

# The Office for the Prevention of Hate Crimes

2023 Annual Report

March 2024



The City of New York  
Mayor Eric Adams

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

**NYC** Criminal  
Justice

# TABLE OF CONTENTS

---

<b>I. Introduction</b>	2
<b>II. A Multi-Pronged Approach to Preventing Hate</b>	
Pillar One: Education	3
Pillar Two: Community Relations	4
Pillar Three: Laws and Law Enforcement	6
<b>III. Hate Crime Data</b>	
2023 NYC Hate Crime Statistics	9
Key Terms	10
Key Takeaways	11
Complaints	12
Arrests	20
Violent v. Non-Violent Complaints	27
<b>Appendices</b>	30
Appendix 1: Local Law 46 (2019)	
Appendix 2: Local Law 47 (2019)	
Appendix 3: Local Law 49 (2020)	
Appendix 4: New York State Penal Law 485	
Appendix 5: OPHC Resources	

## I. INTRODUCTION

---

**The New York City Office for the Prevention of Hate Crimes (OPHC)** was launched in September 2019. Since then, OPHC has created comprehensive resources on hate crime prevention and response, established an interagency committee consisting of over 20 city agencies and five District Attorney Hate Crime Units, and served as a bridge between diverse communities and city government. As part of the Mayor's Office of Criminal Justice (MOCJ), OPHC takes a holistic approach that focuses on three intersectional pillars: **Education, Community Relations, and Laws/Law Enforcement**. OPHC seeks to educate the public about the impact of bias-motivated incidents and hate crimes on individuals and communities and develop strategies to prevent them. No one should be targeted because of their race, religion, ethnicity, sexual orientation, gender identity, or other characteristics defined in New York's hate crime law. All New Yorkers have the right to be safe in their homes, neighborhoods, houses of worship, schools, and businesses.

## II. A MULTI-PRONGED APPROACH TO PREVENTING HATE

---

### Pillar One: Education

#### OPHC Hate Crime Education

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

#### Educational Resources Created by OPHC and Distributed Widely

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

- Fact Sheet on Hate and Bias Incidents Related to COVID-19 – an interagency resource on how to report hate crimes and bias incidents; currently available in 14 languages
- 'What is a Hate Crime' Guide – a guide to what hate crimes and bias incidents are, including examples and ways to get help; currently available in 20 languages
- Hate Crimes Victims' Guide to Help – a guide explaining rights, methods of reporting, and identifying local community-based organizations that offer support; currently available in 14 languages
- Educational and curricular resource guides on anti-Semitism and anti-Asian bias for educators developed by or in cooperation with OPHC have been posted on TeachHub and distributed by DOE
- Informational web pages on common hate crimes FAQ and hate symbols
- Coordinated advertising and social media campaigns to confront prejudice, encourage mutual respect, and empower victims of hate crimes to report
- Expanded reach through launch of OPHC social media on Twitter and Instagram

Follow OPHC on social media at [@stophatenyc](https://twitter.com/stophatenyc)

## II. A MULTI-PRONGED APPROACH TO PREVENTING HATE

---

### Pillar Two: Community Relations

#### Partners Against the Hate - P.A.T.H. Forward Initiative

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



ABOVE: OPHC's Partners Against the Hate (P.A.T.H.) Initiative met with Mayor Eric Adams.

#### OPHC's Community Project Grants

In 2023, OPHC and the New York City Commission on Human Rights (CCHR) introduced the **Community Project Grants to Prevent and Address Bias and Hate**. This initiative awarded grants up to \$5K to individuals, groups, non-profit organizations, academic institutions, and other entities located in New York City to implement creative projects that promote community respect, prevent hate violence, and seek to address hate crimes, bias-motivated incidents, and discrimination through pathways outside of law enforcement and the criminal legal system.

## II. A MULTI-PRONGED APPROACH TO PREVENTING HATE

### Pillar Two: Community Relations

#### “HeARTwork Against Hate” Youth Art Contest

OPHC launched its third annual “HeARTwork Against Hate” art contest and campaign for New York City youth. Participants in grades 3 – 12 shared their voices with communities citywide and used various artforms to express the positive values of respect, unity, and diversity. The campaign is a platform to support local students in building self-esteem and emotional well-being through creative expression.



Grades 3-5: 1st Place Winner



Grades 6-8: 1st Place Winner



Grades 9-12: 1<sup>st</sup> Place Winner

#### Breaking Bread, Building Bonds

Breaking Bread, Building Bonds is a citywide initiative led by the OPHC team that cultivates the immense diversity of our city and brings everyday New Yorkers together around meals to learn about common bonds, share cultures and traditions, and break down silos between communities. These efforts seek to unite New Yorkers regardless of their background, build understanding, and aid in ending bias, hate, and discrimination.



## II. A MULTI-PRONGED APPROACH TO PREVENTING HATE

---

### Pillar Three: Laws & Law Enforcement

OPHC collaborates with law enforcement, including the NYPD Hate Crimes Task Force and the District Attorney's Office Hate Crimes Unit, to support communities impacted by hate crimes. OPHC is not a law enforcement agency but serves as a vital link between law enforcement and vulnerable populations. Together, we work to ensure that those affected by hate crimes have access to resources, understand their legal rights, and feel confident in reporting incidents.

#### What Hate Crimes Are – and Aren't

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

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

In accordance with New York State Penal law (See Appendix 4),<sup>1</sup> 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.

---

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

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

## II. A MULTI-PRONGED APPROACH TO PREVENTING HATE

---

### Pillar Three: Laws & Law Enforcement

There is other conduct motivated by bias that the law does not consider a hate crime. For example, when a person is called a derogatory term on the street but is neither threatened nor harassed. These are referred to as “*bias incidents*” (or “*hate incidents*”), and because they are not proscribed by law, they are not tracked in New York law enforcement records. Bias incidents are incidents that involve non-criminal conduct motivated by hatred or bigotry based on a person’s protected characteristics. Despite not rising to the level of a reportable crime, bias incidents can produce similarly profound harms for individuals and communities, and official responses to bias incidents shape a community’s relationship with law enforcement. In New York, biased, discriminatory conduct in housing, employment and education is prohibited by our robust Human Rights Law and is enforced by New York City’s Commission on Human Rights (CCHR). See information about these rights and remedies at the Commission’s website.

#### Hate Crimes Law and Response

Hate crimes are considered particularly serious beyond their underlying accompanying offenses. 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” on their victims in comparison to other kinds of crimes.<sup>3</sup> The psychological impact of hate crimes extends far beyond the individual victim. A hate crime against one person incites fear among those who share the victim’s identity; harm against the individual becomes harm against the entire community to which the victim belongs. Identity-based crimes can lead to a persistent sense of fear, hypervigilance, and social withdrawal.<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.

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

---

<sup>3</sup>Wisconsin v. Mitchell, 508 U.S. 476, 488 (1993)

<sup>4</sup> Perry, B., & Alvi, S. (2012). ‘We are all vulnerable’: The in terrorem effects of hate crimes. International Review of Victimology, 18(1), 57-71. <https://doi.org/10.1177/0269758011422475>



## **II. A MULTI-PRONGED APPROACH TO PREVENTING HATE**

---

### **Pillar Three: Laws & Law Enforcement**

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

Pursuant to Local Law 49 (See Appendix 3), OPHC, in partnership with New York City Police Department (NYPD), created a system to alert over 500 legislative and elected officials, community leaders, and appropriate community-based organizations whenever the NYPD has determined that a potential violent hate crime has occurred. Notifications include the hate motivation and the location, date, and time of the incident.

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

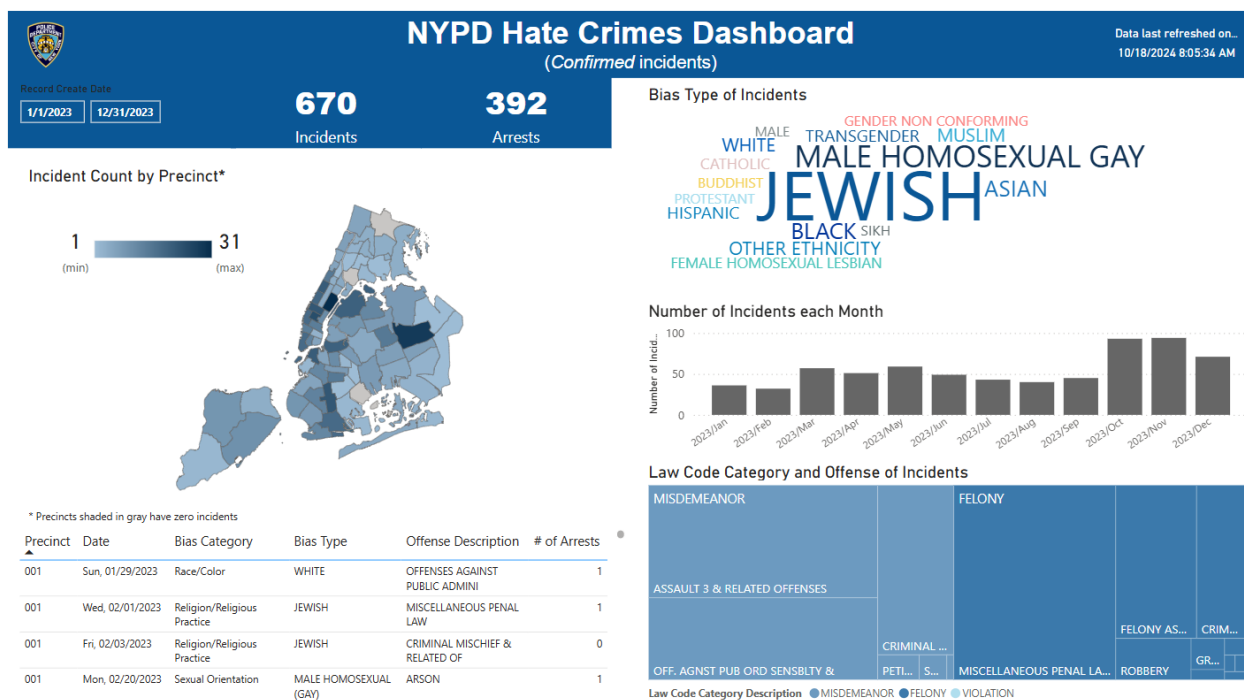
OPHC convenes an Interagency Committee on Hate Crimes quarterly (in person and virtually). Five Working Groups meet regularly and draft recommendations on education, neighborhood safety & community relations, victim support, restorative justice for hate crimes, and strategies to enhance reporting. The IAC has served as an important advisory body on how the city handles hate crimes and bias incidents. It has strengthened immediate coordination of hate incidents among city agencies and leveraged the experience and expertise of stakeholders to enhance the city's overall long-term response.

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

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

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



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

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

##### Key Terms:

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

### III. HATE CRIME DATA

---

#### 2023 NYC Hate Crime Statistics

##### Key takeaways of hate crime complaints in 2023:

- Hate crime complaints increased by 10% from 2022 to 2023. Bias categories with the highest increases in raw number of complaints from 2022 to 2023 are: anti-Jewish (from 261 to 324), anti-Male Homosexual (Gay) (from 73 to 97), and anti-white (from 11 to 26).
- Anti-Asian hate crimes experienced a 39% decrease from 2022 to 2023. 67% of anti-Asian hate crimes were violent.
- Anti-Jewish bias comprised the highest proportion of hate crime complaints (49%) and the majority of those incidences (60%) were vandalism.
- Anti-LGBTQ crimes increased 27% (from 97 to 123), 59% of those crimes were violent. Within the anti-LGBTQ group, anti-Transgender experienced the highest rate of violence with 61% of incidences being violent.
- Anti-Muslim hate crimes experienced a 37% increase (from 19 to 26).
- Queens experienced the highest increase in reported hate crimes, from 91 to 136.
- Manhattan accounts for 40% of all reported hate crimes in 2023.
- Hate crime complaints increased in all boroughs except for the Bronx.
- Anti-LGBTQ hate crimes comprised the largest raw number of violent offenses (73) across all bias categories, followed by anti-Jewish (44).

##### Key takeaways of hate crime arrests in 2023:

- Arrests increased by 26% from 2022 to 2023 (from 295 to 372 arrests).
- Majority of arrests for hate crimes were in Manhattan (40%, representing 148 arrests), followed by Brooklyn at 35%, (129 arrests).
- The 84th Precinct (Brooklyn Heights) accounted for the highest number of hate crime arrests (20).

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

##### COMPLAINTS

###### *Total Hate Crime Complaints, 2020-2023*

Hate crime complaints increased by 10% from 2022 to 2023. Note that complaints represent both citizen- and officer-initiated reports.

###### *Annual Number of Hate Crime Complaints, 2020 – 2023*

	2020	2021	2022	2023	%Δ '22-'23
<b>Complaints</b>	266	531	607	667	10%

###### *Complaints by Bias Motivation*

Since 2020 anti-Jewish complaints have made up the highest number of overall complaints (902), followed by anti-LGBTQ complaints (360) and anti-Asian complaints (296). Following the October 7, 2023 Hamas-led attack in Israel, New York City saw a sharp increase in reported hate crimes. Between 2022 and 2023, anti-Jewish complaints increased by 24%, with 60% of anti-Jewish complaints consisting of vandalism/property crimes (Aggravated Harassment 1, Criminal Mischief). Anti-Muslim complaints increased by 27% between 2022-2023; anti-LGBTQ complaints increased by 27% between 2022-2023; anti-Asian complaints decreased by 39% in the same period but remain higher than 2020 levels.

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

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

Bias Motive	2020	2021	2022	2023	Change	%Δ '22-'23	Total '20 - '23
Anti-Jewish	121	196	261	324	63	24%	902
Anti-Asian	28	134	83	51	32	-39%	296
Anti- LGBTQ	40	100	97	123	26	27%	360
Anti-Male Homosexual (Gay)	28	73	73	97	24	33%	271
Anti-Transgender	4	18	15	18	3	20%	55
Anti-Female Homosexual (Lesbian)	4	5	9	6	3	-33%	24
Anti-Gender Non-Conforming	2	3	0	2	2	--	7
Anti-LGBT (Mixed Group)	2	1	0	0	0	--	3
Anti-Black	37	38	53	51	2	-4%	179
Anti-Other Ethnicity	2	10	39	30	9	-23%	81
Anti-Muslim	4	13	19	26	7	37%	62
Anti-Hispanic	1	8	16	20	4	25%	45
Anti-Catholic	9	9	12	10	2	-17%	40
Anti-White	10	19	11	26	15	136%	66
Anti-Hindu	2	0	4	0	4	-100%	6
Anti-Sikh	0	0	3	3	0	0%	6
Anti-Other Religion	0	0	3	0	3	-100%	3
Anti-Eastern Orthodox	0	0	2	0	2	-100%	2
Anti-Buddhist	0	0	1	1	0	0%	2
Anti-Religious Practice Generally	2	0	1	0	1	-100%	3
Anti-Protestant	0	0	1	1	0	0%	2
Anti-Jehovah's Witness	0	0	1	0	1	-100%	1
Anti-Female	6	3	0	0	0	--	9
Anti-Arab	1	1	0	0	0	--	2
Anti-Multi-Racial Groups	2	0	0	0	0	--	2
Anti-Physical Disability	0	0	0	0	0	--	0
60 yrs and Older	1	0	0	0	0	--	1
Anti- Male	0	0	0	1	1	--	1

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

##### *Percent of Total Complaints by Bias Motivation, 2023*

<b>Bias Motivation</b>	<b>2023</b>	<b>% of Total</b>
Anti-Jewish	324	49%
Anti-Male Homosexual (Gay)	97	15%
Anti-Asian	51	8%
Anti-Black	51	8%
Anti-Other Ethnicity	30	4%
Anti-Muslim	26	4%
Anti-White	26	4%
Anti-Hispanic	20	3%
Anti-Transgender	18	3%
Anti-Catholic	10	1%
Anti-Female Homosexual (Lesbian)	6	1%
Anti-Sikh	3	0%
Anti-Gender Non-Conforming	2	0%
Anti-Buddhist	1	0%
Anti-Male	1	0%
Anti-Protestant	1	0%
<b>Total</b>	<b>667</b>	<b>100%</b>

Hate crime complaints increased notably among the ethnicity subgroups from 2022 to 2023. Anti-Asian bias crimes decreased (from 83 to 51), but most were violent (67%); anti-Hispanic bias crimes increased 25% (from 16 to 20), of which 85% were violent. Anti-LGBTQ crimes increased 27% from 2022 to 2023, over half of those incidences were violent (59%).



### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

*Hate Crime Complaints by Vandalism/Property, 2023*

Bias Motivation	Non-Violent		Violent	Total	% Vandalism of Total
	Non-Violent	Vandalism/Property	Violent		
Anti-Jewish	87	193	44	324	60%
Anti-Male Homosexual (Gay)	24	16	57	97	16%
Anti-Asian	15	2	34	51	4%
Anti-Black	14	20	17	51	39%
Anti-Muslim	8	7	11	26	27%
Anti-Other Ethnicity	7	3	20	30	10%
Anti-White	5	1	20	26	4%
Anti-Transgender	4	3	11	18	17%
Anti-Hispanic	3	0	17	20	0%
Anti-Buddhist	0	1	0	1	100%
Anti-Catholic	0	10	0	10	100%
Anti-Female Homosexual (Lesbian)	0	3	3	6	50%
Anti-Gender Non-Conforming	0	0	2	2	0%
Anti-Male	0	1	0	1	100%
Anti-Protestant	0	1	0	1	100%
Anti-Sikh	0	0	3	3	0%
<b>Total</b>	<b>167</b>	<b>261</b>	<b>239</b>	<b>667</b>	<b>39%</b>

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

##### *Geographical Trends for Complaints*

Manhattan leads the boroughs with the highest number of hate crime complaints (265), followed by Brooklyn (211), Queens (136), the Bronx (30), and Staten Island (25).

##### *Aggregate Top Hate Crime Complaints by Borough, 2019-2023*

Borough	2020	2021	2022	2023	%Δ '22-'23
Manhattan	86	219	241	265	10%
Brooklyn	93	140	208	211	1%
Queens	48	105	91	136	49%
Bronx	21	48	42	30	-28%
Staten Island	18	19	25	25	0%
Total Complaints	266	531	607	667	10%

The 19<sup>th</sup> Precinct (Upper East Side) in Manhattan leads in hate crime complaints with 31 (26 anti-Jewish, 2 anti-LGBTQ, 1 anti-Muslim, 1 anti-Asian, 1 anti-Hispanic), followed by the 107<sup>th</sup> (Northern Queens) in Queens with 28 complaints (17 in anti-Jewish, 6 anti-LGBTQ, 2 anti-Catholic, 1 anti-Asian, 1 anti-Black, 1, anti-Muslim).

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

*Complaints by Precinct, 2020-2023*

PCT	2020	2021	2022	2023	%Δ '22-'23
19	4	15	29	31	7%
107	9	8	4	28	600%
14	3	38	22	23	5%
70	14	10	17	22	29%
18	4	18	16	21	31%
24	4	9	16	21	31%
84	6	7	12	21	75%
90	12	12	30	20	-33%
114	2	10	7	20	186%
20	3	5	4	19	375%
10	15	5	17	18	6%
61	3	10	22	18	-18%
1	4	18	15	17	13%
26	3	8	10	15	50%
71	3	9	11	15	36%
112	8	12	8	15	88%
6	5	14	12	14	17%
13	7	18	24	14	-42%
5	5	8	13	13	0%
66	9	10	19	13	-32%
60	7	6	9	12	33%
78	2	3	8	12	50%
115	3	5	4	12	200%
17	3	7	12	11	-8%

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

Precincts with the highest number of complaints by precinct and stratified by borough are presented below. Similarities persist between precincts with the highest number of complaints in 2022 and 2023. Bolded precincts below are those which experienced the highest number of complaints in both 2022 and 2023.

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

2023	2022
<ul style="list-style-type: none"><li>• <b>Precinct 19</b> (Upper East Side, 31 complaints)</li><li>• <b>Precinct 14</b> (Midtown South, 23 complaints)</li><li>• Precinct 18 (Midtown North, 21 complaints)</li><li>• <b>Precinct 24</b> (Upper West Side/Manhattan Valley, 21 complaints)</li><li>• Precinct 20 (Upper West Side, 19 complaints)</li></ul>	<ul style="list-style-type: none"><li>• <b>Precinct 19</b> (Upper East Side, 29 complaints)</li><li>• Precinct 13 (Gramercy/Union Square, 24 complaints)</li><li>• <b>Precinct 14</b> (Midtown South, 22 complaints)</li><li>• Precinct 10 (Chelsea/Hudson Yards, 17 complaints)</li><li>• <b>Precinct 24</b> (Upper West Side, 16 complaints)</li></ul>

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

2023	2022
<ul style="list-style-type: none"><li>• <b>Precinct 70</b> (Midwood/Prospect Park South, 22 complaints)</li><li>• Precinct 84 (Brooklyn Heights/Boerum Hill, 21 complaints)</li><li>• <b>Precinct 90</b> (Williamsburg, 20 complaints)</li><li>• <b>Precinct 61</b> (Kings Bay/Sheepshead Bay, 18 complaints)</li></ul>	<ul style="list-style-type: none"><li>• <b>Precinct 90</b> (Williamsburg, 30 complaints)</li><li>• <b>Precinct 61</b> (Kings Bay/Sheepshead Bay, 22 complaints)</li><li>• Precinct 66 (Borough Park, 19 complaints)</li><li>• <b>Precinct 70</b> (Midwood/Prospect Park South, 17 complaints)</li></ul>

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

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

2023

- Precinct 107 (Fresh Meadows/Cunningham Heights, 28 complaints)
- Precinct 114 (Astoria/Long Island City, 20 complaints)
- Precinct 112 (Forest Hills/Rego Park, 15 complaints)
- Precinct 115 (Jackson Heights/East Elmhurst, 12 complaints)

2022

- Precinct 109 (Downtown Flushing/College Point/Bay Terrace/Whitestone, 13 complaints)
- Precinct 103 (Hollis Park Gardens/Jamaica, 11 complaints)
- Precinct 108 (LIC/Sunnyside/Woodside, 9 complaints)
- Precinct 110 (Corona/Elmhurst, 8 complaints)

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

2023

- **Precinct 50** (Kingsbridge/Marble Hill/Riverdale, 6 complaints)
- **Precinct 48** (Belmont/East Tremont/West Farms, 4 complaints)

2022

- **Precinct 50** (Kingsbridge/Marble Hill/Riverdale, 8 complaints)
- **Precinct 48** (Belmont/East Tremont/West Farms, 7 complaints)

Total number of complaints for all hate crimes in **Staten Island** by precinct for 2022-2023 are as follows:

2023

- **Precinct 122** (South Shore, 10 complaints)
- **Precinct 121** (Northwestern Shore, 9 complaints)
- **Precinct 120** (North Shore, 4 complaints)
- Precinct 123 (South Shore, 2 complaints)

2022

- **Precinct 121** (Northwestern Shore, 10 complaints)
- **Precinct 122** (South Shore, 8 complaints)
- **Precinct 123** (South Shore, 6 complaints)
- **Precinct 120** (North Shore, 1 complaint)

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

##### ARRESTS

##### **Total Hate Crime Arrests, 2020-2023**

Hate crime arrests increased from 295 to 372 (+77 arrests, 26% increase) from 2022 to 2023.

##### *Annual Number of Hate Crime Arrests, 2020-2023*

	2020	2021	2022	2023	%Δ '22-'23	Total
Arrests	103	238	295	372	26%	1,008

##### *Arrests by Bias Motivation*

In 2023, anti-Jewish arrests (103) accounted for the highest number of overall arrests, followed by anti-LGBTQ arrests (88) and anti-Asian arrests (40).

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

*Annual Number of Hate Crime Arrests by Bias Motivation, Top Hate Crime Categories, 2023*

Bias Motivation	2020	2021	2022	2023	%Δ '22-'23
Anti-Jewish	25	70	69	103	49%
Anti-Asian	23	69	67	40	-40%
Anti-LGBTQ	24	49	66	88	33%
Anti-Male Homosexual (Gay)	18	33	45	66	47%
Anti-Female Homosexual (Lesbian)	1	1	13	3	-77%
Anti-Transgender	2	12	8	18	125%
Anti-Gender Non-Conforming	1	3	0	1	-
Anti-LGBT (Mixed Group)	2	0	0	0	-
Anti-Other Ethnicity	0	4	37	24	-35%
Anti-Muslim	2	7	11	25	127%
Anti-White	5	10	9	28	211%
Anti-Hispanic	0	4	9	28	211%
Anti-Black	11	15	8	26	225%
Anti-Catholic	0	7	7	5	-29%
Anti-Sikh	0	0	4	3	-25%
Anti-Hindu	1	0	3	0	-100%
Anti-Other Religion	0	0	3	0	-100%
Anti-Eastern Orthodox	0	0	1	0	-100%
Anti-Jehovah's Witness	0	0	1	0	-100%
Anti-Arab	0	0	0	0	-
Anti-Protestant	0	0	0	0	-
Anti-Buddhist	0	0	0	1	-
Anti-Religious Practice Generally	0	0	0	0	-
Anti-Female	10	3	0	0	-
60 Yrs and Older	1	0	0	0	-
Anti-Multi-Racial Groups	1	0	0	0	-
Anti-Physical Disability	0	0	0	0	-
Anti Male	0	0	0	1	-

Anti-Jewish arrests increased (49%) from 69 to 103 arrests from 2022 to 2023. Anti-LGBTQ arrests increased (+33%) from 66 to 88 arrests from 2022 to 2023. Arrests also decreased for anti-Asian bias crimes, from 67 to 40 (-40%), likely due to the decrease in anti-Asian hate incidents reported post Covid-19.



### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

*Arrest Rates from 2023 Complaints<sup>5</sup>*

Bias Motivation	Complaints	Arrests	Arrest Rate
Anti-Jewish	324	103	32%
Anti-Male Homosexual (Gay)	97	66	68%
Anti-Asian	51	40	78%
Anti-Hispanic	20	28	140%
Anti-White	26	28	108%
Anti-Black	51	26	51%
Anti-Muslim	26	25	96%
Anti-Other Ethnicity	30	24	80%
Anti-Transgender	18	18	100%
Anti-Catholic	10	5	50%
Anti-Female Homosexual (Lesbian)	6	3	50%
Anti-Sikh	3	3	100%
Anti-Buddhist	1	1	100%
Anti-Gender Non-Conforming	2	1	50%
Anti-Male	1	1	100%
Anti-Protestant	1	0	0%
<b>Total</b>	<b>667</b>	<b>372</b>	<b>56%</b>

Anti-Hispanic hate crimes had the highest arrest rate per complaint (140%), followed by anti-white (108%), and anti-Sikh, anti-Buddhist, anti-male, and anti-Transgender all with 100% clearance. 78% of anti-Asian hate crimes resulted in an arrest. Only 32% of anti-Jewish hate crimes resulted in an arrest, likely due to the majority of those incidents being vandalism crimes.

---

<sup>5</sup> Arrest rates over 100% suggest multiple arrests on a single incident

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

##### *Arrest Trends by Geography*

In 2023, Manhattan led the boroughs with the highest number of hate crime arrests (148), followed by Brooklyn with 129 arrests and Queens with 80 arrests. Arrests increased across all boroughs except for the Bronx and Staten Island.

##### *Hate Crime Arrests by Borough, 2020-2023*

Borough	2020	2021	2022	2023	%Δ '22-'23	Total
Manhattan	27	98	103	148	44%	376
Brooklyn	39	55	123	129	5%	346
Queens	16	53	47	80	70%	196
Bronx	12	24	9	8	-11%	53
Staten Island	9	8	13	7	-46%	37
<b>Total Arrests</b>	<b>103</b>	<b>238</b>	<b>295</b>	<b>372</b>	<b>26</b>	<b>1,008</b>

The 84<sup>th</sup> precinct (Brooklyn Heights) experienced both the highest number of hate crime arrests (20) in 2023 and the highest percent increase from 2022 (233%). The arrests in the 84<sup>th</sup> precinct were for anti-White (10), anti-Other Ethnicity (3), anti-Catholic (2), Anti-Asian (2), anti-Hispanic (1), anti-Jewish (1), and anti-LGBTQ (1).

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

*Precincts with Highest Number of Hate Crime Arrests, 2020-2023*

PCT	2020	2021	2022	2023	%Δ '22-'23	Total
90	15	3	39	11	-72%	68
14	1	19	13	18	38%	51
70	6	9	6	18	200%	39
18	2	11	7	16	129%	36
10	5	1	9	18	100%	33
84	4	1	6	20	233%	31
109	0	5	9	12	33%	26
71	1	6	6	12	100%	25
6	4	3	7	10	43%	24
5	2	6	7	8	14%	23
7	2	7	10	4	-60%	23
13	2	7	12	2	-83%	23
19	1	6	6	10	67%	23
79	1	3	12	5	-58%	21
66	3	6	5	5	0%	19
115	1	5	5	8	60%	19
103	0	6	5	7	40%	18
25	0	7	5	4	-20%	16
72	1	3	10	2	-80%	16
75	1	1	7	7	0%	16
110	1	7	6	2	-67%	16
9	1	4	6	3	-50%	14
17	0	2	7	4	-43%	13
102	0	5	6	2	-67%	13
121	0	0	8	5	-38%	13
63	0	0	6	1	-83%	7

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

Precincts with the highest number of arrests by precinct and stratified by borough are presented below. Similarities persist between precincts with the highest number of complaints in 2022 and 2023. Bolded precincts below are those which were among the precincts with the greatest volume of hate crime arrests in both 2022 and 2023.

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

2023	2022
<ul style="list-style-type: none"><li>• <b>Precinct 14</b> (Midtown South, 18 arrests)</li><li>• <b>Precinct 10</b> (Chelsea/Hudson Yards, 18 arrests)</li><li>• Precinct 18 (Midtown North, 16 arrests)</li><li>• Precinct 6 (Greenwich Village/West Village, 10 arrests)</li></ul>	<ul style="list-style-type: none"><li>• <b>Precinct 14</b> (Midtown South, 13 arrests)</li><li>• Precinct 13 (Gramercy/Union Square, 12 arrests)</li><li>• Precinct 7 (Lower East Side, 10 arrests)</li><li>• <b>Precinct 10</b> (Chelsea/Hudson Yards, 9 arrests)</li></ul>

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

2023	2022
<ul style="list-style-type: none"><li>• Precinct 84 (Brooklyn Heights/Boerum Hill, 20 arrests)</li><li>• Precinct 70 (Midwood/Prospect Park South, 18 arrests)</li><li>• Precinct 71 (Crown Heights/Prospect Lefferts, 12 arrests)</li><li>• <b>Precinct 90</b> (Williamsburg, 11 arrests)</li></ul>	<ul style="list-style-type: none"><li>• <b>Precinct 90</b> (Williamsburg, 39 arrests)</li><li>• Precinct 79 (Bedford Stuyvesant, 12 arrests)</li><li>• Precinct 72 (Sunset Park/Windsor Terrace, 10 arrests)</li><li>• Precinct 75 (East New York/Cypress Hills, 7 arrests)</li></ul>

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

---

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

2023

- Precinct 114 (Astoria/Long Island City, 15 arrests)
- **Precinct 109** (Flushing/Bay Terrace/Whitestone, 12 arrests)
- Precinct 107 (Fresh Meadows/Cunningham Heights, 11 arrests)
- Precinct 112 (Forest Hills/Rego Park , 11 arrests)

2022

- **Precinct 109** (Flushing/Bay Terrace/Whitestone, 9 arrests)
- Precinct 102 (Kew Gardens/Woodhaven, 6 arrests)
- Precinct 110 (Corona/Elmhurst, 6 arrests)
- Precinct 115 (Jackson Heights/East Elmhurst, 5 arrests)

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

2023

- Precinct 45 (Co-op City/City Island, 3 arrests)
- Precinct 41 (Hunts Point/Longwood, 1 arrest)
- Precinct 52 (Bedford Park/Fordham, 1 arrest)

2022

- Precinct 49 (Morris Park/Pelham Parkway, 2 arrests)
- Precinct 46 (Fordham/university Heights, 2 arrests)
- Precinct 43 (Westchester Ave/Castle Hill, 2 arrests)

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

2023

- **Precinct 121** (Northwestern Shore, 5 arrests)

2022

- **Precinct 121** (Northwestern Shore, 8 arrests)

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

##### VIOLENT v. NON-VIOLENT COMPLAINTS

*Total Number of Violent and Non-Violent complaints*

	2020				2021			
	Non-Violent	Violent	%Violent	Total	Non-Violent	Violent	%Violent	Total
Complaints	202	64	24%	266	325	206	39%	531

	2022				2023			
	Non-Violent	Violent	% Violent	Total	Non-Violent	Violent	% Violent	Total
Complaints	398	209	34%	607	428	239	36%	667

Since 2020, there have been 718 violent hate crime complaints. In 2021, violent hate crime complaints increased substantially (+142, from 2020 to 2021) comprising 39% of all hate crimes. In 2022, violent hate crime complaints increased very slightly (+3) from the previous year but comprised 34% of all reported hate crimes for the year. In 2023 violent hate crime complaints increased again (+30), comprising 36% of all reported hate crimes for the year. In 2023, Anti-LGBTQ hate crimes comprised the largest raw number of violent hate crime complaints (73), followed by anti- Jewish (44).

### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

##### By Bias Group

Bias Motivation	Non-Violent	Violent	% Violent	2023 Total
Anti-Jewish	280	44	14%	324
Anti-LGBTQ	50	73	59%	123
Anti-Male Homosexual (Gay)	40	57	59%	97
Anti-Black	34	17	33%	51
Anti-Asian	17	34	67%	51
Anti-Muslim	15	11	42%	26
Anti-Catholic	10	0	0%	10
Anti-Other Ethnicity	10	20	67%	30
Anti-Transgender	7	11	61%	18
Anti-White	6	20	77%	26
Anti-Female Homosexual (Lesbian)	3	3	50%	6
Anti-Hispanic	3	17	85%	20
Anti-Buddhist	1	0	0%	1
Anti-Male	1	0	0%	1
Anti-Protestant	1	0	0%	1
Anti-Gender Non-conforming	0	2	100%	2
Anti-Sikh	0	3	100%	3
<b>Total</b>	<b>428</b>	<b>239</b>	<b>36%</b>	<b>667</b>



### III. HATE CRIME DATA

#### 2023 NYC Hate Crime Statistics

##### By Geography

Forty percent of all hate crime complaints occurred in Manhattan (265), followed by Brooklyn (211). The majority of violent complaints in Manhattan were anti-LGBTQ (35), followed by anti-Asian (16). The majority of violent complaints in Brooklyn were anti-Jewish (22) and anti-LGBTQ (19).

*Total Number of Violent v. Non-Violent Incidents by Borough, 2023*

Borough	Non-Violent	Violent	% of Total	% Violent	Total
Manhattan	166	99	40%	37%	265
Brooklyn	135	76	32%	36%	211
Queens	85	51	20%	38%	136
Bronx	19	11	4%	37%	30
Staten Island	23	2	4%	8%	25
<b>Total</b>	<b>428</b>	<b>239</b>	<b>100%</b>	<b>36%</b>	<b>667</b>

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

##### Underreporting

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

- Believing that no one would take the report seriously or that the incident was not significant enough to report to police.
- Distrust of law enforcement due to negative experiences with law enforcement and/or historically strained and abusive relationship with law enforcement.
- Concern about reprisal or other bad consequences.<sup>6</sup>
- Concerns that it could impact immigration status (though NYPD never asks for this information)
- Trying to report and not being taken seriously.<sup>7</sup>

<sup>6</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>7</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.

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

---

**No. 46**

---

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

*Be it enacted by the Council as follows:*

*Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-g to read as follows:*

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

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

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

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

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

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

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

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

*7. Perform other duties as the mayor may assign.*

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

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

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

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

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

CERTIFICATION OF CORPORATION COUNSEL

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

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

STEVEN LOUIS,

Acting Corporation Counsel.

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

---

**No. 47**

---

Introduced by Council Members Deutsch, Richards, Levine, Vallone, Eugene, Menchaca, Moya, Ampy-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.

Corporation Counsel.

STEVEN LOUIS, Acting

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

---

**No. 49**

---

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

**A LOCAL LAW**

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

*Be it enacted by the Council as follows:*

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

3. Perform other duties as the mayor may assign.

§ 2. This local law takes effect immediately.

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

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

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

**CERTIFICATION OF CORPORATION COUNSEL**

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

STEPHEN LOUIS, Acting Corporation Counsel.

## **Appendices**

## **Appendix 4: NY State Penal Law 485**

### ***Section 485.00***

---

#### **Legislative findings**

Penal (PEN)

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

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

## **Section 485.05**

---

### **Hate crimes**

Penal (PEN) \*Listing of Specified Offenses\*

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

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

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

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

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

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

4. For purposes of this section:

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

## ***Section 485.10***

---

### **Sentencing**

Penal (PEN)

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

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

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

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

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

5. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this article, that the defendant complete a program, training session or

counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.



- [What Is A Hate Crime Resource](#)
- [311-911 Resource on Bias Incidents and Hate Crimes](#)
- [Hate Symbols Informational Web Page](#)
- [Hate Crime Frequently Asked Questions \(FAQs\)](#)
- [OPHC Hate Crime Notification System Frequently Asked Questions \(FAQs\)](#)

# What is a hate crime?

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

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

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

## Examples of hate crimes

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

## What groups are recognized under New York hate crime law?

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

- Race or color
- Ancestry or place of national origin
- Gender identity or expression
- Religion or religious practice
- Gender
- Disability
- Sexual orientation
- Age

## What if there isn't an underlying crime?

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

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

## Examples of bias incidents

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

# What should I do...

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### WHAT HAPPENED?

#### BIAS INCIDENT

#### HATE CRIME

### WHAT SHOULD I DO?

CALL 311 AND SAY "HUMAN RIGHTS" OR FILL OUT A DISCRIMINATION REPORT ON [CCHR'S WEBSITE](#)

CALL 911 AND SAY "HATE CRIME" OR CALL YOUR LOCAL POLICE PRECINCT

### WHAT WILL HAPPEN NEXT?

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

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

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

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

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

NYPD officers will not ask about the immigration status of anyone seeking help and language assistance is available. Officers can also help connect individuals to victim support services available to them.

You can also contact a Crime Victim Advocate to help deal with the emotional, physical, and financial aftermath of a crime, and explore other options. Call the All Crimes Hotline at 1-866-689-HELP (4357) TDD: 866-604-5350.

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

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

## **Do you need immigration assistance?**

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

## **Are you seeking mental health support?**

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



**Office for the Prevention of Hate Crimes**  
Deborah Lauter  
Executive Director

**Mayor's Office of Immigrant Affairs**  
Bitta Mostofi  
Commissioner

**Commission on Human Rights**  
Carmelyn P. Malais  
Commissioner/Chair

## Information on Hate Symbols

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

### New York State Laws on Hate Crimes and Hateful Vandalism

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

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

### Swastikas

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

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

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

Learn more about the swastika as a symbol of hate:

[Anti-Defamation League: Swastika](#)

[Facing History: Holocaust Education Amid Rising Antisemitism: An Interview with Leslie White](#)

[The Art of Hitler. By Steven Kasher in the MIT Press Journal](#)

[U.S. Holocaust Memorial Museum: The History of the Swastika](#)

[Echoes & Reflections: Swastikas and Nazi Salutes: Addressing Holocaust Symbols in the Age of Image](#)

## Nooses & Cross-Burning

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

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

Learn more about the noose as a symbol of hate:

[Court of Appeals of Virginia - \*Turner v. Commonwealth of Virginia\* \(2018\)](#)

[U.S. Supreme Court - \*Virginia v. Black\*, 538 U.S. 343 \(2003\)](#)

[NAACP: History of Lynchings](#)

[Equal Justice Initiative: Lynching in America](#)

[Anti-Defamation League: Noose Incidents & Their Historical Context](#)

[Facing History: The Origins of Lynching Culture in the United States](#)

[Southern Poverty Law Center: "Ku Klux Klan"](#)

## Other Hate Symbols

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

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

## Reporting Hate Symbols

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

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

[Learn more about Victim Support services.](#)

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

## Frequently Asked Questions

### What is a Hate Crime?

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

[Read more about the New York State law on hate crimes](#)

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

[Read more about the New York State law on aggravated harassment crimes](#)

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

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

[Learn more about NYPD and the Hate Crime Task Force](#)

### How Do I Report a Hate Crime?

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

[Find your nearest precinct](#)

The responding police officers will provide whatever immediate assistance is needed and begin the reporting process. If the situation is deemed to be a possible bias-motivated incident, the NYPD Hate Crime Task Force will be notified.



A person's immigration status does not prevent them from reporting a hate crime or receiving services. You can also report hate crimes to the District Attorney hate crime unit in your borough.

## **Why Are Hate Crimes Treated Differently Than Other Crimes?**

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

## **Why Are Hate Crimes Under-Reported?**

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

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

## **Why Is It Important to Report Hate Crimes?**

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

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

## Are All Bias Incidents Hate Crimes?

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

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

**[Learn how to file a discrimination complaint.](#)**



## OPHC Hate Crime Notification System

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

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

[Learn more about Local Law 49](#)

### Frequently Asked Questions

#### **Who receives these notifications?**

Currently, OPHC sends e-mail notifications to:

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

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

#### **When does the OPHC send these alerts?**

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

#### **What qualifies as a “violent hate crime”?**

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

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

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

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

For general questions or concerns, **[please contact OPHC](#)**.

**Stay Connected.** For updates on our criminal justice initiatives follow us on social media at **@stophatenyc** and visit [\*\*nyc.gov/stophate\*\*](https://nyc.gov/stophate).