for an 11% decrease) from 2018 to 2019.

### *Annual Number of Hate Crime Arrests, 2017-2019*

	2017	2018	2019	%Δ 17-18	%Δ 18-19	Total 17-19
<b>Arrests</b>	135	150	133	11%	-11%	418

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

### *Arrests by Bias Motivation*

Over the three year period from 2017 through 2019, anti-Jewish arrests (139) accounted for the highest number of overall arrests, followed by anti-LGBTQ arrests (114).

Anti-Jewish arrests increased from 23 to 69 arrests (200%) from 2017 to 2018 and decreased from 69 to 47 arrests (32%) from 2018 to 2019. Anti-LGBTQ arrests decreased 42 to 36 arrests (14%) from 2017 to 2018 and remained steady from 2018 to 2019 with 36 arrests (0% change).

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

<b>Bias Motivation</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>%Δ 17-18</b>	<b>%Δ 18-19</b>	<b>Total 17-19</b>
<b>Anti-Jewish</b>	23	69	47	200%	-32%	139
<b>Anti-LGBTQ</b>	42	36	36	-14%	0%	114
<i>Anti-Gay</i>	0	27	24	NA	-11%	51
<i>Anti-Transgender</i>	40	0	0	-100%	NA	40
<i>Anti-Lesbian</i>	0	8	9	NA	13%	17
<i>Anti-LGBT</i>	0	1	1	NA	0%	2
<i>Anti-LGBT (mixed group)</i>	0	0	2	NA	NA	2
<b>Anti-Black</b>	2	0	0	-100%	NA	2
<b>Anti-White</b>	22	10	17	-55%	70%	49
<b>Anti-Islamic (Muslim)</b>	17	13	9	-24%	-31%	39
<b>Anti-Other Ethnicity</b>	8	6	13	-25%	117%	27
<b>Anti-Arab</b>	6	6	0	0%	-100%	12
<b>Anti-Hispanic</b>	8	1	2	-88%	100%	11
<b>Anti-Catholic</b>	3	3	4	0%	33%	10
<b>Anti-Asian</b>	3	2	3	-33%	50%	8

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

## Demographic Information of Arrestees

### Age

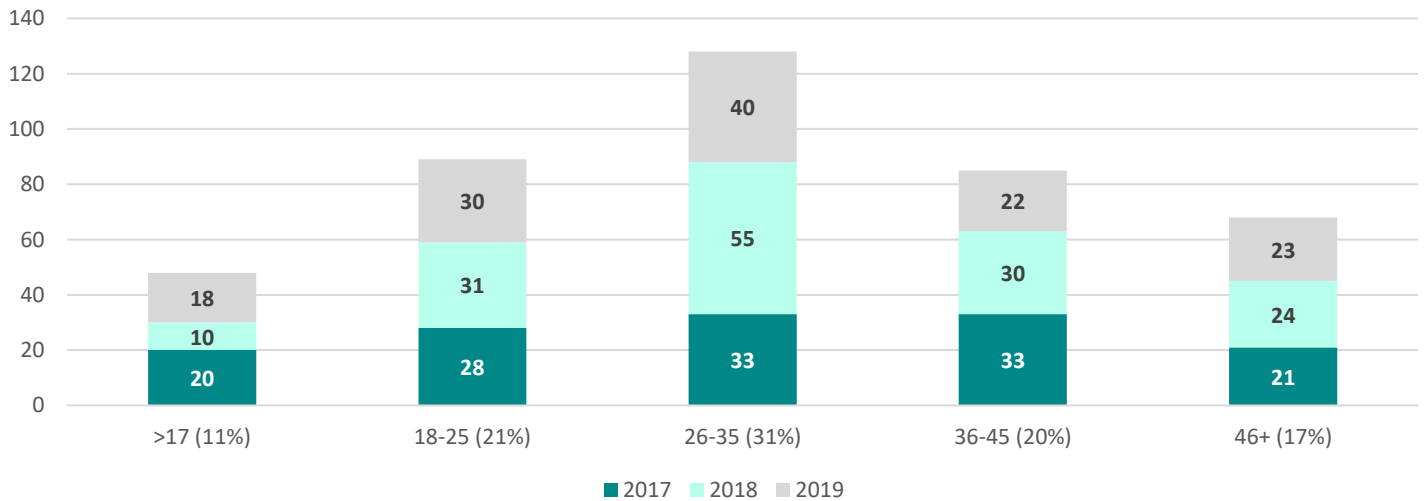
Over the three year period from 2017 through 2019, the highest number of arrests (128) was of people between 26 to 35 years old, in contrast to national trends for non-bias crime arrests, which show 18- to 25-year-olds as the top arrestee age group. Overall, 26- to 35-year-olds made up 31% of all those arrested for hate crimes in New York City over this three year period.

**Age of Individuals Arrested for Hate Crimes, 2017-2019 Aggregate**

Year	>17 (11%)	18-25 (21%)	26-35 (31%)	36-45 (20%)	46+ (17%)	Total
2017	20	28	33	33	21	135
2018	10	31	55	30	24	150
2019	18	30	40	22	23	133
Total	48	89	128	85	68	418
% of Total	11%	21%	31%	20%	16%	

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

**Age of Individuals Arrested for Hate Crimes, 2017-2019**



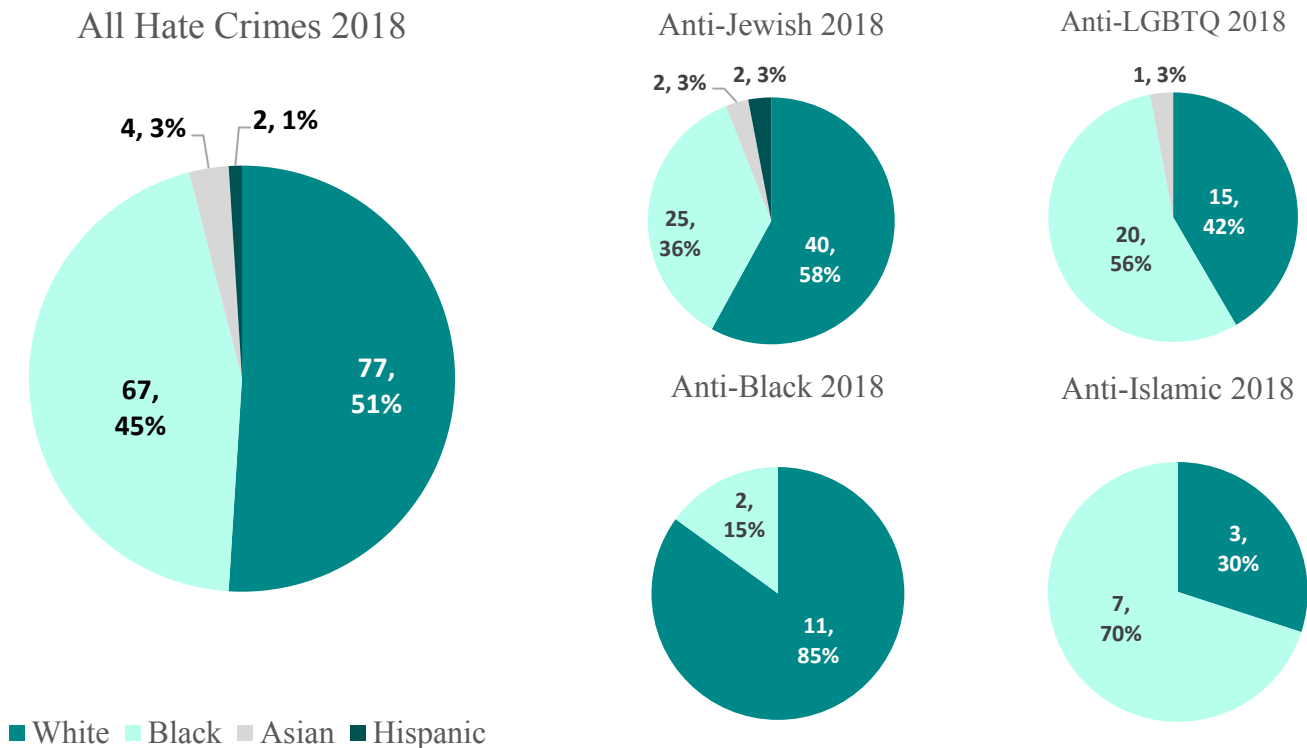
Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

## Race

Overall, White individuals make up the highest proportion of those arrested for hate crimes across all bias categories. Stratified across bias motivation, White individuals made up the highest number of anti-Jewish arrests (40) in 2018, while Black individuals made up the highest number of anti-Jewish arrests (23) in 2019, with anti-Jewish arrests by both White and Black individuals going down from 2018 to 2019 (from 40 to 18 arrests for White individuals and 25 to 23 arrests for Black individuals). In 2019, anti-LGBTQ arrests were comprised primarily of Black individuals (19) and White individuals (12).

Though law enforcement carefully investigates each complaint, these cases can be difficult to investigate. The majority of cases are crimes against property and may not include a witness or recovered video. As a result of these factors, as well as the relatively small number of hate crimes overall, some of the bias group categories represent only a small number of arrests, making it difficult to make any overall trend observations based on the numbers below for many of the bias categories.

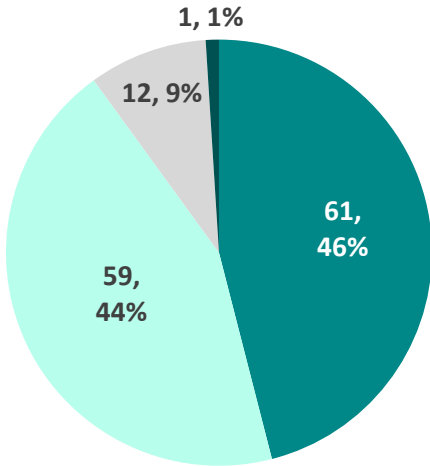
**Racial Breakdowns of Individuals Arrested for Top Four Hate Crimes, 2018**



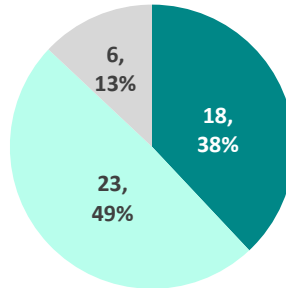
Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

**Racial Breakdowns of Individuals Arrested for Top Four Hate Crimes, 2019**

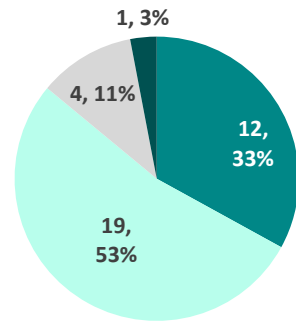
All Hate Crimes 2019



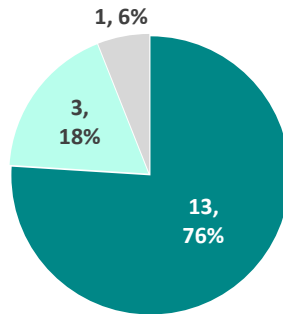
Anti-Jewish 2019



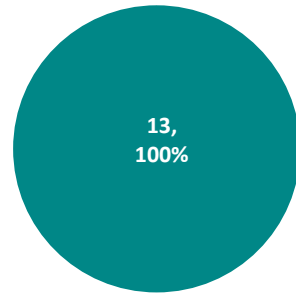
Anti-LGBTQ 2019



Anti-Islamic 2019



Anti-White 2019



■ White ■ Black ■ Asian ■ Unknown

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

### *Borough Trends for Arrests*

Between 2017-2019, Brooklyn led the boroughs with the highest number of hate crime arrests (184), followed by Manhattan with 140 arrests. Fewer arrests were made in the other boroughs.

#### **Top Hate Crime Arrests by Borough, 2017-2019**

<b>Borough</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Total</b>
Brooklyn	52	68	64	184
Manhattan	42	61	37	140
Queens	21	12	21	54
Bronx	11	6	11	28
Staten Island	9	3	0	12
<b>Total</b>	<b>135</b>	<b>150</b>	<b>133</b>	<b>418</b>

Source: MOCJ Analysis of NYPD Hate Crimes Reports Complaints and Arrests Data (as of 1/31/2020)

In 2018, the highest number of arrests for hate crimes in **Brooklyn** were for incidents occurring in:

- Precinct 71 (Crown Heights/Wingate/Prospect Lefferts, 12 arrests)
- Precinct 90 (Williamsburg, 9 arrests)
- Precinct 66 (Borough Park, 7 arrests)
- Precinct 84 (Brooklyn Heights/Boerum Hill/Vinegar Hill, 6 arrests)

In 2019, the highest number of arrests for hate crimes in **Brooklyn** were for incidents occurring in:

- Precinct 71 (Crown Heights/Wingate/Prospect Lefferts, 10 arrests)
- Precinct 94 (Greenpoint, 9 arrests)
- Precinct 75 (East New York/Cypress Hills, 6 arrests)
- Precinct 66 (Borough Park, 6 arrests)

In 2018, the highest number of arrests for hate crimes in **Manhattan** were for incidents occurring in:

- Precinct 18 (Midtown North, 8 arrests)
- Precinct 1 (WTC/Tribeca/SoHo/Wall Street, 7 arrests)
- Precinct 34 (Washington Heights/Inwood, 5 arrests)



In 2019, the highest number of arrests for hate crimes in **Manhattan** were for incidents occurring in:

- Precinct 18 (Midtown North, 6 arrests)
- Precinct 25 (East Harlem, 5 arrests)

In 2018, the highest number of arrests for hate crimes in **Queens** were for incidents occurring in:

- Precinct 114 (Astoria/LIC/Woodside/Jackson Heights, 3 arrests)
- Precinct 111 (Bayside/Little Neck/Fresh Meadows, 2 arrests)
- Precinct 110 (Corona/Elmhurst, 2 arrests)

In 2019, the highest number of arrests for hate crimes in **Queens** were for incidents occurring in:

- Precinct 112 (Forest Hills/Rego Park, 4 arrests)
- Precinct 110 (Corona/Elmhurst, 4 arrests)
- Precinct 101 (Far Rockaway/Bayswater, 3 arrests)

In 2018, the highest number of arrests for hate crimes in the **Bronx** were for incidents occurring in:

- Precinct 52 (Bedford Park/Fordham/Kingsbridge area, 1 arrest)
- Precinct 50 (Riverdale/Kingsbridge area, 1 arrest)

In 2019, the highest number of arrests for hate crimes in the **Bronx** were for incidents occurring in:

- Precinct 48 (Belmont/East Tremont/West Farms, 3 arrests)
- Precinct 42 (Morrisania, 3 arrests)

In 2018, the highest number of arrests for hate crimes in **Staten Island** were for incidents occurring in:

- Precinct 122 (East Shore, 2 arrests)
- Precinct 120 (North Shore, 1 arrest).

There were no hate crime arrests in Staten Island in 2019.

## Underreporting

According to the City’s Commission on Human Rights’ 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 incident was not significant enough to report to police.
- Concern about reprisal or other bad consequences<sup>9</sup>.
- Trying to report and not being taken seriously<sup>10</sup>.

Societal contributors to under-reporting reveal the “paradox” of the OPHC’s work. If the OPHC’s efforts to educate vulnerable communities on the importance of reporting prove to be effective, hate crime complaints will likely increase. Better reportage will enable OPHC to recommend additional resources to address the safety of individuals and communities and to improve support to victims.

## Convictions

The New York State Division of Criminal Justice Services releases annual information on the disposition of hate crime arrests in New York City. This table shows the outcome for all hate crime arrests that led to a conviction from 2014 - 2018. Note that it does *not* show the percentage of all hate crimes arrests that led to a conviction, only the outcome for those hate crime arrests that *did* lead to a conviction. Of 66 arrests on hate crime charges that ended in a felony conviction, 26 were convicted of hate crimes and the remaining 40 were convicted without an additional hate crime charge. Of 119 total misdemeanor convictions, 37 were convicted under hate crime charges and the remaining 82 were convicted without additional hate crime charges. YO stands for “youthful offender”.

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<sup>9</sup> 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.

<sup>10</sup> 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.

**Disposed Hate Crime Arrests Resulting in a Conviction, 2014-2018, New York City by County**

	Disposition	Disposition Charge Type		
		Hate Crime	Not Hate Crime	Grand Total
NYC Total	Conviction - Felony	26	40	66
	Conviction - Misdemeanor	37	82	119
	YO Adjudication	2	7	9
	<b>Total</b>	<b>65</b>	<b>129</b>	<b>194</b>
Bronx	Conviction - Felony	0	8	8
	Conviction - Misdemeanor	1	12	13
	YO Adjudication	1	1	2
	<b>Total</b>	<b>2</b>	<b>21</b>	<b>23</b>
Kings	Conviction - Felony	7	8	15
	Conviction - Misdemeanor	19	25	44
	YO Adjudication	1	3	4
	<b>Total</b>	<b>27</b>	<b>36</b>	<b>63</b>
New York	Conviction - Felony	8	12	20
	Conviction - Misdemeanor	13	28	41
	YO Adjudication	0	1	1
	<b>Total</b>	<b>21</b>	<b>41</b>	<b>62</b>
Queens	Conviction - Felony	7	8	15
	Conviction - Misdemeanor	3	13	16
	YO Adjudication	0	2	2
	<b>Total</b>	<b>10</b>	<b>23</b>	<b>33</b>
Richmond	Conviction - Felony	4	4	8
	Conviction - Misdemeanor	1	4	5
	YO Adjudication	0	0	0
	<b>Total</b>	<b>5</b>	<b>8</b>	<b>13</b>

Source: DCJS analysis of DCJS 2014 - 2018 conviction data



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

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**No. 46**

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

**A LOCAL LAW**

**To amend the New York city charter, in relation to creating an office for the prevention of hate crimes**

*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.

## *Appendix 2: Local Law 47*



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

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**No. 47**

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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.

*Appendix 3: New York State  
Penal Law 485 – Hate Crime Law*

# 2018 New York Laws

## PEN - Penal

### Part 4 - Administrative Provisions

#### Title Y - Hate Crimes Act of 2000

#### Article 485 - Hate Crimes

#### 485.00 - Legislative Findings.

**Universal Citation:** [NY Penal L § 485.00 \(2018\)](#)

\* § 485.00 Legislative findings.

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.

\* NB Effective until November 1, 2019

\* § 485.00 Legislative findings.

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, gender identity or expression, 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.

\* NB Effective November 1, 2019

# 2018 New York Laws

## PEN - Penal

### Part 4 - Administrative Provisions

#### Title Y - Hate Crimes Act of 2000

#### Article 485 - Hate Crimes

#### 485.05 - Hate Crimes.

**Universal Citation:** [NY Penal L § 485.05 \(2018\)](#)

§ 485.05 Hate crimes.

\* 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.

\* NB Effective until November 1, 2019

\* 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, gender identity or expression, 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, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

\* NB Effective November 1, 2019

\* 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.

\* NB Effective until November 1, 2019

\* 2. Proof of race, color, national origin, ancestry, gender, gender identity or expression, 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.

\* NB Effective November 1, 2019

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 \* NB Effective November 1, 2019

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.

\* NB Effective until November 1, 2019

\* 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 gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.

\* NB Effective November 1, 2019

# 2018 New York Laws

## PEN - Penal

### Part 4 - Administrative Provisions

#### Title Y - Hate Crimes Act of 2000

#### Article 485 - Hate Crimes

#### 485.10 - Sentencing.

**Universal Citation:** [NY Penal L § 485.10 \(2018\)](#)

§ 485.10 Sentencing.

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 be 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.

*Appendix 4: Letter from Chancellor Carranza  
and OPHC/DOE Resource Sheet*

Dear Colleagues,

I hope you had a restful winter break. As we return to our school communities and begin a new year, we must reaffirm one of the bedrocks of public education in New York City: our schools must be free from discrimination and intolerance of any kind and provide welcoming, inclusive environments for all.

As our fellow New Yorkers and neighbors in surrounding areas grieve horrific anti-Semitic attacks that have occurred in recent days and weeks, I want to state clearly: there is no place for anti-Semitism, racism, hate, or intolerance in New York City public schools.

This commitment becomes real in our classrooms, hallways, and schoolyards when we all take action and actively work to ensure students, staff, and families experience welcoming and inclusive environments. It is up to all of us—and everyone has a role to play. To assist in these efforts, the Division of School Climate and Wellness has prepared the attached resource guide designed to support thoughtful conversations with students and staff.

These conversations are not always easy. They are, however, essential to engage and educate all members of our school communities and create thoughtful, productive dialogue about the value of living in a diverse and accepting city and society. By modeling leadership in discussing difficult issues around bigotry and hate, you in turn create models in your students, who will understand that their feelings and concerns matter, and that it is within their power to take action to promote diversity and inclusivity.

School community conversations are a way to create meaningful dialogue and provide the opportunity to share beliefs and feelings. Schools in Williamsburg, Crown Heights and Borough Park will be implementing hate crime awareness programming starting this month, and I encourage you to do the same. Ask students what discrimination and religious intolerance might look like in a school or in their neighborhood, and collectively explore ways to address it. 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 (e.g., Respect for All liaison, guidance counselor, teacher, etc.) to whom they can turn to discuss their concerns.

We know many of you are already actively undertaking these kinds of efforts, and we encourage you to share ideas, practices and resources among one another for inviting speakers, facilitating community conversations, and more. It is important that families and other members of your communities are included as well, since these issues reach far beyond school walls. Our central teams will continue to curate instructional resources for schools to use for these conversations, and we will distribute them as they become available.

New York City is the greatest city in the world, and our school system is the most exceptional in the nation, because of the incredible diversity of our community. What we all share is an identity as New Yorkers. It is this shared sense of belonging that fuels our efforts to move beyond tolerance and acceptance to a place of active celebration and inclusion in every classroom, in every school.



My team and I are here to support you in this important work. Please see this [link](#) for additional resources, and reach out to [Respectforall@schools.nyc.gov](mailto:Respectforall@schools.nyc.gov) with questions or information about the resources attached.

In unity,

Richard



Department of  
Education

Chancellor Richard A. Carranza

# 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:

[Teaching Tolerance](#): 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. [Grades K-2](#)
2. [Grades 3-5](#)
3. [Grades 6-8](#)
4. [Grades 9-12](#)

[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 "[Echoes and Reflections](#)," Holocaust education materials to empower middle and high school educators with dynamic classroom materials and professional development.

[Facing History and Ourselves](#): 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 [grades 6-12](#).



Department of  
Education

Chancellor Richard A. Carranza

# Promoting Respect and Addressing Hate Crimes



**Museum of Jewish Heritage:** 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.

**The Tanenbaum Center:** 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 ([fact sheets](#), [video interviews](#), and [questions for conversation](#)) 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 [www.WeTeachNYC.org](http://www.WeTeachNYC.org)): 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:

- **Teaching Tolerance:** Offers webinars with guidance and best practices, from their highly experienced teaching and learning specialists and from other educators in the Teaching Tolerance community.
- **Anti-Defamation League (ADL):** Table Talk: Family Conversations about Current Events: Anti-Semitism Today.
- **Challenging Biased Language (from the ADL):** Strategies and resources for everyone to help challenge bigoted and offensive remarks to ensure dignity and respect for all people.
- **Coalition for Asian American Children and Families (CACF):** Educate Asian Pacific American parents in their preferred languages on their rights, responsibilities, and opportunities to attain services within the school system.
- **Muslim Community Network:** Develops the capacity of Muslim New Yorkers and their allies to fully participate in the social and political landscape of New York City.
- **Sikh Coalition:** A community-based organization that works towards the realization of civil and human rights for all people.
- **Unity Productions Foundation (UPF):** UPF can work with Islamic centers, Mosques, and even educational institutions to host screenings and events dedicated to fighting Islamophobia.
- Speak Up: [Responding to Everyday Bigotry](#)
- [Advocates for Youth \(AFY\)](#)
- [Parents, Families, Friends, and Allies of Lesbians and Gays \(PFLAG\)](#)
- [The Trevor Project: Education and Resources for Adults](#)
- **NYCDOE Respect for All:** Provides anti-bullying and anti-discrimination policies and resources

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For questions on educational resources and supports on hate crimes, contact [RespectForAll@schools.nyc.gov](mailto:RespectForAll@schools.nyc.gov). For questions and resources on hate crimes in general, contact NYC Office for the Prevention of Hate Crimes at [OPHC@cityhall.nyc.gov](mailto:OPHC@cityhall.nyc.gov).



**Stay Connected.** For updates on our criminal justice initiatives follow us on Twitter at **@CrimJusticeNYC** and visit **[nyc.gov/criminaljustice](https://nyc.gov/criminaljustice)**.