

# The Office for the Prevention of Hate Crimes

2020 Annual Report

March 2021



The City of New York  
Mayor Bill de Blasio

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

**NYC** Criminal  
Justice

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## I. INTRODUCTION

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### Message from Executive Director

Dear New Yorkers:

The Office for the Prevention of Hate Crimes (OPHC) launched a little more than a year ago and has been operating in high gear since its inception. Initially, we focused on responding to the troubling increase in bias incidents and hate crimes targeting religious Jews in Brooklyn that occurred in 2018 and 2019. Then in early 2020, we were shocked by the targeting of Asian New Yorkers who were unfairly being scapegoated for COVID-19, giving rise to a virus of fear in a city that cherishes and defines itself by its diversity and inclusiveness. And then in May, we watched the viral video of the horrific murder of George Floyd, a Black man, at the hands of a member of law enforcement in Minnesota.

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 combating 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 laws/law enforcement. This report documents how OPHC has used this strategic framework to respond to and prevent hate crimes.

The experience of responding to the increase in anti-Semitic incidents and then the emergence of anti-Asian incidents 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. That fear spreads quickly to others who share those identities — not just in the immediate surrounding neighborhood or borough, but even nationally and internationally.

One of the outcomes of the COVID-19 crisis was that as New Yorkers stayed at home, there was less public interaction and hence, less opportunity overall for bias- and hate-motivated incidents and crimes in person. While, as we report here, 2020 hate crimes were down 37% from the previous year, we know from studies that hate crimes are vastly under-reported for a number of reasons, particularly in communities that have not developed a high trust relationship with law enforcement. One of our office's goals is to address this problem of under-reporting, not only so that we can 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. We are particularly excited about our first-of-its-kind Preventing Hate Dashboard (PHD) that has been developed in cooperation with the Mayor's Office of the Chief of Technology (MOCTO), in partnership with an incredible team of national tech industry fellows who generously volunteered their time to this project.

2020 was an extraordinarily difficult year. The killings of George Floyd, Breonna Taylor, Ahmaud Arbery and too many other Black people were painful reminders of the systemic racism in this country. The pandemic led to hundreds of thousands of deaths in the U.S. and further highlighted the disparate health and economic impacts experienced by Black, Brown, Asian, and Indigenous Peoples. And the hurtful, racist rhetoric that flowed from the top levels of government showed how easy it is for the lid to come off the sewer of hate speech to inspire violence. Yet these incidents awakened a realization in many that we must confront our history and work to break down the prejudices and discrimination that have resulted in racism and gross inequality in this country. I find hope in the fact that an estimated 21 million people took to the streets in support of the Black Lives Matter movement and that record numbers of people voted to put our country's leadership on a path to civility and healing.

There are no easy answers and no quick fixes when it comes to fighting hate. In establishing the Office for the Prevention of Hate Crimes, the Mayor and City Council 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 equality, 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 choose to become "upstanders" in the fight against bigotry and hate, we can and will make a positive difference for all New Yorkers.

Signed,

Deborah Lauter



# I. INTRODUCTION

## Executive Summary

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The Office for the Prevention of Hate Crimes (OPHC), launched in September 2019, became the central body for: coordinating city and community efforts to prevent and respond to hate crimes by creating resources; serving as a convener of City agencies; supporting community-based organizations that serve the populations most vulnerable to hate violence; mapping existing City programs and services; and creating a framework for long-term strategies and programs to prevent bias and hate violence in New York City.

Housed in the Mayor's Office of Criminal Justice (MOCJ), OPHC 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 took immediate action in the face of the disturbing increase in bias incidents and hate crimes against Asian communities who were unfairly scapegoated for the COVID-19 virus.

### **The Data**

The COVID-19 pandemic led to periods of quarantine and overall significant reduction of people in public spaces from March through the end of the year. At the same time, there was a steep drop in reported hate crime incidents.

Hate crime complaints (which can be the result of civilian reporting or law enforcement activity) went down by 37% between 2019 and 2020, from 446 to 282, in part because of COVID-19. Hate crimes complaints were down from 2019 across all bias categories with some exceptions. Most notably, anti-Asian hate crime complaints experienced a significant and concerning increase from 1 to 30. Anti-Asian hate crimes were mostly violent (16/30). Arrests (referring to an individual who has been taken into custody) decreased by 22% from 2019 to 2020, from 119 to 93 arrests.

The decrease in hate crime complaints can also be attributed to a 52% decrease (from 251 to 120) in anti-Jewish hate crime complaints, despite continuing to comprise the largest proportion of complaints (43%). 73% of anti-Jewish hate crime complaints were for vandalism related incidents (Aggravated Harassment and Criminal Mischief 4). Anti-LGBTQ bias comprised the second-highest proportion of hate crime complaints (15%), followed by anti-Black (14%) and anti-Asian (11%). Anti-LGBTQ and anti-Jewish each comprised the greatest proportion and volume of arrests in 2020 (27% of total, 25 arrests each) across all bias categories. Similar to past years, Brooklyn led the boroughs with the highest number of hate crime complaints and arrests, followed by Manhattan. In 2020, 28% of hate crime complaints were violent compared to 25% in 2019. It is important to note that hate crimes have been found to be vastly under-reported, so these numbers only reflect reported incidents.

# I. INTRODUCTION

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## Executive Summary

### **The Response**

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There is not one way to prevent hate crimes. OPHC developed a multi-pronged approach that focuses on three pillars: **Community Relations, Education, and Laws/Law Enforcement**. In 2020, OPHC:

- **Convened an Interagency Committee on Hate Crimes (IAC)**, consisting of 18 City agencies and all five DA offices, to coordinate efforts to prevent and respond to hate crimes. By bringing them together quarterly with an intentional focus on addressing hate crimes, OPHC broke down silos and engaged educators, first responders, victim service providers, restorative justice and other subject matter experts. IAC members shared information about current programs, resources, and best practices and engaged together in creative thinking and recommendations that will have long-term impact.
- **Coordinated the work of community-based organizations** funded through the New York City Council's Hate Violence Prevention Initiative (HVPI). These grants were focused on addressing under-reporting of hate crimes in vulnerable communities and enhancing data collection. When funding was no longer available, OPHC created the Community Advisory & Services Team (CAST), expanding the original cohort of 16 to 28 organizations, to continue to provide a forum that enables New York City community-based organizations to share their challenges, best practices, and recommendations on hate violence.
- **Developed an innovative curriculum** on hate crimes for middle and high schools beginning in the 2021-22 school year.
- **Developed the Violent Hate Crime Notification System** to alert over 500 legislative and elected officials, community leaders, and appropriate community-based organizations whenever NYPD has determined that a violent hate crime has occurred.
- **Created opportunities for young New Yorkers** to join the effort to both celebrate the City's diversity and join the fight against bigotry and hate, including: launched an inaugural "HeARTwork Against Hate" art contest; partnered with the Department of Youth and Community Development (DYCD) on a "Heroes Against Hate" comic book; and initiated a Youth Leadership Council Against Hate.
- **Partnered with the Mayor's Office of the Chief Technology Officer (MOCTO) to develop the Preventing Hate Dashboard** (PHD), a groundbreaking tool developed to better understand the landscape of hate crimes in NYC and community impact, explore potential underreporting, and identify gaps using publicly available hate crime and administrative data.

## **II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC**

### **Coordinating City Agencies While Quarantining**

#### **Interagency Committee on Hate Crimes**

The Interagency Committee on Hate Crimes (IAC) operates as a centralized platform for key city stakeholders to engage the complex issues of hate and bias in NYC. The committee collectively analyzes data and trends; hosts ongoing communications and forums to discuss best practices; and develops strategies concerning how the city can build upon resources, programs, and initiatives to serve our communities.

The office initially identified 11 city agencies and five District Attorneys' Offices as critical in hate prevention, detection, and response. By the end of 2020, seven additional agencies had requested to participate, demonstrating the city's widespread interest in and commitment to unifying against hate. Members include representatives from:

- [City Commission on Human Rights \(CCHR\)](#)
- [Civic Engagement Commission](#)
- [Department of Education \(DOE\)](#)
- [Department of Health and Mental Hygiene \(DOHMH\)](#)
- [Department of Probation \(DOP\)](#)
- [Department of Youth and Community Development \(DYCD\)](#)
- [Mayor's Office to End Domestic and Gender-Based Violence \(ENDGBV\)](#)
- [Mayor's Community Affairs Unit \(CAU\)](#)
- [Mayor's Office of Criminal Justice \(MOCJ\)](#)
- [Mayor's Office of Immigrant Affairs \(MOIA\)](#)
- [Mayor's Office for People with Disabilities \(MOPD\)](#)
- [New York City Department of Parks & Recreation](#)
- [New York City Law Department \(Family Court Division\)](#)
- [New York City Police Department \(NYPD\)](#)
- [Office of Administrative Trials and Hearings \(OATH\)](#)
- [Taxi & Limousine Commission \(TLC\)](#)
- [ThriveNYC](#)
- [Unity Project](#)
- [Bronx District Attorney's Office](#)
- [Brooklyn District Attorney's Office](#)
- [Manhattan District Attorney's Office](#)
- [Queens District Attorney's Office](#)
- [Staten Island District Attorney's Office](#)

In the opening months of 2020, the Interagency Committee dedicated its programming to addressing the far-reaching impacts of the COVID-19 pandemic. The IAC was crucial to coordinating the city's varied expertise, rapidly evolving information and response network, and virtual activities and resources on bias and hate-motivated incidents. OPHC also helped to bridge the gap between government and community on the issue of hate crimes and invited local community-based organizations to share with city representatives their observations and challenges in their work around the pandemic. In the latter half of the year, the IAC hosted the NYPD Racially and Ethnically Motivated Extremism Unit (REME) to educate city agencies on the state of white supremacist and extremist activity and hate.

In addition to general quarterly meetings, the IAC also regularly convened working groups focused on developing effective and holistic strategies for hate incidents through five focus areas:

#### **Education • Neighborhood Safety & Community Relations • Restorative Justice Strategies to Enhance Incident Reporting • Victim Support**

The IAC working groups have explored areas such as anti-hate resources for youth, parents and educators; community-led, community-driven, and collaborative responses and systems; cross-agency data sharing to foster non-law enforcement hate crime prevention efforts (see Section IV, Preventing Hate Dashboard); language access to existing reporting systems; mental health support and services for offenders; and restorative justice practices and alternatives to incarceration for addressing youth hate crime offenses.

## **II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC**

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### **Combating Hate During the COVID-19 Crisis**

While there has been an overall decrease in reported hate crimes in New York City during the COVID-19 pandemic, there was a disturbing rise in COVID-19-related hate crimes primarily targeting East Asian communities beginning in March 2020. New York's community leaders expressed concerns to OPHC, NYPD, the City Commission on Human Rights (CCHR), and to the Mayor's Office of Immigrant Affairs (MOIA) over the reports they were receiving of increased bias, racism, discrimination, and hate crimes directed at Asian New Yorkers. On a citywide, statewide, and national basis, misinformation on COVID-19, medical masks, and the scapegoating of Asian communities surfaced on the internet, in the media, and on television and were all perceived as contributors to this increase. Some political leaders', including President Trump's inaccurate and harmful references to COVID-19 as the "Chinese virus" and "Kung flu", further opened the door to anti-Asian bigotry and escalated fear in Asian communities.

Due to self-quarantining and social distancing mandates by New York State and New York City, OPHC went completely virtual but persistently responded to incidents, participated in community town halls, created new resources, and engaged youth leaders in New York City in the fight against hate.

#### ***Monitored and Responded to Incidents***

- Closely monitored hate crimes and data trends provided by the NYPD's Hate Crime Task Force (HCTF) to ensure community and victim support.
- Flagged incidents for the NYPD that were brought to OPHC's attention by community members to ensure an investigative response.
- Organized and participated in numerous town halls meetings with the NYPD Hate Crime Task Force, District Attorneys' offices, the FBI Community Relations Bureau, and elected officials.

#### ***Created a Comprehensive Plan***

To assure that city agencies were supporting the Asian community OPHC took the lead in creating a comprehensive, strategic response among the NYC Commission on Human Rights (CCHR), NYC Mayor's Office of Immigrant Affairs (MOIA), and the New York City Police Department (NYPD).

#### ***Provided Expertise at Community Town Halls***

Beginning in March 2020, OPHC engaged community and interfaith leaders through weekly virtual meetings, town halls, and upstander training sessions (many of which offered interpretation in multiple languages and Asian dialects) on preventative measures being taken to respond to COVID-19-related, xenophobic, and other hate crimes. These online forums were hosted by government and community-based organizations, including:

- Assembly members Ron Kim and Yuh-Line Niou, and U.S. Rep. Grace Meng
- U.S. Department of Justice
- New York City Commission on Human Rights
- New York City Police Department's Community Affairs Bureau
- New York City Department of Health and Mental Hygiene
- New York City Emergency Management
- Mayor's Office of Immigrant Affairs
- Center for Anti-Violence Education
- OCA New York, Asian Pacific American Advocates
- Asian American Arts Alliance
- Asian American Business Development Center

## II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC

### Combating Hate During the COVID-19 Crisis

#### Created and Disseminated COVID-19 Resources

- Collaborating with the MOIA and CCHR, OPHC developed and widely distributed a 311/911 resource sheet on hate crimes and bias incidents, translated into 13 languages (Spanish, Arabic, Urdu, Haitian Creole, Korean, Bengali, Russian, French, Polish, Yiddish, Vietnamese, Japanese, Chinese – Simplified, and Chinese – Traditional).
- OPHC developed and the Department of Education (DOE) distributed a curricular resource guide for educators on anti-Asian and anti-COVID-19 related discrimination and bigotry. DOE Chancellor Richard Carranza shared the resource guide on TeachHub, which received over 5,400 views.

纽约市对基于种族、国籍或其他特征的仇恨或歧视采取零容忍的态度。

纽约市人权委员会 (CCHR)、预防仇恨犯罪办公室 (OPHC) 和纽约市警察局 (NYPD) 正在监控并应对与新冠肺炎 (COVID-19) 以及冠状病毒有关的仇恨和偏见事件。

如果您或您认识的人由于身份(包括种族、民族或宗教信仰)受到肢体骚扰或袭击, 请致电 911。

纽约警察局工作人员不需要求助者表明移民身份, 同时会提供语言协助。另外, 工作人员还会帮助求助者联系合适的受害者援助服务。

您还可以寻求犯罪受害人利益维护者 (Crime Victim Advocate) 的帮助, 以应对犯罪事件造成的情感、身体和经济后果, 并处理其他状况。请致电犯罪处理热线 (All Crimes Hotline): 1-866-689-HELP (4357) 听障人士专线: 866-604-5350。

"New York City's Asian communities, much like Asian communities across the U.S., faced an onslaught of bias, discrimination, and hate in 2020, amplified by the xenophobic rhetoric coming from the White House," said Carmelyn P. Malalis, Chair and Commissioner of the [NYC Commission on Human Rights](#). "Recognizing the need for an immediate response, the NYC Commission on Human Rights, the Office for the Prevention of Hate Crimes, and the Mayor's Office of Immigrant Affairs partnered to swiftly provide outreach, and build connections between communities and city leaders through multi-lingual town halls and bystander intervention training, reaching over 5,000 New Yorkers in the process. The partnership of the three agencies increased our collective capacity to serve New Yorkers and reaffirmed our shared commitment to fight injustice and bigotry in all its forms."

"We were proud to partner with the Mayor's Office for the Prevention of Hate Crimes to speak out against bias and bigoted acts that had disproportionately impacted our Asian community members since the start of the COVID-19 pandemic," said Bitta Mostofi, Commissioner of the [Mayor's Office of Immigrant Affairs](#). "Through virtual town halls, ethnic and community media roundtables, Know Your Rights training sessions, and the dissemination of multilingual resources on how to report any hate or bias incidents, we joined together with our partners to ensure that no one is afraid to report discrimination, harassment, or hate and to empower our communities with support."

## **II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC**

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### **Combating Hate During the COVID-19 Crisis**

#### **OPHC in the News: COVID-19**

OPHC responded to a broad range of media entities and news organizations to share ideas and resources to promote hate crime preventative strategies and responses.

#### **Op-Ed: Bias, group hate and the coronavirus pandemic**

Deborah Lauter, OPHC's Executive Director, co-authored a New York Daily News opinion-editorial, "Bias, group hate and the coronavirus pandemic," with CCHR Commissioner Carmelyn Malalis and MOIA Commissioner Bitta Mostofi. The article centered on articulating the history of pandemics in the U.S. and the impact of COVID-19-related "unfounded bigotry and misdirected hate." *Published on April 8, 2020.*

#### **Parents fear anti-Asian racism as schools mull reopening**

OPHC's Executive Director Deborah Lauter and Program Director Daria Vaisman on concerns about the rise of anti-Asian and xenophobic bullying incidents in New York City during the COVID-19 pandemic. *Published on June 21, 2020.*

#### **Asian American Students Face Bullying Over COVID**

Highlighted the New York City Department of Education's and OPHC's joint online COVID-19 anti-bias guide for educators, which contains numerous resources and lesson plans, including "Asian American Stereotypes," "Legacies of Chinese Exclusion and Japanese Internment," "Addressing Hate Online," and "Speak Up! Responding to Everyday Bigotry." *Published on August 20, 2020.*

## **II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC**

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### **Addressing Systemic Racism**

In May, the world bore witness to the brutal murder of George Floyd at the hands of a collective of law enforcement officers in Minnesota. Floyd's death followed those of Breonna Taylor, who was shot inside her Kentucky home by plain-clothes police executing a no-knock warrant; and Ahmaud Arbery, who was killed by three white men as he jogged through a neighborhood in Georgia. These incidents, and too many others, awakened many to the systemic injustices stemming from our nation's history of white supremacy and gave rise to massive local, national and international protests. For Black people, Indigenous people, People of Color, and White allies, it also deepened tensions with law enforcement, including how they handled some of the nonviolent protests by using excessive force. As noted below, (see Section III, Laws & Law Enforcement), one of the driving factors of the under-reporting of hate crimes is that some victims do not have trust in and/or fear law enforcement. These events exacerbated the problem and have heightened the need to address the core issues of law enforcement and community relations. Through the Interagency Committee and Community Advisory and Services Team, OPHC is serving as a bridge between government and the communities vulnerable to hate crimes.

Additionally, another signifier of systemic racism surfaced during the COVID-19 pandemic in the U.S.: the disproportionate harm that it has caused to historically marginalized groups. Statistics show that Black, Hispanic, and Asian people have substantially higher rates of infection, hospitalization, and death compared with White people and that these groups are also experiencing more severe economic impact.<sup>1</sup> OPHC's mission and work to prevent hate and hate violence through education that breaks down stereotypes, prejudices, and discrimination will make a significant contribution to interrupting systemic patterns of racism and hate that have for too-long infected this country.

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<sup>1</sup> Tracie White, "More than half of in-hospital deaths from COVID-19 among Black, Hispanic patients, study finds," November 17, 2020, <https://med.stanford.edu/news/all-news/2020/11/deaths-from-covid-19-of-inpatients-by-race-and-ethnicity.html>.

## **II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC**

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### **OPHC Staff Leading the Fight Against Hate**

OPHC is staffed by seven dedicated professionals with expertise in hate violence, community relations, education, criminal justice, and data research and analysis. Even during the pandemic, when city personnel were working from home, these staff did not waiver from their dedication and determination to make a positive difference for all New Yorkers in the fight against hate.

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

Deborah Lauter brings three decades of experience working against hate acts and bigotry. Formerly a senior vice-president for the Anti-Defamation League (ADL), Deborah's past work helped build training and education programs to provide schools, law enforcement officials, and communities with the resources to target the roots of hatred. During her tenure as ADL's National Civil Rights Director, the organization led the national coalition that secured passage of the Matthew Shepard and James Byrd Jr. Federal Hate Crimes Act, and Deborah oversaw the organization's Center on Extremism, as well as its work with tech companies to address hate on the internet. Deborah is a graduate of the University of California, Berkeley and received her J.D. from Cardozo School of Law.

#### **Hassan Naveed**, Deputy Executive Director

Hassan Naveed joined MOCJ with over a decade of nonprofit and government experience working on issues of criminal justice reform and policing impacting vulnerable communities. He previously served as Director of Outreach at the New York City Department of Investigation's Office of Inspector General for the NYPD (OIG-NYPD), a police oversight agency external to the NYPD. Hassan investigated NYPD policies, practices, and other policing issues, and issued official City reports with findings and recommendations to the police department. Prior to joining the New York City government, Hassan lived in Washington, D.C., and led a local community organization that worked to improve police and community relations and enhance hate crime response and prevention efforts by the local DC police. Hassan also served as an Associate for McKinney & Associates Public Relations during his time in DC, and consulted for major clients in the civil rights, public health, and philanthropies fields. Hassan earned his Bachelor of Arts in Political Science from the University of California, Santa Barbara, and his Master of Public Administration from New York University.

#### **Daria Vaisman**, Program Director

Daria Vaisman has over a decade experience in government, NGOs, policy, and journalism. She is a PhD candidate at John Jay College/CUNY Graduate Center, where her research focuses on the history of legislative and prosecutorial responses to hate crimes and terrorism in the United States, and adjunct graduate faculty in statistics and research methods. Previously, she was Senior Analyst at Transparency International, Associate Country Director at the Eurasia Foundation, and a speechwriter and media analyst for the Prime Minister of Georgia. Her writing has appeared in the *New York Times*, *International Herald Tribune*, *Christian Science Monitor*, *Foreign Policy*, *Slate*, and others, and she is co-director of a forthcoming documentary on unrecognized countries. Daria holds a BA from the University of Michigan and an MA from the School of International and Public Affairs at Columbia University.

#### **Eunice Lee**, Program Manager

Eunice Lee serves as a Program Manager for the Office for the Prevention of Hate Crimes. She previously worked at the NYC Office of the Inspector General for the New York City Police Department with a focus on outreach and data management, and as a Crime Victim Advocate for domestic and interpersonal violence in Safe Horizon's Crime Victim Assistance Program. She also provided academic, professional development, and generalized reentry services for youth with previous justice involvement at the Center for Alternative Sentencing and Employment Services. Eunice holds a BA in English from Amherst College and is currently pursuing her Master of Public Administration in Inspection and Oversight, with a specialization in organizational assessment and monitoring, at John Jay College of Criminal Justice.

## **II. FIGHTING THE VIRUS OF HATE DURING A PANDEMIC**

### **OPHC Staff Leading the Fight Against Hate**

#### **Alicia Miranda, Program Manager**

Alicia Miranda is a Program Manager for the Office for the Prevention of Hate Crimes. Previously, she worked as a Special Projects Coordinator with the NYC Administration of Children's Services Division of Youth and Family Justice, overseeing Cure Violence and Commercial Sexual Exploitation of Children (CSEC) prevention programming citywide. Prior to this, she worked for the Kings County District Attorney's Office's Victim Services Unit as an Advocate assigned to the Civil Rights Bureau/Hate Crimes Unit where she provided crisis counseling, safety planning, assisted with victim compensation claims and provided advocacy services for families and victims of crime. Alicia holds a master's degree in Social Work in Community Organizing, Planning and Development (with a specialization in Child Welfare) from CUNY Hunter College and a bachelor's degree from CUNY John Jay College of Criminal Justice in Political Science.



#### **Abdul Rad, Research Manager**

Abdul Rad is a Research Manager for the Office for the Prevention of Hate Crimes and the Mayor's Office of Criminal Justice. He previously worked as a Research Associate in the policing program at the Vera Institute of Justice where he led research efforts on the landscape of 911 calls for service, arrest trends, and a range of other policing projects that were focused on alternatives to enforcement. Prior to Vera, Abdul worked as a Data Scientist at Campaign Zero. He is a doctoral candidate in Sociology at the University of Oxford where his research seeks to understand police abuse and the political sociology of developing equitable justice systems. He holds a BA in Political Science and Studio Art from Hunter College and an MPhil in Politics from the University of Oxford.

#### **Ashtan Grace Towles, Program Analyst**

Ashtan G. Towles is a Program Analyst for the Office for the Prevention of Hate Crimes. Prior to joining OPHC, Ashtan worked on Bill de Blasio's 2020 presidential campaign, developing digital strategy, and served as a policy analyst, providing feedback for Mayor Bill de Blasio and First Lady Chirlane McCray to deploy rapid response. As an undergraduate she performed legal and research analysis at the Yale Law School's Lowenstein International Human Rights Clinic and was a Director's Fellow at the Yale Institution for Social and Policy Studies and a summer fellow at the Yale Law School Liman Center for Public Interest Law. She received the Afro-American Cultural Center at Yale Lighten '83 Leadership Award and was featured on Netflix's "Taking Up Space" episode on its "Strong Black Lead" channel. Ashtan graduated with Distinction from Yale University with a joint-degree B.A. and M.A. in Political Science, focusing on legislative policy and communities of color, with research centered on uplifting the voices of children who have experienced parental incarceration.

OPHC is also actively supported by staff at MOCJ and at other Mayor's offices and city agencies, maintaining a website at [nyc.gov/stophate](http://nyc.gov/stophate) that includes information about the Office, educational resources, programs, hate crime statistics, and victim resources. The staff particularly appreciated the support of MOCJ Director Elizabeth Glazer and MOCJ General Counsel Susan Sommer during its first year of operation.

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

#### **Pillar One: Education**

OPHC is proud that in its first year it: heightened the discussion of the importance of addressing, preventing, and responding to hate violence; supported vulnerable communities during a very difficult time; provided new educational resources; and laid a strong foundation for making a significant difference in ensuring that New York City is a safe and welcoming place for all.

##### **OPHC's Hate Crime Curriculum**

Required by New York City Council local law to create anti-hate curricular resources in consultation with the NYC Department of Education, OPHC has designed in-house a comprehensive curriculum for all New York City middle-and high-school students. Seizing an opportunity during the COVID-19 pandemic to create a curriculum adaptable to a variety of settings, the curriculum will be both fully online and designed for both remote and in-person teaching. It is anticipated that the curriculum will be available to teachers citywide at the beginning of Fall 2021.

OPHC's hate crime curriculum is designed to be: (1) cumulative or modular, (2) adaptive to online learning and an array of implementations and settings, and (3) grounded in the most recent pedagogical research to be pro-social, affirmative, and to motivate constructive change. The curriculum is grounded in positive outcomes and activities that students can undertake, not only to sensitize students to problems but also to provide a roadmap for efficacious responses. In addition, the curriculum is designed specifically for New York City, the first of its kind: it is story-driven, interactive, based in concrete examples, and designed to speak directly to New York City students' lived experiences.

The curriculum will be comprised of seven units made up of an average of four lessons each unit. Each unit includes sections on the history of notable hate crime legislation; the long-term effects of experiencing hate; understanding why people perpetuate hate crimes and the dangers of exclusionary ideology; online hate and misinformation in social media and the use of media to incite hateful violence and rhetoric; restorative justice responses to hateful violence that promote alternatives to incarceration for youth; ways of responding to hate incidents in schools; and specific scenarios for students for responding to hate incidents, as well as examples of successful anti-hate campaigns and projects implemented by students worldwide. In light of recent trends and events in the U.S. during the COVID-19 crisis, the curriculum puts a specific focus on the mechanisms of misinformation and disinformation and their relation to hate and violence, specifically that which directly target youth online.

The COVID-19 pandemic further emphasized the need for comprehensive, curricular approaches to combat and call out hate online on social media platforms. Disinformation producers and white supremacist social media ecosystems seized on the COVID-19 pandemic as a way to amplify false, conspiratorial, and hateful narratives online during times of fear and uncertainty. For example, a combination of traditional slurs and new terms such as “kung flu” and “Chinese virus” conflated the pandemic with ethnic and national identity, according to social media researchers who tracked surging expressions of hostility.<sup>2</sup> Furthermore, communities of organized hate surfaced during the past year in order to question the validity of the U.S.’s votes and citizenship to plan, organize, and carry out an extremist insurrection against the U.S. Capitol in January 2021.<sup>3</sup>

The curriculum fulfills OPHC’s primary goal of reducing hate violence in New York City by focusing on strategies of prevention and intervention. Specifically, by expanding youth prevention and awareness, the curriculum is anticipated to:

- Reduce juvenile hate crime behavior by: a) developing empathy using a peer- and story-based approach to sensitize youth to the impact on victims and community; b) explaining the consequences of these behaviors; and c) using a pro-social approach to prevent a future recurrence of negative behavior.
- Provide students with the tools to identify and appropriately respond to hate in their communities and where they experience and witness hate most: in school and online.<sup>4</sup>
- Empower students to identify ways they can speak up and play a role if they experience hate in the future.
- Validate and empower youth who have experienced bias incidents and hate crimes.

<sup>2</sup> Craig Timberg and Allyson Chiu, “As the coronavirus spreads, so does online racism targeting Asians, new research shows,” *Washington Post*, April 8, 2020, <https://www.washingtonpost.com/technology/2020/04/08/coronavirus-spreads-so-does-online-racism-targeting-asians-new-research-shows/>.

<sup>3</sup> Courtney Vinopal and Justin Stabler, “How the U.S. Capitol attack highlights the challenges of thwarting online right-wing extremism,” *PBS NewsHour*, January 13, 2021, <https://www.pbs.org/newshour/politics/how-the-u-s-capitol-attack-highlights-the-challenges-of-thwarting-online-right-wing-extremism>.

<sup>4</sup> Hawdon, J.; Oksanen, A.; Räsänen, P. Victims of online groups: American youth’s exposure to online hate speech. In *The Causes and Consequences of Group Violence: From Bullies to Terrorists*; Hawdon, J., Ryan, J., Lucht, M., Eds.; Lexington Books: London, UK, 2014; pp. 165–182.

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

#### Pillar One: Education

##### Youth Engagement

###### HeARTwork Against Hate

In August 2020, OPHC launched “HeARTwork Against Hate,” an art contest for New York City youth (ages 10-18) to creatively express the positive values that make NYC great, while raising awareness about how everyone can stand against all forms of bias, discrimination, and hate. The contest was inspired by the OCA-NY – Asian Pacific American Advocates’ annual Hate Crime Prevention Art Program.

The first half of 2020 was an extremely difficult one for all New Yorkers. Adults and children were stressed and anxious due to the pandemic, economic uncertainty, and issues of systemic racism that had come to the fore. The goals were to create a campaign that promoted positive messaging focused on respect and unity as New Yorkers returned to work and school and to support the emotional well-being of our students by creating a platform that helped them process their feelings and increase their self-esteem through artistic expression.

Six winners were selected by a panel of judges from the Office for the Prevention of Hate Crimes, the Mayor’s Office of Criminal Justice, and the Mayor’s Fund to Advance New York City, with thanks to a generous partnership with the [Mayor’s Fund](#) for the prize money.

Winning submissions were featured on OPHC website and shown across the city on digital displays in the LinkNYC digital display kiosks and digital screens throughout the MTA system during the month of December, showcasing participants’ talents and reminding all New Yorkers of the importance of standing together against hate.

Visit [nyc.gov/heartwork](http://nyc.gov/heartwork) to view a gallery of winning submissions.



“Engaging young people in the work of making our city a more just, equitable, and welcoming place is a key way to ensure the positive changes we seed are lasting. Once those seeds take root, New York City youth will be the ones to nurture them so that they thrive in the years to come. Through initiatives like ‘HeARTwork Against Hate,’ OPHC has been a creative and effective partner in ensuring young voices are heard and involved in the work of fighting hate and celebrating diversity in New York City.”

– *Daniele Baierlein and JL Paniagua, Co-Executive Directors, Mayor’s Fund to Advance New York City*

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

#### Pillar One: Education

##### Youth Leadership Council Against Hate

OPHC joined the NYC Youth Leadership Councils (YLCs) organized by NYC Service & Generation NYC to form a Youth Leadership Council Against Hate (YLCAH). The YLCs are a network of youth groups focused on policy, practice, and advocacy to make local change happen — each YLC is a space to team up with others, share ideas, create solutions, and put those solutions into action with support from City agencies, schools, and community organizations.



OPHC invited youth leaders (grades 9-12) from New York City schools to serve in youth advisor roles for the hate crime curriculum. The YLCAH began meeting on a bi-weekly basis in October 2020. Consisting of nine students, the YLCAH provides close feedback on the curriculum, serving as a youth focus group, as well as providing input on other issues highlighted by OPHC, including restorative justice, victim services, education resources, and strategies to enhance incident reporting. YLCAH members learn skills to be upstanders against hate, providing their fellow students with educational resources on how to prevent and respond to hate crimes and bias incidents in their own schools.

##### Heroes Against Hate

OPHC partnered with the Department of Youth and Community Development on its Heroes Project to create “[Heroes Against Hate](#)” – a free, digital, and literary-focused comic book featuring heroes fighting hate across New York City during the COVID-19 crisis. As New York City faced the challenges of ensuring that fear about COVID-19 did not manifest as an excuse for harassment and discrimination, the DYCD Heroes Project challenged New York City youth work to bring creativity and art together to advocate for justice and healing.

“We are thankful for the work being done through the Office for the Prevention of Hate Crimes. It was a pleasure to partner on our literacy-focused comic book initiative ‘the DYCD Heroes Project’ to challenge young New Yorkers to develop an original comic about heroes fighting hate. As New York City faced the COVID-19 pandemic and worked to ensure that fear of the virus did not manifest as an excuse for harassment and discrimination, OPHC and DYCD brought together youth from all five boroughs and several professional comic book artists to form a virtual comic book club. The participants submitted their original ideas and character designs for heroes in their own communities who would stand up to hate, and wrote and published an eight-page comic which you can download at <http://bit.ly/heroesagainsthate>.”

— Bill Chong, Commissioner, [NYC Department of Youth and Community Development](#)



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

#### **Pillar One: Education**

##### **2020 OPHC Educational Resources List**

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.

**Educational Resource on Anti-Asian Bias:** Prepared by OPHC and distributed by DOE, this resource helps educators respond to the anti-Asian bias that increased as the COVID-19 pandemic unfolded.

**Educational Resource Guide on Anti-Semitism:** To help school communities address anti-Semitism, DOE and OPHC prepared a list of resources for educators and encouraged them to have discussions with their students about bias, discrimination, and hate crimes.

##### **What Is A Hate Crime Resource:**

Clarifies legal definitions on hate crimes and bias incidents in New York City and provides New Yorkers with guidelines on how to report them.

##### **311-911 Resource on Bias Incidents and Hate Crimes:**

Developed by OPHC, along with the City Commission on Human Rights (CCHR) and Mayor's Office of Immigrant Affairs (MOIA), educates Asian-Americans on the importance of reporting incidents and on how to report.



##### **Hate Crime Frequently Asked**

**Questions (FAQs):** OPHC answers frequently asked questions on what hate crimes are, how they are different than other crimes, how to report them, and contributors to the under-reporting of hate crimes.

**Hate Symbols Informational Web Page:** Hate crimes are not limited to violent or physical attacks. This resource provides information on how hateful symbols can also create pain and fear within vulnerable communities. In New York, displaying some hate-motivated symbols with the intent to intimidate can give rise to hate crime charges.

**OPHC's General Website:** Includes information on the latest news pertaining to hate crimes; hate crime preventative programs, resources, and initiatives; victim services and resources; and methods to report hate crimes and discrimination.

**Preventing Hate Together:** OPHC's comprehensive presentation for city agencies and community organizations, available to schedule through [OPHC@cityhall.nyc.gov](mailto:OPHC@cityhall.nyc.gov).

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

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#### **Pillar One: Education**

##### **OPHC in the News: Education**

The Office for the Prevention of Hate Crimes (OPHC) responds to a broad range of media entities and news organizations to share ideas, tools, and insights that can drive breakthrough in hate crime preventative strategies and impact in New York City.

##### [Should the U.S. designate racial violence as terrorism?](#)

OPHC Program Director Daria Vaisman was featured on PBS NewsHour's recurring series — Exploring Hate — where she discussed the implications of online hate.

*Published on July 11, 2020.*

“OPHC has been a strong new partner in DOE’s commitment that all our students are safe and respected. We have been pleased to work with their team to create anti-bias resources for our educators and to guide new strategies that will have long-term benefits for our students and school communities.”

– [NYC Department of Education](#)

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

#### **Pillar Two: Community Relations**

##### **Hate Violence Prevention Initiative (HVPI)**

The Hate Violence Prevention Initiative (HVPI) was created by the New York City Council in 2019 to provide approximately \$1 million in discretionary funded grants to 16 community-based organizations to provide hate crime prevention and response information and services to the diverse populations most vulnerable to bias incidents and hate crimes. OPHC oversaw the contracts, monitored and evaluated metrics, convened the grantees, identified best practices, and frequently engaged with each of the organizations to provide support and assistance on their bystander and upstander interventions, community-based reporting, counseling and peer support, community events, and educational programs for NYC residents in all five boroughs.

- [Anti-Defamation League \(ADL\)](#)
- [Arab American Association in New York \(AAANY\)](#)
- [Audre Lorde Project](#)
- [Brooklyn Movement Center \(BMC\)](#)
- [Center for Law & Social Justice \(RFCUNY\)](#)
- [Desis Rising Up & Moving \(DRUM\)](#)
- [Global Action Project](#)
- [Jewish Children's Museum \(JCM\)](#)
- [The Center for Anti-Violence Education \(CAE\)](#)
- [The Lesbian, Gay, Bisexual & Transgender Community Center \(The Center\)](#)
- [LGBT Network \(Long Island Gay and Lesbian Youth, Inc.\)](#)
- [Muslim Community Network \(MCN\)](#)
- [New York City Gay and Lesbian Anti-Violence Project, Inc. \(AVP\)](#)
- [New York Immigration Coalition \(NYIC\)](#)
- [Project Witness \(PW\)](#)
- [United Jewish Organizations of Williamsburg and North Brooklyn](#)

During 2020, including when faced with internal and external challenges of the COVID-19 pandemic, community advocates and leaders stepped up to the plate, uplifting community-driven approaches to public safety and wellness. Included below are some of their key accomplishments:

- **Anti-Defamation League (ADL)** expanded 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.
- **Arab American Association in New York (AAANY)** launched its [Building Power & Safety Through Solidarity](#) campaign.
- **Desis Rising Up & Moving (DRUM)** organized and facilitated [Gender-Based Workshop](#) and [United Against All Gender Based Oppression](#) to educate communities on gender-based violence, centered on empowering survivor stories and how to identify and learn skills for healthy relationships. DRUM also developed [Communities Vs. Gender Oppression](#) and [United & Powerful: DRUM Membership Assembly](#), public plays aimed towards educating communities on the impacts of Gender Based Violence and harassment and how to proactively challenge Gender Based Violence as individuals and as a community.
- **Center for Anti-Violence Education (CAE)** provided a series of [upstander trainings](#), including for OPHC, on COVID-19-related hate violence including, “Responding to Xenophobia During the Spread of Corona Virus,” “From Social Distancing to Social Care: Building Community Connections,” and “Staying Safer: Decreasing Tension in Our Homes During Covid-19.”
- In addition to launching its COVID-19 Response Hotline (+1 888-409-0036), the **Muslim Community Network (MCN)**, with support from OPHC, produced a community survey soliciting feedback on experiences with hate crimes and violence targeting Muslims in New York City. 116 surveys were secured from congregations from January to March 12 before the pandemic hit. Approximately 42% of these reports mentioned that Muslim adults and youth have experienced some form of hate in the form of verbal and physical harassment and threats, the majority of which occurred in public transportation, in schools and on social media.

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

#### **Pillar Two: Community Relations**

- For 24 hours a day, 7 days a week, the **New York City Gay and Lesbian Anti-Violence Project's (AVP)** bilingual (English/Spanish) hotline remained open in the midst of the pandemic. AVP staff and volunteers continue to provide safety planning, crisis intervention, and referrals by phone and are responding to online requests for support. In addition, they provided a resource for LGBTQ people experiencing hate violence in their homes during COVID-19 entitled [Tips for When Staying Home Isn't the Safest](#).
- Providing New Yorkers looking for up-to-date information about how COVID-19 affects NYC residents, the **New York Immigration Coalition (NYIC)** included comprehensive information in its [NYIC COVID-19 Community Resources](#) webpage and its ["How COVID-19 Affects NY"](#) one-pager resource.
- In February 2020, OPHC's Executive Director Deborah Lauter served as a keynote speaker for **Project Witness'** "Anti Hate Initiative" Tour Kick-Off in Crown Heights. Later in May 2020, Project Witness held a series of educational programs for high school students in Brooklyn and Harlem, introducing them to Holocaust survivors who shared their stories of courage through difficult situations.

#### **Community Advisory & Services Team (CAST)**

Beyond the exceptional work produced by each of these organizations to serve their respective communities, the HVPI initiative brought together a diverse collective of communities to discuss racism, sexism, anti-Semitism, Islamophobia, anti-LGBTQ bias, and other forms of bias; establish relationships among community leaders; and explore effective ways to prevent hateful offenses in the City.

Working with the HVPI grantees gave OPHC a deep understanding of how vital community-based organizations are in addressing bias and hate violence and the challenges and needs of vulnerable communities in New York City. Due to the current economic downturn linked with the stressors of the pandemic, the Council unfortunately did not renew these grants in the FY2021 budget.

OPHC, committed to keeping the momentum going of working with community organizations, created in the last quarter of 2020 a successor entity — the **Community Advisory and Services Team (CAST)** — composed of the original HVPI grantees, as well as additional organizations that have an established record of serving the populations vulnerable to hate violence. OPHC will continue to provide a forum for these 28 organizations that enables diverse New Yorker leaders to share their challenges, best practices, and recommendations so that our city is better positioned to improve services to respond to the needs of our communities and ensure a safer, welcoming New York City for all.

“Since 1974, The Center for Anti-Violence Education (CAE) has been working to prevent hate violence in our communities through educational programs that center the experiences of people most marginalized. So we are grateful for OPHC’s commitment to and investment in preventative approaches. CAE’s Upstander workshops teach frameworks for disrupting the bias that can spiral into hate crimes and tools to de-escalate. OPHC’s support has helped us amplify this work - which is as critical as ever.”

— Loren K. Miller, Executive Director, [Center for Anti-Violence Education](#)

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

#### **Pillar Two: Community Relations**

As of December 31, 2020, CAST members include:

- [Ali Forney Center \(AFC\)](#)
- [American Jewish Committee \(AJC\)](#)
- [Anti-Defamation League \(ADL\)](#)
- [Arab American Association of New York \(AAANY\)](#)
- [Chinese-American Family Alliance for Mental Health \(CAFAMH\)](#)
- [Chinese-American Planning Council](#)
- [Council on American Islamic Relations \(CAIR\)](#)
- [Disability Rights New York \(DRNY\)](#)
- [Girls for Gender Equity \(GGE\)](#)
- [Jewish Children's Museum \(JCM\)](#)
- [Jewish Community Relations Council](#)
- [Jews For Racial and Economic Justice \(JFREJ\)](#)
- [LGBT Network \(Long Island Gay and Lesbian Youth, Inc.\)](#)
- [Majlis Ash-Shura \(Islamic Leadership Council\) of New York](#)
- [Metropolitan New York Coordinating Council on Jewish Poverty, Inc.](#)
- [Muslim Community Network \(MCN\)](#)
- [New York City Gay and Lesbian Anti-Violence Project, Inc. \(AVP\)](#)
- [New York Immigration Coalition \(NYIC\)](#)
- [OCA New York, Asian Pacific American Advocates \(OCA\)](#)
- [Project Witness \(PW\)](#)
- [Safe Horizon](#)
- [Sikh Coalition](#)
- [Sylvia Rivera Law Project \(SRLP\)](#)
- [The Asian American Federation](#)
- [The Center for Anti-Violence Education \(CAE\)](#)
- [The Lesbian, Gay, Bisexual & Transgender Community Center \(The Center\)](#)
- [Translatinx Network](#)
- [United Jewish Organizations of Williamsburg and North Brooklyn \(UJO\)](#)

#### **Neighborhood Safety Coalitions (NSC)**

In response to the troubling increase in anti-Semitic incidents that took place in 2018-2019, Mayor Bill de Blasio announced in December 2019, the formation of three Neighborhood Safety Coalitions (NSCs) in Brooklyn neighborhoods to create a visible network of ambassadors for public safety and unity, to mobilize community response, and to promote respect and understanding among leaders who could then impact their communities. The coalitions were modeled on successful anti-violence programs that have operated throughout the City for years. Each NSC consisted of diverse community leaders from houses of worship, community-based organizations, tenant associations, community boards, community education councils and school administrators, businesses, from each of three neighborhoods: Greater Borough Park Area, Crown Heights, and Williamsburg.

OPHC convened the coalitions at a meeting in early February 2020. At that meeting, the leaders made it clear that they saw this as an opportunity not just to show up in response to hate incidents, but that they wanted to engage in more meaningful ways to work together to get to know each other and create programs and opportunities that would foster a holistic culture of respect in their communities that would have long-term impact on preventing hate crimes. At the same time, other communities outside of Brooklyn expressed interest in participating in such an initiative.

Due to the COVID-related economic downturn, the funding for this initiative was frozen and the hiring of staff to manage the program was suspended. As the City and community leaders focused on health and economic priorities, the NSCs were put on hold.



“We have been grateful for the support of the Office for the Prevention of Hate Crimes, especially when we experienced a troubling rise in anti-Semitic hate incidents in Williamsburg, and when one of our own residents was tragically the victim of an anti-Jewish hate crime murder in Jersey City. Our partnership on programs in neighborhood public schools will have a long-term impact on improving community relations and making our community safer.”

– Rabbi David Niederman,  
President, [United Jewish Organizations of Williamsburg and North Brooklyn](#)

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

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

##### **What are Hate Crimes?**

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 (see Appendix 4)<sup>5</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>6</sup> with their perceived or actual 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. Official responses to bias incidents and hate crimes can shape a community’s relationships with law enforcement.

Hate crimes have no place in Queens, which is known as ‘The World’s Borough’ because of the incredible diversity of our population,” said *Queens Borough President Donovan Richards*. “We take great pride in this diversity, which is why I’m committed to working closely with the Office for the Prevention of Hate Crimes as it implements community-driven strategies to prevent hate crimes and respond to them whenever they regrettably occur. OPHC’s holistic approach is effective in addressing the biases that fuel hate crimes and in fostering healing for victims and their communities, so it has my full support.”

<sup>5</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-resource-guide>.

<sup>6</sup> New York City Police Department (NYPD). Services - Hate Crimes. <https://www1.nyc.gov/site/nypd/services/law-enforcement/hate-crimes.page>

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

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

##### **Why Hate Crime Law and Response are Important**

Hate crimes are considered particularly serious beyond their underlying accompanying offenses. For one, hate crimes create a psychological impact extending far beyond the individual victim. A hate crime against an individual on the basis of identity incites fear in those who share the victim's identity; a harm against the individual becomes a harm against the entire community to which the victim belongs. Hate crimes are also more likely than non-bias crimes to "provoke retaliatory crimes... and incite community unrest."<sup>7</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>8</sup> on their victims in comparison to crimes without bias motivations.

Hate crimes are less likely than non-hate crimes to be reported to the police. 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 to 1) understand patterns of bias in order to help identify potential hate crimes and bias incidents before they occur, and 2) appropriately identify all victims and their communities in order to best distribute services and other resources.

Through its Interagency Committee Working Group on Restorative Justice, OPHC has been studying how to repair the harm caused by hate crimes through alternatives to criminal punishment, particularly restorative justice programs that place the emphasis on healing the victim and undoing the harm; healing for the offender by providing an education and understanding of biases and the unique impact of their actions on their victim and the victim's community; and healing communities and mending social relationships.

"OPHC played a critical and timely role in connecting OCA-NY to key players in the Family Court Division/NYC Law Department. This connection enabled OCA-NY to have three girls who were arrested for a Covid-19 anti-Asian hate crime included in our Hate Crimes Prevention Art Project. As a result, the girls were able to participate in a restorative justice project with the desired outcome - an understanding of why hate crimes are wrong and peace."

*– Liz OuYang, Coordinator, [OCA-NY Hate Crimes Prevention Art Project](#)*

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

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

##### **New York City Police Department**

The New York City Police Department (NYPD) has been a strong partner in OPHC's efforts to prevent hate crimes. NYPD Community Affairs Bureau, NYPD Patrol Services Bureau (PSB), NYPD Transit Bureau, and other units worked in collaboration on various community and youth-centered events and in coordination of response to hate incidents.

OPHC works most closely with the NYPD Hate Crimes Task Force (HCTF), which conducts specialized investigations of all hate crimes and incidents believed to be motivated by bias. The Office regularly engaged with the HCTF to review current incidents and data, analyze trends across the city, advise on response and prevention strategies, and deliver notifications of violent hate crimes (see Violent Hate Crime Notification System, below). The HCTF also facilitates external informational presentations to community members and partners, and conducts internal training presentations at the NYPD Criminal Investigators Course (CIC) and Department promotional classes for Captains, Lieutenants, and Sergeants. Due to this expertise, the HCTF is a valuable voice in OPHC's Interagency Committee on Hate Crimes and its efforts to bolster broader hate crimes training, categorization, and reporting.

In August 2020, NYPD announced the creation of an Asian Hate Crimes Task Force, responding to community concerns, including language barriers, cultural differences, and fear of the police.<sup>9</sup> In the wake of the troubling increase in hate incidents motivated by bias related to the COVID-19 pandemic, 25 multilingual Asian-American members of the NYPD were selected for the Asian Hate Crimes Task Force. The Task Force offers language assistance for victims and cultural competencies to support the HCTF's investigations.

“Over a very short time, OPHC has become a strong partner to the NYPD and its Hate Crime Task Force. The staff is extremely knowledgeable and committed to the work to reduce hate violence, and has provided invaluable service in coordinating hate crime prevention and response strategies for city agencies and community organizations.”

– *Mark Molinari, Deputy Inspector, New York City Police Department’s Hate Crimes Task Force, 2017-2020*

##### **District Attorneys’ Offices**

In New York City, each borough’s District Attorney (DA) Office has a dedicated hate crime unit or division. Once a hate crime has been designated as a hate crime by the Hate Crimes Task Force, the commanding officer must approve it. It then goes through a series of steps to be submitted to the corresponding District Attorney’s Office.

OPHC was pleased to see the Staten Island DA Office create a dedicated hate crime unit in 2020, and worked closely with them in response to community concerns about the increase in reported hate crimes, including participating in town hall programs and providing educational resources.

OPHC is not an investigative or prosecutorial office, but rather serves as a bridge between communities and law enforcement and can flag significant and relevant information between them. OPHC’s Interagency Committee on Hate Crimes (IAC) includes representatives from all five DA offices.

With the COVID-related restrictions prohibiting large in-person events, OPHC played a critical role in organizing virtual town halls that allowed my and the other DA Offices to speak directly with so many communities to combat hate crimes, educate them about how our offices investigate and prosecute these cases, and work together to make a safer and more connected City. I am tremendously grateful to OPHC’s tireless dedication and commitment to coordinating all of our efforts to fight hate crimes and promote a more just and welcoming City.

– *Michael E. Brovner, Chief, Queens District Attorney’s Office’s Hate Crimes Bureau*

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

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

##### **Violent Hate Crime Notification System**

Early in 2020, the New York City Council introduced legislation requiring OPHC to notify affected communities and ensure individualized responses to violent hate crimes. In February 2020, OPHC Executive Director Deborah Lauter delivered testimony to the Committee on Public Safety affirming the values of transparency and support embodied by such a system. The law was approved by City Council and Local Law 49 was enacted (see Appendix 3). In conjunction with NYPD, OPHC designed and launched the citywide Violent Hate Crime Notification System on March 29, 2020.

The Violent Hate Crime Notification System alerts legislative and elected officials, community leaders, and appropriate community-based organizations whenever the NYPD has determined that a violent hate crime has occurred. OPHC created a database of over 500 individuals who are eligible to receive these notifications. In accordance with NYPD, violent hate crime notifications are circulated for offenses such as assault, robbery, homicide, rape, and menacing that were motivated by bias. Pursuant to the legislation, the notification also includes pertinent and non-confidential information about the crime (including incident date and time) and about the administration's response; OPHC is committed to protecting the privacy of victims and preserving the integrity of any ongoing investigations.

In October 2020, OPHC shared with recipients of the hate violence notification system a summary of violent and overall hate crime trends as well as resources available from OPHC, including "[Frequently Asked Questions](#)" on the system (see Appendix 5).

The Manhattan DA's office is grateful for OPHC's outstanding work, dedication, and thoughtfulness in working with our Office to prevent, investigate, and prosecute hate crimes. We especially appreciate their new system that allows us to receive a notification each time a violent hate crime occurs in our City. This has immeasurably assisted our Unit in its investigation and prosecution of these challenging and important cases by giving us a head start. We look forward to continuing to work together and strengthening our commitment to combatting hate.

*– Jeanne Olivo, Chief, NY County District Attorney's Office Hate Crimes Unit*

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 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 with city agencies and advocated for increased transparency on hate crime data that would enable our office to perform analysis of patterns of hate crimes and increase public awareness of incidents. We commend the NYPD for rolling out 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. We employed the hate crimes dataset provided by NYPD on NYC open data for the analysis below.

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.

#### Overview of 2020 Trends

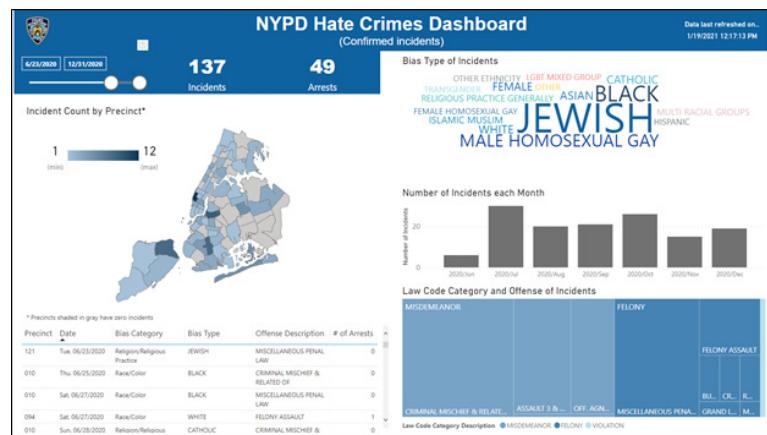
Hate crime complaints, which can be the result of citizen reporting or officer activity, decreased by 37% percent from 2019 to 2020 (from 446 to 282 complaints). Arrests decreased by 23% from 2019 to 2020 (from 119 to 93 arrests).

#### Key takeaways of hate crime complaints in 2020:

- Hate crimes complaints were down from 2019 across all bias categories with notable exceptions: anti-Asian (from 1 to 30), anti-Black (from 36 to 39), and anti-Catholic (from 6 to 9).
- Hate crime complaints in 2020 included motivations not recorded the previous year: anti-female (11), anti-Hindu (2), and anti-religious (2), and anti-50 years old or more (1).
- While Brooklyn experienced a 44% reduction between 2019 and 2020 in hate crime complaints, it continued to drive hate crime complaints citywide in 2020 (38% of total).
- Hate crime complaints decreased in all boroughs except for Staten Island, which increased from 10 to 18.
- LGBTQ hate crimes comprised the largest percentage of violent offenses (30%) across all bias categories, followed by anti-Asian (20%).

#### Key takeaways of hate crime arrests in 2020:

- Majority of arrests for hate crimes were in Brooklyn (37%) with 34 arrests, followed by Manhattan (25%) with 23 arrests.
- 57% (53) of arrests were for violent hate crime incidents.
- Arrests decreased across all boroughs except Queens (from 18 to 20) and Staten Island (from 0 to 5).



## **IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS**

### **2020 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 Violent 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-Lebian, Anti-LGBTQ (Mixed Group); Anti-Gender Nonconforming.

#### UNDERSTANDING COMPLAINTS AND ARRESTS

The NYPD 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. Local Law 49, adopted in February 2020, requires OPHC to inform elected officials, community organizations, and community leaders when a violent hate crime occurs.

Included below are important notes when interpreting hate crime complaints and arrests:

- Complaints may be the result either of civilian reporting or of a proactive officer-led initiative.<sup>10</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.

It is important to acknowledge that complaint numbers do not capture all hate crimes. 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 for reasons ranging from distrust of law enforcement to fear of repercussions pertaining to undocumented immigration status. As a result, data on hate crime incidents reported to NYPD likely under-represent the volume of incidents occurring in the City overall.

<sup>10</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 citizens versus officers.

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

#### Complaints

##### Total Hate Crime Complaints, 2019-2020

Hate crime complaints decreased by 37% between 2019 and 2020. Note that complaints can be the result of both resident- and officer-initiated reports.<sup>11</sup>

##### ANNUAL NUMBER OF HATE CRIME ARRESTS, 2019-2020

	2019	2020	%Δ '19-'20
Complaints	446	282	-37%

%Δ '19-'20 refers to the percent change between 2019 and 2020.

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

In 2020, anti-Jewish complaints made up the highest number of overall complaints (120), followed by anti-LGBTQ complaints (41) and anti-Black complaints (39). Between 2019-2020, anti-Jewish complaints decreased by 52%, with 73% of anti-Jewish complaints consisting of vandalism/property crimes (Aggravated Harassment 1, Criminal Mischief). Anti-LGBTQ complaints decreased by 47% between 2019-2020; however, anti-Black complaints increased by 8%.

Complaints decreased across all bias categories with the exception of anti-Asian (from

1 to 30), anti-Black (from 36 to 39), and anti-Catholic (from 6 to 9). Of the anti-Catholic complaints, 89% (8/9) of complaints were vandalism/property related. The significant increase in anti-Asian hate crimes is likely related to the anti-Asian bias/hate which developed at the start of the COVID-19 pandemic. This will be discussed in further detail below.

The number of reported complaints for several bias categories - anti-Hispanic in particular - are notably small given state and national trends and anecdotal reports.<sup>12</sup>

BIAS MOTIVATION	2019	2020	%Δ '19-'20
Anti-Jewish	251	120	-52%
Anti-LGBTQ	77	41	-47%
Anti-Gay	51	27	-47%
Anti-Transgender	13	4	-69%
Anti-Lebian	6	5	-17%
Anti-LGBTQ (Mixed Group)	7	3	-57%
Anti-Gender Nonconforming	0	2	-
Anti-Black	36	39	8%
Anti-White	28	10	-64%
Anti-Asian	1	30	2900%
Anti-Islamic (Muslim)	15	5	-67%
Anti-Catholic	6	9	50%
Anti-Other Ethnicity	9	5	-44%
Anti-Female	0	11	-
Anti-Hispanic	8	1	-88%

<sup>11</sup> 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.

<sup>12</sup> In 2019, the FBI reported that 14.1% of hate crimes nationally were anti-Hispanic. <https://ucr.fbi.gov/hate-crime/2019/topic-pages/incidents-and-offenses>

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

#### HATE CRIME COMPLAINTS BY VANDALISM

BIAS MOTIVATION	NON-VIOLENT		VIOLENT	GRAND TOTAL	% VANDALISM OF TOTAL
	OTHER NON-VIOLENT	VANDALISM/ PROPERTY (NON-VIOLENT)	VIOLENT		
Anti-Jewish	22	88	10	120	73%
Anti-LGBTQ	8	9	24	41	22%
Anti-Black	7	27	5	39	69%
Anti-Asian	7	7	16	30	23%
Anti-Female	0	0	11	11	0%
Anti-White	3	1	6	10	10%
Anti-Catholic	1	8	0	9	89%
Anti-Other Ethnicity	1	4	0	5	80%
Anti-Islamic (Muslim)	0	0	5	5	0%
Other	0	1	2	3	33%
Anti-Religious Practice Generally	0	2	0	2	100%
Anti-Multi Racial Groups	0	2	0	2	100%
Anti-Hindu	0	1	1	2	50%
Anti-Hispanic	0	1	0	1	100%
Anti-Arab	0	1	0	1	100%
Anti-50 years old or more	1	0	0	1	0%
Grand Total	50	152	80	282	54%

#### Geographical Trends for Complaints

Brooklyn leads the boroughs with the highest number of hate crime complaints (106), followed by Manhattan (83), Queens (49), the Bronx (26), and Staten Island (18).

#### AGGREGATE TOP HATE CRIME COMPLAINTS BY BOROUGH, 2019-2020

BOROUGH	2019	2020	%Δ '19-'20
Brooklyn	190	106	-44%
Manhattan	137	83	-39%
Queens	76	49	-36%
Bronx	33	26	-21%
Staten Island	10	18	80%
Total Complaints	446	282	-37%

The 90th Precinct (Williamsburg) leads in hate crime complaints with 20 (11 anti-Female, 8 anti-Jewish, 1 anti-Asian), followed by the 70th precinct (Midwood/Flatbush) with 17 complaints (17 anti-Jewish).

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

#### COMPLAINTS BY PRECINCT, 2019-2020

Precincts with the highest number of complaints by precinct and stratified by borough are presented below. While there are some similarities with precincts with the highest number of complaints, 2020 presented a high number of precincts across boroughs which did not experience a high number of complaints in 2019. Bolded precincts below are those which experienced the highest number of complaints in both 2019 and 2020.

PRECINCTS WITH HIGHEST NUMBER OF COMPLAINTS FOR 2020			
PRECINCT	2019	2020	%Δ '19-'20
90	12	20	67%
70	5	17	240%
10	7	14	100%
120	2	14	600%
44	2	9	350%
66	19	9	-53%
107	8	9	13%
40	2	8	300%
60	9	8	-11%
112	9	8	-11%
13	12	7	-42%

#### HIGHEST NUMBER OF COMPLAINTS FOR HATE CRIMES IN BROOKLYN BY PRECINCT:

##### 2020

- Precinct 90 (Williamsburg, 20 complaints)
- Precinct 70 (Flatbush/Midwood, 17)
- Precinct 66 (Borough Park, 9 complaints)**
- Precinct 60 (Coney Island/Brighton Beach, 8 complaints)

##### 2019

- Precinct 71 (Crown Heights and the surrounding area, 22 complaints)
- Precinct 66 (Sheepshead Bay, 19 complaints)**
- Precinct 94 (Greenpoint, 18 complaints)
- Precinct 61 (Kings Bay/Gravesend/Sheepshead Bay, 17 complaints)

#### HIGHEST NUMBER OF COMPLAINTS FOR HATE CRIMES IN MANHATTAN BY PRECINCT:

##### 2020

- Precinct 10 (Chelsea, Clinton/Hell's Kitchen/Hudson Yards, 14 complaints)
- Precinct 13 (Gramercy/Union Square area, 7 complaints)**

##### 2019

- Precinct 19 (Upper East Side, 14 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, 12 complaints)

#### HIGHEST NUMBER OF COMPLAINTS FOR HATE CRIMES IN QUEENS BY PRECINCT:

##### 2020

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

##### 2019

- Precinct 115 (Jackson Heights/East Elmhurst/North Corona, 13 complaints)
- Precinct 104 (Ridgewood/Glendale/Middle Village/Maspeth, 10 complaints)
- Precinct 112 (Forest Hills/Rego Park, 9 complaints)**
- Precinct 107 (Fresh Meadows area, 8 complaints)**

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

#### HIGHEST NUMBER OF COMPLAINTS FOR HATE CRIMES IN **BRONX** BY PRECINCT:

##### 2020

- Precinct 44 (Grand Concourse area, 9 complaints)
- Precinct 40 (Port Morris/ Mott Haven/Melrose, 8 complaints)

##### 2019

- Precinct 48 (Belmont/East Tremont/West Farms, 10 complaints)

#### HIGHEST NUMBER OF COMPLAINTS FOR HATE CRIMES IN **STATEN ISLAND** BY PRECINCT:

##### 2020

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

##### 2019

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

#### Arrests

##### Total Hate Crime Arrests, 2019-2020

Hate crime arrests decreased from 119 to 93 cases (265 cases, 22% decrease) from 2019 to 2020.

##### ANNUAL NUMBER OF HATE CRIME ARRESTS, 2019-2020

	2019	2020	%Δ '19-'20
Arrests	119	93	-22%

##### Arrests by Bias Motivation

In 2020, Anti-LGBTQ and Anti-Jewish each comprised the greatest proportion and volume of arrests in 2020 (25 arrests each) across all bias categories.

##### ANNUAL NUMBER OF HATE CRIME ARRESTS BY BIAS MOTIVATION, TOP HATE CRIME CATEGORIES, 2020

BIAS MOTIVE DESCRIPTION	2019	2020	%Δ '19-'20
Anti-Jewish	41	25	-39%
Anti-LGBTQ	36	25	-31%
Anti-Gay	21	20	-5%
Anti-Transgender	9	2	-78%
Anti-Lebian	5	0	-100%
Anti-LGBTQ (Mixed Group)	1	2	100%
Anti-Gender Nonconforming	0	1	-
Anti-Asian	1	20	1900%
Anti-White	13	5	-62%
Anti-Islamic (Muslim)	13	2	-85%
Anti-Black	8	7	-13%
Anti-Female	0	4	-
Anti-Hispanic	3	0	-100%
Anti-Arab	3	0	-100%

## IV. IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

Anti-Jewish hate crime arrests decreased (-39%) from 41 to 25 arrests from 2019 to 2020. Anti-LGBTQ arrests decreased (31%) 36 to 25 arrests from 2019 to 2020. Arrests decreased across almost all bias categories except anti-Asian, which increased from 1 to 20, likely due to the spike in anti-Asian hate stemming from COVID-19.

#### ARREST RATES FROM 2020 COMPLAINTS

BIAS MOTIVE DESCRIPTION	COMPLAINTS	ARRESTS	ARREST RATE
Anti-Jewish	120	25	21%
Anti-LGBTQ	41	25	61%
Anti-Male Homosexual (gay)	27	20	74%
Anti-Female Homosexual (gay)	5	0	0%
Anti-Transgender	4	2	50%
Anti-LGBTQ (Mixed Group)	3	2	67%
Anti-Gender Nonconforming	2	1	50%
Anti-Black	39	7	18%
Anti-Asian	30	20	67%
Anti-Female	11	4	36%
Anti-White	10	5	50%
Anti-Islamic (Muslim)	5	2	40%

Anti-Asian hate crimes had the highest arrest rate per complaint (67%), followed by anti-LGBTQ (61%) and anti-White (50%). Most anti-Asian complaints were violent (16/30) which will be discussed further below.

#### Arrest Trends by Geography

In 2020, Brooklyn led the boroughs with the highest number of hate crime arrests (34), followed by Manhattan with 23 arrests. Arrests were down except in Queens (from 18 to 20) and Staten Island (from 0 to 5).

#### TOP HATE CRIME ARRESTS BY BOROUGH, 2019-2020

BOROUGH	2019	2020	%Δ '19-'20
Brooklyn	56	34	-39%
Manhattan	34	23	-32%
Queens	18	20	-11%
Bronx	12	11	-8%
Staten Island	0	5	-
Total Complaints	120	93	-23%

The 90th precinct (Williamsburg) experienced both the highest number of hate crime arrests (10) and the highest percent increase from 2019 (400%). The complaints in the 90th precinct comprised of anti-female (11), anti-Jewish (8), and anti-Asian (1).

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

PRECINCTS WITH HIGHEST NUMBER OF HATE CRIME ARRESTS, 2019-2020

PRECINCT	2019	2020	GRAND TOTAL	%Δ '19-'20
90	2	10	12	400%
70	2	6	8	200%
115	2	5	7	150%
112	4	4	8	0%
84	3	4	7	33%
10	2	4	6	100%
66	5	3	8	-40%
18	6	2	8	-67%
71	10	1	11	-90%
94	7	1	8	-86%
75	6	1	7	-83%

Precincts with the highest number of arrests by precinct and stratified by borough are presented below. While there are some similarities with precincts with the highest number of arrests across both years, 2020 presented a high number of precincts across boroughs which did not experience a high number of arrests in 2019. Bolded precincts below are those which were among the precincts with the greatest volume of hate crime arrests in both 2019 and 2020.

#### HIGHEST NUMBER OF ARRESTS FOR HATE CRIMES IN **BROOKLYN** BY PRECINCT:

##### 2020

- Precinct 90 (Williamsburg, 10 arrests)
- Precinct 70 (Flatbush/Midwood, 6 arrests)
- Precinct 84 (Brooklyn Heights/Boerum Hill area, 4 arrests)
- Precinct 66 (Borough Park, 3 arrests)**

##### 2019

- Precinct 71 (Crown Heights and the surrounding area, 10 arrests)
- Precinct 94 (Greenpoint, 7 arrests)
- Precinct 75 (East New York/Cypress Hills, 6 arrests)
- Precinct 66 (Borough Park, 5 arrests)**

#### HIGHEST NUMBER OF ARRESTS FOR HATE CRIMES IN **MANHATTAN** BY PRECINCT:

##### 2020

- Precinct 10 (Chelsea, 4 arrests)
- Precinct 23 (East Harlem, 3 arrests)

##### 2019

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

#### HIGHEST NUMBER OF ARRESTS FOR HATE CRIMES IN **QUEENS** BY PRECINCT:

##### 2020

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

##### 2019

- Precinct 112 (Forest Hills/Rego Park, 4 arrests)**
- Precinct 110 (Elmhurst/Corona, 3 arrests)

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

#### HIGHEST NUMBER OF ARRESTS FOR HATE CRIMES IN THE **BRONX** BY PRECINCT:

##### 2020

- Precinct 44 (Grand Concourse, 5 arrests)
- Precinct 40 (Mott Haven, 3 arrests)

##### 2019

- Precinct 42 (Claremont/Crotona Park, 3 arrests)
- Precinct 48 (Belmont/East Tremont/West Farms, 2 arrests)

#### HIGHEST NUMBER OF ARRESTS FOR HATE CRIMES IN **STATEN ISLAND** BY PRECINCT:

##### 2020

- Precinct 120 (North Shore, 5 arrests)

##### 2019

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

#### **Violent v. Non-Violent Complaints<sup>13</sup>**

##### By Bias Group

#### TOTAL NUMBER OF VIOLENT AND NON-VIOLENT COMPLAINTS

Bias Motivation	2019			% Violent	Total	2020			% Violent	Total
	Non-Violent	Violent	Total			Non Violent	Violent	Total		
Grand Total	332	114	446	26%	202	80	28%	282		

Since 2019, there have been 193 violent hate crime complaints. In 2020, violent hate crime complaints (80) comprised 28% of all hate crime complaints. LGBTQ hate crimes comprised the largest percentage of violent hate crime complaints (30%), followed by anti-Asian (20%).

<sup>13</sup> As highlighted above, for the purposes of this report, we're employing NYPD HCTF definition of a violent hate crime which would trigger the Violent Hate Crime Notification System which includes some crime types which are not typically categorized as violent such as Assault (Misdemeanor) and Menacing.

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

VIOLENT V. NON-VIOLENT HATE CRIME COMPLAINTS, 2020

BIAS MOTIVATION DESCRIPTION	NON-VIOLENT	VIOLENT	% OF TOTAL	TOTAL
Anti-Jewish	110	10	13%	120
Anti-LGBTQ	17	24	30%	41
Anti-Male Homosexual (Gay)	13	14	18%	27
Anti-Female Homosexual (Gay)	2	3	4%	5
Anti-Transgender	1	3	4%	4
Anti-LGBT (Mixed Group)	1	2	3%	3
Anti-Gender Non Conforming	0	2	3%	2
Anti-Black	34	5	6%	39
Anti-Asian	14	16	20%	30
Anti-Female	0	11	14%	11
Anti-White	4	6	8%	10
Anti-Catholic	9	0	0%	9
Anti-Other Ethnicity	5	0	0%	5
Anti-Islamic (Muslim)	0	5	6%	5
Other	1	2	3%	3
Anti-Religious Practice Generally	2	0	0%	2
Anti-Multiracial Groups	2	0	0%	2
Anti-Hindu	1	1	1%	2
Anti-Hispanic	1	0	0%	1
Anti-Arab	1	0	0%	1
Anti-50 years old or more	1	0	0%	1
Total Complaints	202	80	100%	282

#### By Geography

Thirty-eight percent of all hate crime complaints occurred in Brooklyn (30), followed by Manhattan (21). The majority of violent complaints in Brooklyn were anti-female (11), followed by anti-Jewish (10). The majority of violent complaints in Manhattan were anti-LGBTQ (9) and anti-Asian (9).

TOTAL NUMBER OF VIOLENT V. NON-VIOLENT INCIDENTS BY BOROUGH, 2020

BIAS MOTIVATION	NON-VIOLENT	VIOLENT	% OF TOTAL	% VIOLENT	TOTAL
Brooklyn	76	30	38%	28%	106
Manhattan	62	21	26%	25%	83
Queens	39	10	13%	20%	49
Bronx	13	13	16%	50%	26
Staten Island	12	6	8%	33%	18
Grand Total	202	80	100%	28%	282

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

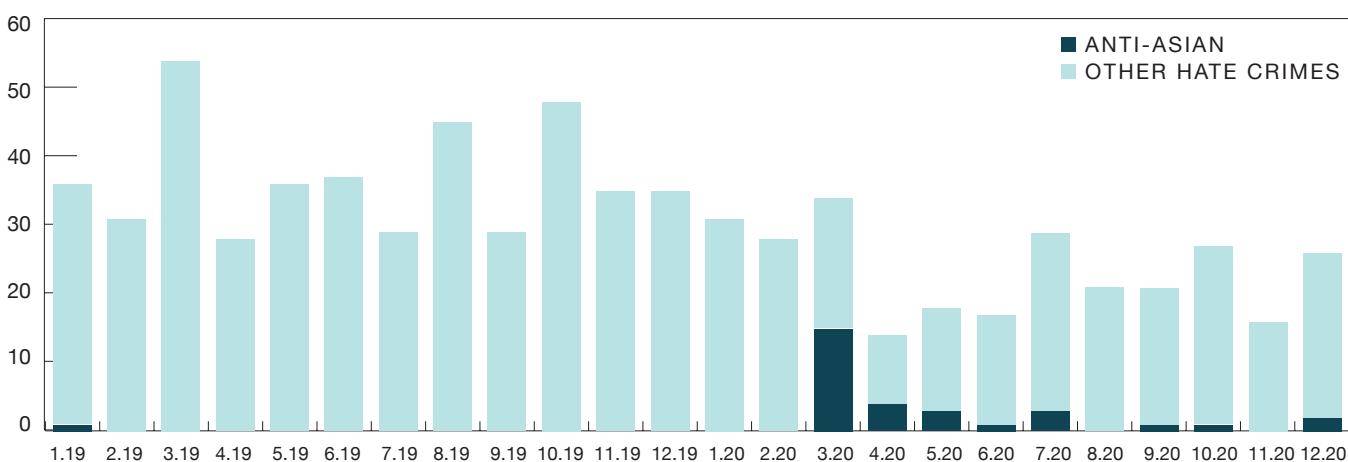
### 2020 NYC Hate Crime Statistics

The Bronx had the highest proportion (50%) of violent complaints. The majority of violent complaints in the Bronx were anti-LGBTQ (8), followed by anti-Asian (4). The precincts with the highest number of violent hate crimes were not the same as the precincts with the highest number of non-violent hate crimes, suggesting that crime type varies by geography.

#### **Increase in Anti-Asian Hate Crimes and COVID-19**

The impact of COVID-19 on hate crime incidents in 2020 is reflected in the data in variant ways. The data might be due to the 37% decrease in hate crimes in 2020 was due in part to the novel virus that deterred usual public space interactions and/or group convenings. Alternately, and in contrast to previous years, there has been a significant increase in anti-Asian hate crime incidents following early reporting on the geographic origins of coronavirus.

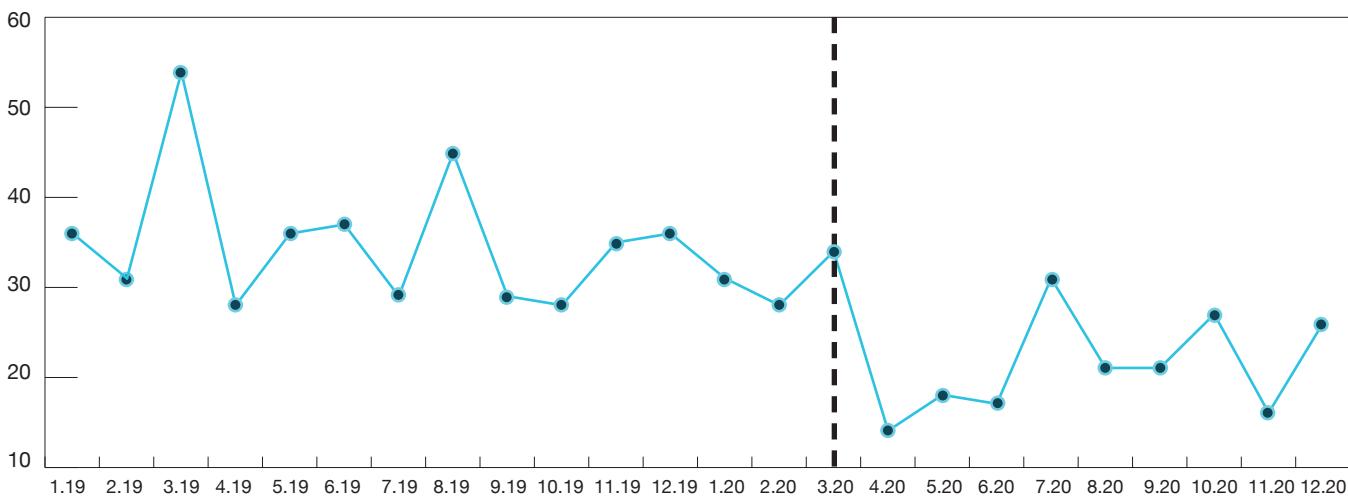
#### UPTICK IN ANTI-ASIAN HATE CRIMES DURING COVID PERIOD



The first determined COVID/anti-Asian incident occurred on March 10, 2020. Subsequently, there was a string of concerning COVID-19 related hate crimes which primarily targeted Asian victims. This in part accounts for the significant and concerning spike in anti-Asian hate crimes in 2020 from 1 to 30 which was the largest percent increase in complaints across all bias categories. As discussed above, anti-Asian hate crimes were majority violent (16/30) and was the only bias category that experienced an increase in arrests (from 1 to 20).

It is important to note that while anti-Asian hate crimes were spiking from February-April 2020, other hate crimes during this same period significantly dropped.

#### HATE CRIME COMPLAINTS (2019-2020)



## **IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS**

### **2020 NYC Hate Crime Statistics**

#### **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 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>14</sup>
- Trying to report and not being taken seriously.<sup>15</sup>

Societal contributors to under-reporting reveal the “paradox” of OPHC’s work. If 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 2015 - 2019. 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 73 arrests on hate crime charges that ended in a felony conviction, 30 were convicted of hate crimes and the remaining 43 were convicted without an additional hate crime charge. Of 120 total misdemeanor convictions, 36 were convicted under hate crime charges and the remaining 84 were convicted without additional hate crime charges. YO stands for “youthful offender.”

## IV. HATE CRIME DATA & NEW, INNOVATIVE ANALYTIC TOOLS

### 2020 NYC Hate Crime Statistics

DISPOSED HATE CRIME ARRESTS RESULTING IN A CONVICTION, 2015-2019 NEW YORK CITY BY COUNTY

		DISPOSITION CHARGE TYPE		
	DISPOSITION	HATE CRIME	NOT HATE CRIME	GRAND TOTAL
New York City	Conviction-Felony	30	43	73
	Conviction-Misdemeanor	36	84	120
	YO Adjudication	1	5	6
	Total	67	132	199
Bronx	Conviction-Felony	0	6	6
	Conviction-Misdemeanor	0	11	11
	YO Adjudication	0	1	1
	Total	0	18	18
Kings	Conviction-Felony	9	9	18
	Conviction-Misdemeanor	18	27	45
	YO Adjudication	0	3	3
	Total	27	39	66
New York	Conviction-Felony	10	13	23
	Conviction-Misdemeanor	15	24	39
	YO Adjudication	0	0	0
	Total	25	37	62
Queens	Conviction-Felony	8	11	19
	Conviction-Misdemeanor	2	18	20
	YO Adjudication	1	1	2
	Total	11	30	41
Richmond	Conviction-Felony	3	4	7
	Conviction-Misdemeanor	1	4	5
	YO Adjudication	0	0	0
	Total	4	8	12

## **IV. HATE CRIME DATA AND NEW, INNOVATIVE ANALYTIC TOOLS**

### **Preventing Hate Dashboard & OPHC Hate Crimes Index**

The Preventing Hate Dashboard (PHD) is a data consolidation and decision-making tool developed to better understand the landscape and community impact of hate crimes in New York City, examine various factors contributing to underreporting, and identify gaps in public hate crime and administrative data.

Currently, the City does not have a centralized database or dashboard that tracks complaints of bias incidents, hate crimes, or other data indicative of potential bias and/or hate. OPHC identified the need to create data-driven tools to both quickly respond to hate crimes and implement prevention strategies. The gap in information and data became more evident and concerning when NYC experienced the first wave of COVID-19/anti-Asian hate incidents and sought to identify specific communities and neighborhoods to implement non-law enforcement and proactive strategies focused on prevention, and responsive to recurring incidents.

OPHC receives hate crime data from the NYPD Hate Crimes Task Force on a weekly basis, but explored additional data relating to bias and/or potential proxies for underreporting to better understand the wider landscape of bias incidents and the systematic underreporting of hate crimes, particularly by vulnerable and underrepresented communities, who may not feel comfortable reporting hate crimes to the police.<sup>16</sup>

#### ***Partnership with the Mayor's Office of the Chief Technology Officer***

In January 2020, OPHC met with the Mayor's Office of the Chief Technology Officer (MOCTO) to discuss ways to strengthen the City's data efforts around bias incidents and hate crimes. OPHC recognized the need for the City to centralize data related to bias incidents and hate crimes, as well as identify and analyze tangential data indicative of potential bias.

In April 2020, the Mayor's Office of the Chief Technology Officer (MOCTO) proposed a partnership with MOCJ/OPHC to develop a tool to help understand systemic underreporting and compile related administrative data. The overarching effort to integrate this data was intended to better inform OPHC policy interventions and decision-making around hate crime prevention/response strategies. In Summer 2020, MOCJ/OPHC solidified the partnership and started the process of drafting the goals of the tool. The development of this tool is ongoing and will continue into 2021. The MOCJ/OPHC – MOCTO Team developed the following overarching challenge statement for the development team:

#### ***Challenge Statement***

*In the absence of existing data, the MOCJ/OPHC- MOCTO Team are to develop an integrated dashboard that tracks data on hate crimes and other-like data, thereby creating a city-wide overview of incidents and highlighting need-areas including areas of potential underreporting.*

*The City will utilize this data to inform city-wide decision-making on where and how to best allocate resources for community-based, non-law enforcement intervention strategies and inform effective policy.*

The NYC[x] Innovation Fellows (NYC[x]) [program](#) was created by MOCTO to build capacity to create new digital solutions to meet surge needs for COVID-19 response and to implement racial equity & inclusion initiatives that will be critical to New York City's recovery.

<sup>16</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.

## IV. HATE CRIME DATA AND NEW, INNOVATIVE ANALYTIC TOOLS

### Preventing Hate Dashboard & OPHC Hate Crimes Index

#### Project Overview

For the first phase of this project, over the course of 12 weeks, the project team conducted product planning and development which resulted in the following:

- Understanding of the New York City landscape of hate crimes through a community conditions framework;
- Enhancement of OPHC's data-driven response and prevention efforts around hate crimes;
- Development of a strategy/method to identify areas where there may be potential underreporting of hate crimes and better inform funding strategies and non-law enforcement responses to hate crimes; and
- Integration of different datasets to help explore quantitative relationships and identify gaps around hate/bias data.



The project began with the data collection of public data sources available via NYC Open Data, followed by the identification of relevant datasets (NYPD hate crimes records & NTA demographic records). The USDR/MOCTO team worked closely with OPHC staff to review existing hate crimes research and data relevance for possible inclusion to the dashboard. Additionally, and consistent with other MOCJ initiatives, OPHC emphasized the importance of improving community conditions as a way of reducing and preventing crime broadly. All data compiled and employed for this project is publicly available and does not include Personally identifiable information (PII).

#### Construction and Development of the Hate Crimes Index (HCI)

In order to inform decision-making, the project team designed the Hate Crimes Index (HCI), the first data product of its kind built for use in this context.

To compensate for large-scale under-reporting of hate crimes by communities that are (due to various reasons) hesitant to report, the project team produced the Hate Crime Index, which includes NYPD Hate Crime Complaints and integrates underreporting proxy variables and other socio-economic indicators capturing community conditions.

The Hate Crime Index proposes a shift from single-attribute decision-making to a multi-attribute and comprehensive decision-making. Prior to the HCI, the City prioritized precincts by number of complaints and arrests to indicate areas with high frequency of incidents.

In sum, the HCI informs OPHC in the prioritization of responses based on data from hate crimes, community conditions, and other data proxies indicative of potential underreporting. This is an important and innovative step taken by OPHC to harness technology to better serve underrepresented and vulnerable communities which are not necessarily captured in NYPD data.

## **IV. HATE CRIME DATA AND NEW, INNOVATIVE ANALYTIC TOOLS**

### **Preventing Hate Dashboard & OPHC Hate Crimes Index**

#### **Summary & Next Steps**

The HCI and other consolidated data sources will allow for routine reporting and enable complex and varying data analyses. The additional and more comprehensive information will help the City better understand the landscape of hate and underreporting of incidents and enhance prevention/intervention efforts.

OPHC aims to collaborate with community organizations and other NYC agencies that collect different types of bias/hate incidents to inform and expand upon the development of the HCI.

#### **Acknowledgements**

We want to extend our thanks and gratitude to everyone who led this effort and made this project possible, including both the USDR/NYC Innovation Team and MOCTO. The USDR/NYC Innovation Fellows Team consisted of Rei Tran (Product Manager), Dhivya Ravindran (Developer/Data Scientist), and Jared Lieberman. The MOCTO team led by Shanna Crumley (Innovation Advisor), Wayne Chang (MOCTO Technical Advisor), Katherine Benjamin (Deputy CTO), Alexis Wichowski (Deputy CTO), and John Paul Farmer (NYC CTO). OPHC and MOCJ could not be more appreciative of the commitment, hard work, and innovative work completed with MOCTO and NYC Innovation fellows for the development of a first-of-its-kind tool to better represent all New Yorkers.

**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.

*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**

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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.

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

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**No. 49**

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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***

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#### **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**

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### **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.

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## ***Section 485.10***

### **Sentencing**

Penal (PEN)

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

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

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

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

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

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

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

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

# 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.

## 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 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                           |

## 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](http://nyc.gov/nycwell).**



Bill de Blasio  
Mayor



Deborah Lauter  
Executive Director



Bitta Mostofi  
Commissioner



Carmelyn P. Malalis  
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 your local precinct. 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.**

## COVID-19-RELATED ANTI-BIAS EDUCATION RESOURCE GUIDE

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

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

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

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

### RESOURCES AND LESSONS FOR EDUCATORS

#### RESOURCES RELATED TO COVID-19

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

#### HISTORIES OF ASIAN-AMERICAN DISCRIMINATION

- [\*\*"Asian American Stereotypes"\*\*](#), a lesson plan and toolkit from Teaching Tolerance for discussing the diversity of the Asian-American label.
- Educator resources from Facing History on the [\*\*legacies of Chinese exclusion\*\*](#) and on bearing witness to [\*\*Japanese internment\*\*](#) during WWII.
- Special curriculum unit from ADL for high schoolers on WWII-era [\*\*Japanese internment\*\*](#).

For questions about educational resources and additional support related to hate crimes, please email [RespectForAll@schools.nyc.gov](mailto:RespectForAll@schools.nyc.gov). For questions and resources about hate crimes in general, please email the Office for the Prevention of Hate Crimes at [ophc@nyc.cityhall.nyc](mailto:ophc@nyc.cityhall.nyc).

## COVID-19-RELATED ANTI-BIAS EDUCATION RESOURCE GUIDE

### HISTORIES OF DISCRIMINATION RELATED TO PUBLIC HEALTH

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

### MULTIMEDIA RESOURCES

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

### EDUCATIONAL RESOURCES ON HATE ONLINE

- [Digital Citizenship curriculum](#) from Common Sense with cyberbullying and online hate speech lesson plans.
- [“Addressing Hate Online: Countering Cyberhate with Counterspeech”](#) High-school lesson plan from ADL on recognizing and responding to online hatred.
- [“Five Ways to Counter Extremists on Social Media”](#) How-to resource sheet and accompanying question sheet from the Tannenbaum Center.

### EDUCATIONAL RESOURCES ON RESPONDING TO BIAS

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

For questions about educational resources and additional support related to hate crimes, please email [RespectForAll@schools.nyc.gov](mailto:RespectForAll@schools.nyc.gov). For questions and resources about hate crimes in general, please email the Office for the Prevention of Hate Crimes at [ophc@nyc.cityhall.nyc](mailto:ophc@nyc.cityhall.nyc).

# 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](#).

# 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](#)): 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

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