

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON PUBLIC SAFETY

----- X

February 10, 2020

Start: 1:12 p.m.

Recess: 3:05 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Donovan J. Richards
Chairperson

COUNCIL MEMBERS: Donovan Richards
Adrienne E. Adams
Justin L. Brannan
Fernando Cabrera
Andrew Cohen
Chaim M. Deutsch
Vanessa L. Gibson
Rory I. Lancman
Carlos Menchaca
I. Daneek Miller
Keith Powers
Ydanis Rodriguez
Paul Vallone

A P P E A R A N C E S (CONTINUED)

Deborah Lauter
Executive Director
Office for the Prevention of Hate Crimes

Chief Michael Petry
Chief of Crime Control Strategies
NYPD

Lisa Schreiberstorf
Executive Director
Brooklyn Defender Services

David Gatz
Associate Director
United Jewish Organizations of
Williamsburg

Rima Rahman
Lead Organizer
New York City Anti-Violence Project

Saad Kashki
Muslim Community Network

Asenhat Gomez

Deputy Director for Programming
El Puente

Antonine Peer
Deputy Director
Brooklyn Movement Center

Bruce Jacobs
Coalition of the Rockaways

@

@@

1
2 KEITH POLITE: One, two, one, two. Today
3 is February 20, 2020. Today's hearing is on Public
4 Safety, being recorded by Keith Polite.

5 CHAIRPERSON RICHARDS: [gavel] All righty,
6 good afternoon. I'm Donovan Richards from the 31st
7 District in Queens and I'm the chair of the Committee
8 on Public Safety. Today we're joined by Council
9 Members Lancman, Vallone, Cabrera, and Rodriguez, and
10 today we are hearing Introduction number 1847 in
11 relationship to individualized responses to violent,
12 to violent hate crimes. The bill requires and
13 individualized response to every allegation of a hate
14 crime. It requires the Office of, for the Prevention
15 of Hate Crimes to notify elected officials in the
16 affected community within 24 hours of determining
17 that violent hate crime has occurred. This bill is
18 about making sure that during these frightening times
19 our government is doing all it can and all it should
20 to stem the rise of hate crimes and hate speech
21 across the country and to reassure its citizens about
22 our city's commitment to diversity and inclusion.
23 It's about making sure communities ies knowy~~sknow~~ that
24 our law enforcement agencies treat hate crimes as
25 seriously as they should. Essentially, it is about

1 communication. We last held a hearing on hate crimes
2 in November of 2018 and we heard the legislation that
3 lead to the creation of the Office for the Prevention
4 of Hate Crimes. The bill passed in January and for
5 the last year the administration has been working to
6 get OPHC off the ground. While this is not an
7 oversight hearing I do want to give OPHC an
8 opportunity to discuss what steps they have taken to
9 begin the process of setting up a coordinated system
10 for responding to hate crimes, and I do expect to
11 hear that the office's staffing and resources are
12 sufficient to satisfy an unfortunately growing demand
13 for their work. I'm also looking forward to hearing
14 from the NYPD if anything has changed in the last
15 year and a half about how they view these crimes and
16 how their response to affected communities has
17 changed as the number of hate crimes has increased.
18 But I want to make it clear that we're not here to
19 say that either of the agencies before me have been
20 underperforming. This effort has been truly
21 collaborative from the beginning and it must continue
22 to be in order to be successfully. That
23 collaboration includes the administration and the
24 council, but most importantly it has to include the
25

1
2 community organizations and community members who are
3 at the core of our efforts. We at the council
4 believe that this bill provides the necessary
5 guidance to OPHC while providing their discretion to
6 react to facts on the ground, adaptive future
7 developments, and consider the particular needs of
8 victims and communities. With that said, I look
9 forward to hearing your testimony on the bill. I
10 don't see the lead sponsor, Mark Treyger, here today,
11 ah, and before I let you begin we just want to, ah,
12 pause for a second to, um, to thank the NYPD for all
13 the work that they do and also to pay homage to the
14 department, um, during this complicated and difficult
15 time where obviously two officers were shot
16 yesterday. Our prayers are with those offices and we
17 pray that they make a full recovery, and I want you
18 to know that this council, ah, while we may differ on
19 issues we'll always stand with the NYPD, ah, and
20 wanted to just reassure you that you have our
21 support. So that being said, ah, you may begin.

22 UNIDENTIFIED: Well, thank you. Before,
23 before the director begins we just want to thank you
24 for your thoughts, ah, thank members of the Bronx
25 delegation for showing up at the hospital, ah, the

2 public advocate, and all of the, the borough
3 president, all of the elected leaders. Thank you.

4 COMMITTEE COUNSEL: Do you swear to tell
5 the truth, the whole truth, and nothing but the truth
6 before this committee and answer all questions to the
7 best of your ability?

8 CHAIRPERSON RICHARDS: That being said,
9 you may begin.

10 DIRECTOR LAUTER: I'm new at this. Good
11 afternoon, Chairman...

12 CHAIRPERSON RICHARDS: And welcome to
13 your first hearing.

14 DIRECTOR LAUTER: Thank you so much, be
15 [inaudible].

16 CHAIRPERSON RICHARDS: Congratulations.

17 DIRECTOR LAUTER: Thank you. I'm Deborah
18 Lauter. I'm the executive director of the Office for
19 the Prevention of Hate Crimes, and on behalf of the
20 office, which is a unit in the Mayor's Office of
21 Criminal Justice, we thank you for this opportunity
22 to testify regarding 1847-22 relating to the response
23 to violent hate crimes. Let me begin by saying that
24 hate has no place in New York City, a city
25 celebrated~~ed~~ for its diversity, and no New Yorker

1 should ever feel targeted or unsafe because of their
2 race, ethnicity, religion, sexual orientation, gender
3 identity, or disability. I want to thank the council for
4 its leadership in creating the OPHC and for your
5 input and support since its inception. While of
6 course it is expected that our elected leaders will
7 condemn hate crimes after they occur, you have taken
8 steps and actions to do something even greater. You
9 have enabled a tangible effort that will prevent hate
10 from taking hold in the first place. Our city's
11 holistic approach is the first of its kind in the
12 country and I can share that it has received very
13 positive support, not just from New Yorkers but from
14 across the nation and indeed from around the world.
15 Many are looking to this initiative as a model to
16 address the disturbing widespread rise in hate
17 incidents. At this time last year, as you just
18 noted, Chairman, the city, the New York City Council
19 passed legislation to create an office for the
20 prevention of hate crimes, the very legislation
21 that's under consideration if amendment today. That
22 legislation provided that the new office should be
23 open by November. Mayor de Blasio, concerned about
24 the continuing rise in hate crimes, escalated the
25

1 launching of the office, and my appointment was
2 announced on September 3. I'm pleased to report that
3 in just five shorts we have accomplished much,
4 including completing the administrative work of
5 opening a new office, and we are now fully staffed
6 with seven full-time employees. One of my priorities
7 over these first months has been to engage deeply
8 with different communities across the city,
9 particularly those who are vulnerable to bias
10 incidents and hate crimes. I've spoken at over 50
11 meetings in all five boroughs, and have solicited
12 input from dozens of leaders of religious, education,
13 and community-based organizations, as well as
14 academic institutions and think tanks. This has
15 helped me identify areas where government, where city
16 government would take a more active role, convening
17 stakeholders, and augmenting and innovating new
18 tools. In these meetings and town halls I have heard
19 the voices of concern, of frustration, of fear, but
20 also of optimism, energy, and resolve to engage in
21 what many of see not just as the fight against hate,
22 but the fight for the soul of civility and the right
23 to respect. These first months have necessitated
24 particular attention to the Jewish community because
25

1 of the increase in hate crimes motivated by anti-
2 Semitism, particularly targeting the religious Jewish
3 communities in Brooklyn, and in the wake of the
4 horrific attacks in the neighboring Jewish
5 communities in Jersey City and in Monsey. At the
6 same time, the Office for the Prevention of Hate
7 Crimes has been dedicated to addressing the unique
8 issues and concerns of other communities that are
9 vulnerablenb to bias incidents. The LGBTQ community
10 experienced the second-highest increase in hate
11 crimes last year, including violent assaults against
12 trans women, and we have been at their sides,
13 speaking out and working with them to address
14 strategies to combat this disturbing trend. We have
15 engaged with leaders in the Muslim, Sikh, Asian,
16 Hispanic, black, immigrant, as well as the LGBTQ
17 communities, who report that their constituents, too,
18 are experiencing an upsurge in bias-motivated
19 incidents and hate crimes, yet most of these
20 incidents are going unreported. One of the goals of
21 the Office for the Prevention of Hate Crimes to
22 address this problem of under-reporting, not only so
23 that we can show support and get help for victims,
24 but also we can fully understand the scope of the
25

1
2 problem and recommend strategies and resources to
3 deal with it. Much of this working is being done
4 through our management of the Hate Violence
5 Prevention Initiative, which City Council funded
6 through discrepancy grants. Participating
7 organizations include the Arab American Association
8 of New York, the Center for Law and Social Justice at
9 ~~Medger~~Medgar Evers, Desis Rising Up & Moving, Center
10 for Antiviolence Education, Project Witness, New York
11 Antiviolence Project, New York Immigration Coalition,
12 United Jewish Organizations of Williamsburg, Jewish
13 Children's Museum. We have been overseeing those
14 contracts and convening the full cohort of 15
15 participating organizations. With council's support
16 our office has empowered and enabled them to share
17 their challenges, their best practices, and with the
18 others who are engaged in these kinds of grassroots
19 efforts. As part of our mandate under the
20 legislation to perform a coordinating role for the
21 city, the OPHC has also formed an interagency
22 committee for the prevention of hate crimes and we
23 have convened 11 city agencies and the city's five
24 district attorney offices, all of who are
25 stakeholders in preventing and addressing hate

1 violence. By bringing them together with an
2 intentional focus on addressing hate crimes the
3 Office for the Prevention of Hate Crimes is breaking
4 down silos and engaging educators, first responders,
5 victim service providers, restorative justice
6 advocates, and other subject matter experts.
7 Interagency committee representatives are sharing
8 information about their current programs, resources,
9 best practices, and engaging together in creative
10 thinking and recommendations that will have long-term
11 impact. I have dedicated almost three decades of my
12 civil rights and human relations career to combatting
13 stereotypes, prejudice, discrimination, hate, and
14 extremism at the state, national, and global levels.
15 I'm gratified that I can now focus my skills and
16 expertise to benefit New York City. What I have
17 shared with city agencies, community organizations,
18 elected officials, media, and others is that there is
19 not one way to fight hate. It requires a
20 multipronged approach. And so I have set forth a
21 three-pillar strategy for the Office for the
22 Prevention of Hate Crimes and we're focused on
23 education, community relations, and law enforcement.
24 First I'll speak about education. I'm pleased to
25

1 report that we are already making significant
2 progress with respect to our education mandate. In
3 December we partnered with the Department of
4 Education to create resources on promoting respect
5 and addressing hate crimes, and Chancellor Carranza
6 September these resources to over 150,000 educators
7 in the system, urging them to have conversations with
8 their students about the rise in hate crimes and
9 making it clear that anti-Semitism, racism, and all
10 forms of hate and bigotry will not be tolerated in our
11 school system. We also helped facilitate a
12 partnership between the Department of Education and
13 the Museum of Jewish Heritage to provide an
14 opportunity for 14,000 students from Brooklyn to tour
15 the ~~musuem'~~smuseum's exhibit, which is called
16 Auschwitz, Not Long Ago, Not Far Away. And they're
17 providing families of students 12 and over to receive
18 free tickets to the museum as well. This initiative
19 will educate students and their families about the
20 consequences of hate through powerful immigrants and
21 survivor stories. We've also been working with the
22 DOE to develop a new curriculum resource on hate
23 crimes, which will be introduced and available to
24 teachers citywide in the coming academic school year.
25

1 Community relations. With respect to community
2 relations, in addition to our work with the HVPI, the
3 Hate Violence Prevention Initiative, at the end of
4 December the mayor announced a new initiative, the
5 formation of neighborhood safety coalitions. These
6 coalitions, consisting of leaders from community-
7 based organizations, houses of worship, civic
8 associations, ~~tenant~~ associations, community boards,
9 business, and community school districts, will
10 address neighborhood safety issues with an
11 intentional focus on previous measures and programs
12 that will have long-term impact. Neighbors will come
13 together to break down stereotypes and build healthy
14 relationships that foster safety and social cohesion.
15 Last week the Office for the Prevention of Hate
16 Crimes hosted a joint inaugural meeting of the three
17 coalitions, made up of leaders from Greater Borough
18 Park Area, Crown Heights, and Williamsburg Bed-Sty
19 communities. The theme of Core Values NYC guides
20 their efforts to creation action plans and programs,
21 with CORE, an ~~acronym~~ acronym standing for community
22 of respect for everyone. Last week I also had the
23 privilege to participate in a remarkable problem that
24 was organized by Community School District 14,
25

1 Superintendent ~~Alieja~~Alicia Winnicki, in
2 Williamsburg. Rabbi David Nederman of the United
3 Jewish Organizations and I engaged in a thoughtful,
4 powerful discussion with student leaders and then a
5 school walk with the superintendent, principal, CEC
6 members, student advisors, and students from the
7 neighborhood schools. This program has also been
8 down successfully by Rabbi Eli Cohen from the Crown
9 Heights Jewish Community Council in partnership with
10 Jeffrey Davis, director of Stop Violence Foundation.
11 We're looking now to expand this model across the
12 neighborhood safety coalition communities with the
13 enthusiastic support of community school district
14 superintendents. District 17 in Crown Heights and
15 District 20 in Borough Park are both members of their
16 respective neighborhood safety coalitions. To
17 further advance community education, the offices
18 overseeing the development of new advertising and
19 social media campaigns to confront prejudice,
20 encourage mutual respect, and empower anyone who is a
21 victim of a hate crime to come forward and report it.
22 Last but not least, law enforcement. I am proud to
23 sit here alongside the NYPD, who have been vital
24 partners, not just in responding to hate crimes, but
25

1 in seeking ways to address preventative solutions.
2 Commissioner Shea's presence at so many of the
3 community meetings and the tone that he has set for
4 the whole department to take seriously and address
5 the increase in hate crimes has been exemplary. We
6 believe his commitment to community policing,
7 initiatives focused on youth, as well as the new
8 ~~intellienee~~intelligence unit to address racially and
9 ethnically motivated extremism, are all critically
10 important measures. We also were extremely pleased
11 to see the commissioner's positive response to the
12 council's request to include hate crime statistics in
13 ~~Comstat~~CompStat~~COMPStat~~, which we believe is a
14 significant step in heightening awareness and
15 improving response to hate violence. I also want to
16 commend and thank Deputy Inspector Mark Molinari, who
17 heads up the New York Police Department's hate crime
18 task force, as he has been especially helpful in
19 providing guidance and partnership to the Office for
20 the Prevention of Hate Crimes as we have gotten off
21 the ground. With respect to the proposed amendments,
22 when a hate crime is committed there is an urgent
23 desire, particularly among those who share the
24 victim's identity, to know what has happened, what
25

1 steps are being taken to respond, and what the
2 outcomes will be. Our elected officials are also
3 eager for information about hate crime incidents so
4 they can better respond to the inquiries and needs of
5 their constituents. The Office for the Prevention of
6 Hate Crimes recognizes the importance of this "need
7 to know" embodied in this proposed amendment and
8 supports the intent of these amendments. We are
9 currently exploring effective, responsible methods of
10 notification that preserve the integrity of an
11 investigation and at the same time provide assurance
12 to all parties that an incident is being handled
13 appropriately. We want to thank the committee again
14 for convening this hearing today and to express our
15 appreciation for the tremendous support demonstrated
16 by leaders at every level of government and by the
17 organizations and individuals all over our city. We
18 support the goals of this amendment and we are
19 committed to working with the council on how to
20 operationalize this bill and uplift communities so
21 that all New Yorkers and visitors feel welcome and
22 safe. Thank you for your attention. I welcome your
23 questions.
24
25

1
2 CHAIRPERSON RICHARDS: And we're joined
3 by Council Members Gibson, Cohen, Adams, Powers,
4 Deutsch. All right, thank you, and, um, I'll guess
5 I'll start off with the NYPD. Can you speak to how
6 does the department track the type of hate crimes
7 being committed and of the reported hate crimes in
8 2019 can you provide a breakdown, um, of the type of
9 hate crimes?

10 CHIEF PETRY: Good afternoon. Chief
11 Michael Petry, chief of crime control strategies. So
12 as far as tracking hate crimes, when a crime is
13 alleged a complaint report is taken, just like, you
14 know, any crime would be, misdemeanors, felonies, UCR
15 crimes. When a hate crime is alleged the
16 investigation starts with the patrol officer, but
17 then the captain or above, an executive, has to
18 respond to every suspected hate crime. He does, he
19 or she does a preliminary investigation, a unusual
20 occurrence report is then written by the captain or
21 above. The complaint report will be documented as a
22 suspected hate crime. That will then trigger a
23 notification to our Hate Crimes Unit and then
24 ultimately Hate Crimes will make the final
25 determination if that is in fact a, a hate crime. As

1 far as statistics, in 2019 we did see an increase in
2 hate crime with 428 complaints versus 356, for an
3 increase of 20%, and a raw number increase of 72.
4 Those 428 complaints were driven by anti-Semitic
5 motivation with 234 compared to 186. So that was an
6 increase of 48, a raw number increase of 48, or 26%,
7 and that accounted for 55% of all our hate crimes.
8 When you drill down to the anti-Semitic hate crimes,
9 of the 234, approximately 77% of the 234 were
10 property-related, or 181 crimes. And if you look at
11 those 181 crimes, the property crimes, approximately
12 half of those were swastika motivated.
13

14 CHAIRPERSON RICHARDS: And then out of
15 the, um, can you just break down also the 186?

16 CHIEF PETRY: I'm sorry, the?

17 CHAIRPERSON RICHARDS: Um, so 234 were
18 anti-Semitic.

19 CHIEF PETRY: The 234, oh, I can break
20 it, I can break it down.

21 CHAIRPERSON RICHARDS: OK.

22 CHIEF PETRY: No problem. So, ah, 96,96
23 were aggravated harassment one. So that's your
24 swastika. So approximately 90 out of your 96
25 aggravated harassment ones were motivated by a

1 swastika, OK? Aggravated harassment two, that also
2 saw an increase of, ah, 16. So aggravated harassment
3 one and aggravated harassment two drove your anti-
4 Semitic increase.
5

6 CHAIRPERSON RICHARDS: OK.

7 CHIEF PETRY: Right? So again anti-
8 Semitic rose by 48 crimes, aggravated harassment one
9 and aggravated harassment two increased by 55. So
10 there's your increase. And, again, the large
11 ~~perceetnage~~percentage of that is swastika motivated.
12 When you look at the physical assaults, as far as
13 anti-Semitic motivation they were actually down. We
14 had 14, we had 14 victims compared to 15. Ah,
15 robberies also went down for anti-Semitic motivation,
16 ah, two versus four. The, the increase that we saw
17 when it came to physical contact, specifically grand
18 larcenies, did rise, four versus one, and that could
19 be property, you know, usually it's property on
20 somebody that somebody would take. So largely
21 increased by swastikas.

22 CHAIRPERSON RICHARDS: OK. Ah, then I
23 want to hop back over to OPHS. So what is the Office
24 of Hate Crime Prevention's current head count?

25 DIRECTOR LAUTER: Ah, we are seven.

2 CHAIRPERSON RICHARDS: Seven staff
3 members?

4 DIRECTOR LAUTER: Um-hmm.

5 CHAIRPERSON RICHARDS: And do you believe
6 these staffing levels sufficient to respond
7 appropriately to, um, as we saw, ah, 428 hate crimes
8 last year?

9 DIRECTOR LAUTER: Right. So what's
10 important to note, Chairman, is that even though we
11 have a dedicated staff of seven, we are embedded in
12 the Mayor's Office of Criminal Justice, so I'm
13 sitting here with general counsel, Susan Somer, um,
14 from the Mayor's Office of Criminal Justice. We have
15 a full panoply of policy experts, communication,
16 research folks who are also supporting this office
17 most immediately. But when I look at the resources
18 and the whole way that I've structured this office,
19 it's really to engage, as I said, 11 city agencies,
20 so I'm sitting with the Department of Education, I'm
21 sitting with the Department of Health and Mental
22 Hygiene, we're sitting with NYPD. We are all
23 partners, um, and I see that as some of the
24 resources. When I look at all of you up here as city
25 councilmen you are partners in this work,

1 particularly in the community relations aspect of
2 what we're doing. In order for us to really get, ah,
3 headway in preventing hate crimes it needs to be a
4 full effort with all New Yorkers involved. So I'm
5 confident that the resources right now, um, are
6 sufficient to get us to the next level. Thank you.

8 CHAIRPERSON RICHARDS: And let's just
9 speak, ah, Council Member Miller joined us as well.
10 Can you just go through, so year to date, compare
11 this January to last January on hate crimes? Have we
12 seen an uptick, or where are we at?

13 CHIEF PETRY: Ah, 2020?

14 CHAIRPERSON RICHARDS: Yeah.

15 CHIEF PETRY: Yes, I have the numbers.

16 CHAIRPERSON RICHARDS: OK.

17 CHIEF PETRY: So we're actually down two
18 hate crimes. This is as of February 9. So from 1/1
19 to February 9 of 2020 to 2019 we're actually down two
20 hate crimes, 43 versus 45. As far as looking at the
21 anti-Semitic, which obviously drove last year's
22 increase, we're actually down, two anti-Semitic
23 motivated crimes, 27 versus 29.

24 CHAIRPERSON RICHARDS: 27 verse 29, and
25 what are the other categories?

1
2 CHIEF PETRY: Ah, we have anti-black is
3 actually, ah, increased this year, nine versus three.
4 Gender is two versus one. Sexual orientation is two
5 versus four. And then we have, ah, one for religion
6 and one for white.

7 CHAIRPERSON RICHARDS: OK. And OPHC, can
8 you just go through what does true coordination look
9 like after a violent hate crime with the NYPD?

10 DIRECTOR LAUTER: Right.

11 CHAIRPERSON RICHARDS: Are you out there
12 with them, or can you just walk me through it, what
13 would be your role?

14 DIRECTOR LAUTER: Right. So the hate
15 crime task force that we work closely with, they,
16 that's the investigative body. Um, what we work on
17 now is, as I mentioned, Deputy Inspector Molinari
18 will usually give me a heads-up about an incident
19 that has occurred so that we can then reach out to,
20 ah, organizations that support the community that may
21 have been attacked. This is one of, the purposes of
22 this bill is to improve that communication system.
23 Um, to be quite honest with you in these days of
24 social media we're often becoming aware of these
25 incidents by the victims and by witnesses, ah, even

1 before the incidents have been reported to NYPD. So
2 som-~~ee~~ fore of it is just getting in those circles of
3 know who's reporting and, um, being able to respond
4 and let people know that the city is taking it
5 ~~seirously~~ seriously, investigating it as a hate crime,
6 if that's appropriate, and ~~tprovidign~~ providing
7 response, um, both from the community, but also
8 victim response, if necessary.

10 CHAIRPERSON RICHARDS: And you support
11 Intro 1847? Or there needed to be any changes what
12 would you suggest?

13 DIRECTOR LAUTER: Yeah, I think there are
14 probably some operational tweaks. The requirement of
15 24 hours I think we would like to take a closer look
16 at that. There's also some language about affected
17 communities that I think needs clearer definition,
18 um, so we're happy to work with Council to clarify
19 some of those provisions and tighten them up.

20 CHAIRPERSON RICHARDS: And then us said,
21 ah, so what is the issue with notifying communities
22 in 24 hours?

23 DIRECTOR LAUTER: So some of it is, to do
24 hate crime detection, um, right it needs a very
25 careful evaluation. You heard the chief describe the

1
2 command staff that is involved with NYPD. Sometimes
3 it takes a little bit more time. Um, they can deem
4 it a hate crime, but it actually takes a little bit
5 more investigative and with the DA's office getting
6 involved as well to make sure that this was motivated
7 by bias against the [inaudible] as specified in the
8 legislation. So, um, sometimes the worst case it's a
9 jump to conclusions, which can cause a whole 'nother
10 level of community fear, um, and then we find out
11 after that fact that that in fact was not a hate
12 crime. So I just, I just think we need to be prudent
13 in terms of how we can have a requirement in terms of
14 the time limits of reporting. Make sure people are
15 in the loop and do it right.

16 CHAIRPERSON RICHARDS: And let's go back
17 to NYPD quickly. So I know, um, John Miller
18 announced a new unit, um, Racially and Ethnically
19 Motivated Extremism Unit. What is the coordination
20 like, if there's any with you and OPHC? Um, what are
21 their staffing levels? What role are they playing I
22 guess at this moment in combatting hate crimes.

23 CHIEF PETRY: So they, um, the RAEME unit
24 has approximately a head count of 25. Ah, I think
25 the way, the best way to look at is we have the Hate

1 Crimes Task Force, which investigates all, um, hate
2 crimes in the city. Hate Crimes Task Force is the
3 largest hate crimes investigative unit, I believe, in
4 the country.

5
6 CHAIRPERSON RICHARDS: How many people in
7 that unit?

8 CHIEF PETRY: I think that's 25. 25.
9 Um, then what we did was created the RAEME unit , and
10 the focus there is less of a reactive investigating a
11 crime when it actually happens and more of a
12 proactive, where they're taking a look and doing
13 investigations, taking a look at, ah, um,
14 organizations, ~~groupes~~groups, individuals that are,
15 um, making calls to violence based on hate and, um,
16 getting ahead of it, getting ahead of the crime
17 before it becomes a crime, getting ahead of the
18 situation. So, ah, again, we coordinate it within
19 the department and then as~~as~~ a department with
20 coordinate with, um, with Director Lauter and, um,
21 and try to get ahead of the problem where we can,
22 investigate the crimes when they actually occur.

23 CHAIRPERSON RICHARDS: All righty. I'm
24 going to go to my colleagues for questions. I just
25 want to circle back. You said, um, so hate crimes

1
2 against black people have increased. What has been
3 the basis of those hate crimes? Have they been
4 violent or, can you just speak to what?

5 CHIEF PETRY: As far as, as the specific
6 crimes, ah, this year, ah, against African Americans,
7 aggravated harassment account for three. Out of
8 those, I'm sorry, so aggravated harassment one,
9 which, ah, and aggravated harassment two account for
10 six out of the nine crimes. There is two, um, so
11 it's six out of nine. I could you get you the other
12 three. Ah, criminal mischief. So those are your
13 nine. So, ah, not specifically against the person as
14 far as an assault or anything like that. But, again,
15 we investigate all these crimes very, very seriously,
16 so we do see an uptick anti, ah, anti-black this
17 year, though last year we were down. Anti-black were
18 down, ah, seven, seven crimes last year, 37 versus
19 44.

20 CHAIRPERSON RICHARDS: And speak to, um,
21 what percentage is violent opposed to nonviolent
22 overall across the board?

23 CHIEF PETRY: OK, so overall across
24 the...

1 COMMITTEE ON PUBLIC SAFETY 28
2 CHAIRPERSON RICHARDS: Oh, no, it's all
3 hate crimes.

4 CHIEF PETRY: OK, so when I look at last
5 year, when I look at your 428 crimes, ah,
6 approximately 65% of that is property-related. When
7 you look, when you look at...

8 CHAIRPERSON RICHARDS: And property,
9 property-related means graffiti or?

10 CHIEF PETRY: Correct. It could be
11 criminal, it could be an egg thrown at a religious
12 institution, it could be graffiti, a swastika, or it
13 could be other graffiti. That would be property-
14 related. So, again, that's all of the hate crimes.
15 Out of your 428 approximately 65% property-related.
16 When you look at your anti-Semitic, 234,
17 approximately 77% of those are property-related.

18 CHAIRPERSON RICHARDS: And the other 35%
19 is violent?

20 CHIEF PETRY: Well not, not, I mean, not
21 to, you know, again, these are victims. As far as
22 when you talk about your physical assaults, so
23 there's the simple misdemeanor assault which is, you
24 know, usually a strike where you get an injury, ah,
25 and the assault two, ah, a little bit more, you know,

1
2 more serious. Both of those crimes combined last
3 year were down, 75 victims versus 79. When you look
4 at your robbery-motivated hate crimes last year, ah,
5 also down, eight versus 15. So the spike in hate
6 crimes last year was driven by swastikas, by anti-
7 Semitism, ah, and again motivated by swastikas.

8 CHAIRPERSON RICHARDS: OK. Thank you.
9 I'm going to go to my colleagues now, Landmarks
10 Commission, Adams, Gibson.

11 COUNCIL MEMBER LANCMAN: Good afternoon.

12 DIRECTOR LAUTER: Good afternoon.

13 COUNCIL MEMBER LANCMAN: Um, first let me
14 publicly thank all of you for what I believe has been
15 a swift and comprehensive and sincere, sincere
16 response to the spike in anti-Semitic incidents that
17 occurred in the last couple of months. Um, we have
18 seen each other at countless meetings and forums and
19 rallies, I mean, all of that is meaningful and, um,
20 you know, I'm very satisfied and very pleased that
21 the city, whether it's the police department, MOCJ,
22 um, your new office, ah, is taking this crisis
23 seriously. And of course not just for the Jewish
24 community, but for every community in New York City
25 that's experiencing these horrendous hate crimes. I

1
2 just want to ask you specifically about the, the
3 bill, 'cause as I understand it there's really two
4 parts two. One is, um, an individualized response to
5 all alleged violent hate crimes. I know the chairman
6 had asked you about the bill, but I want to ask you
7 in particular what objection do you have or what
8 concerns do you have, if any, in requiring the
9 oftentimes to provide an individualized response to
10 all alleged violent hate crimes?

11 DIRECTOR LAUTER: That one I have no
12 objection to. I think every, every hate crime
13 requires an individualized response. Um, it, as I
14 said earlier, it attacks the person's identity and
15 then the response in the community. So, um, I have
16 no problem with that language.

17 COUNCIL MEMBER LANCMAN: What would, I
18 only ask 'cause, and this is not a criticism, you
19 hadn't, I don't believe you had mentioned it in your
20 testimony regarding, regarding the bill, so I just
21 wanted some clarification.

22 DIRECTOR LAUTER: That's fine.

23 COUNCIL MEMBER LANCMAN: In, in your
24 mind, um, what would an individualized response look

25

1 like? For example, where, and the bill is limited to
2 acts of violence...

3
4 DIRECTOR LAUTER: Violence.

5 COUNCIL MEMBER LANCMAN: Where somebody is
6 ah, um, punched on a, on a subway station or a woman
7 has her hijab ripped off her head walking down the
8 street. What would an individualized response look
9 like?

10 DIRECTOR LAUTER: Well, so the response
11 needs to come from various levels. One clearly is
12 from, response from NYPD and the Hate Crimes Task
13 Force being culturally sensitive to how to respond to
14 that individual that, um, was the victim. Um, you
15 know, that training, ah, officer, responding
16 officers, is critically important and that's part of
17 why we're so thrilled with the

18 ~~Comstat~~~~CompStat~~~~COMPStat~~ change because we believe it
19 will lead to ~~hieghte~~~~ie~~~~nd~~heightened, um, education for
20 patrol officers. And there's the community response.

21 So if, if it, in your example, if it is a Muslim
22 woman we would be reaching out to, ah, some of the
23 Muslim organizations that have expertise in dealing
24 with hate violence and make sure to involve them in
25 the response. Um, then the next level is clearly you

1
2 want others to stand up, right? So reaching out to
3 others who are not part of the Muslim community to
4 say this happened and we wanted you to be there for
5 the Muslim community to assure them that this
6 incident is being taken seriously and condemned by
7 all. So each on, there's, there are patterns to
8 where they're similar but the individualized response
9 I think provides comfort to victims and their
10 communities.

11 COUNCIL MEMBER LANCMAN: And so there's
12 sort of a menu of, of options or, or a list of things
13 that you do.

14 DIRECTOR LAUTER: Sure.

15 COUNCIL MEMBER LANCMAN: When, when we've
16 had incidents in, in my community, for example, an
17 anti-Semitic incident or an anti-Muslim incident, is
18 the routine, I don't diminish what we do by calling
19 it a routine, but there's, there's a routine.
20 There's some public expression of, ah,
21 disapprobation, right?

22 DIRECTOR LAUTER: Right.

23 COUNCIL MEMBER LANCMAN: There's, ah, a
24 gathering of people of different faiths to say that
25 this swastika on this synagogue or this, ah, salt on

1 this Muslim, I have both an orthodox and a Muslim
2 community in my district of considerable size, is,
3 is, is wrong. Um, you know, I think the reason your
4 office was created is because beyond that it's hard
5 for the individual council member or elected official
6 to really do anything meaningful in the school in
7 terms of education people or, um, ah, any of the
8 other steps that you, that you mentioned.

10 DIRECTOR LAUTER: Right.

11 COUNCIL MEMBER LANCMAN: Um, I, I don't
12 want to speak for the sponsor of the bill, but my
13 support of the bill is based on a desire, um, that
14 there be a professional, comprehensive, and thought-
15 out response to each incident, in this case of, of
16 violence. I wouldn't have a problem if the bill was
17 even broader, um, but let's just leave to violence,
18 that is, is more than just the couple of things that
19 your local elected officials know, know to do.

20 DIRECTOR LAUTER: Right. No, I would, I
21 would agree with that and I welcome communities'
22 input on how to, to do that. Um, the, the
23 consequences of violent acts require I think a very
24 different level than the swastikas and what-not.
25 Each, each incident needs to be taken seriously, but

1
2 when there is a violent act then we have to involve,
3 whether it's mental health professionals, whether
4 it's, um, you know, communities who can provide the
5 victim support, all those elements need to go into
6 this. So, um, that's exactly the kind of thing that
7 our office is looking to do and see where the best
8 ways we can have an impact would be. So I welcome
9 your input.

10 COUNCIL MEMBER LANCMAN: And then let me
11 just ask you about the notification, the second part
12 of the bill, as I see it, which asks, um, the office
13 to provide relevant info to the affected community
14 within 24 hours, and then notify the mayor, the
15 speaker, the public advocate, the council members
16 also within 24 hours. I'm sure, as you're aware, you
17 know, couldn't imagine if you weren't aware, um, that
18 when something happens in the community council
19 members, all the local elected officials start
20 getting calls, texts, we see things on Twitter.

21 DIRECTOR LAUTER: Right.

22 COUNCIL MEMBER LANCMAN: Um, it's
23 unhelpful if we're in the dark, not just because, um,
24 we look like we're not on top of things, um, but
25 there's a body of people in every district that

1 relies on their local council member to get them, ah,
2 information. And all of the police precincts have
3 community affairs units. Um, in my district I
4 primarily have the one on the 7th and the one on 3rd,
5 and a little bit of the one on 9th. When things
6 happen, whether it's a hate crime or a shooting or
7 something, you know, we're kind of relying on the,
8 the local community affairs officer to send us a
9 text, or I might get a, a call from the CO. Um, I
10 want to say it's ad hoc. Again, I don't say it as a
11 criticism, um, but I don't believe that there's a
12 formal notification mechanism. Incidents of hate
13 crimes have a particular, um, ah, ability or
14 propensity to, to, to spread, create fear, um, get
15 distorted through the telephone game process that's
16 amplified, um, by social media. So, um, your view on
17 establishing a regimented official process for
18 letting the office holders identified in this
19 legislation, and I would even go farther and say the
20 community board, um, some kind of alert system.
21 Alert, there's been an incident, here's what we know.
22 And obviously there are things you don't want to tell
23 us or can't tell us, but here's what we know, so that
24
25

1 it is, it is, it is formal and it is, um, ah, as
2 thorough as it can be. Your views on that?

3
4 DIRECTOR LAUTER: My views on that is I
5 see that as a, a particularly helpful role that this
6 office can play and look forward to working out the
7 mechanics of doing that.

8 COUNCIL MEMBER LANCMAN: One last
9 question, just very simple. You may have spoken to
10 it already. What is the process, if there is one,
11 whereby the police department lets you know that a
12 thing has happened?

13 DIRECTOR LAUTER: Right. So far the
14 process has been that the Hate Crimes Task Force,
15 generally Deputy Inspector Molinari, gets in touch
16 with me very quickly and we have conversations about
17 the incident. Quite frankly, again, we have been
18 notified some because it's been posted on social
19 media. Sometimes I've been aware of stuff and have
20 called him, and then he's worked with his staff to
21 get on it. So it's been, ah, a pretty good system.
22 I would say, um, it's not regimented yet, but it's
23 one of those things, now that I have seen how things
24 play out, um, that we can move from the ad hoc into a
25 more regimented process, regimented.

2 COUNCIL MEMBER LANCMAN: All right, I was
3 gonna say, without in any way ~~impunging~~impugning the,
4 the, ~~motivies~~motives...

5 DIRECTOR LAUTER: No, no, no, I mean,
6 this has been a learning curve, yeah, yeah, yeah.

7 COUNCIL MEMBER LANCMAN: ...or the, the,
8 the will of the PD, it does seem ad hoc.

9 DIRECTOR LAUTER: Yeah, I mean, we're the
10 new guy in town, right? So, you know, we're all
11 still, now it's, I think, they're all getting used to
12 and understanding the benefit of our office. Um, you
13 know, when Deputy Inspector Molinari and I have been
14 out speaking in the communities he has always
15 stressed that his, the Hate Crimes Task Force of NYPD
16 is an investigative unit and usually it's not the one
17 speaking to community groups and educating them, and
18 so they've been thrilled to have this new entity
19 there who can do, um, more of the outreach and
20 community education piece, um, and then in
21 conjunction now the communication piece, after the
22 fact communication piece.

23 COUNCIL MEMBER LANCMAN: All right, well,
24 really my last question, to the PD. Is there any
25 formalization of the mechanism or process for

1 notifying the Office for the Prevention of Hate
2 Crimes when there has been an alleged hate crime? Is
3 there any, ah, patrol order being contemplated or
4 anything, any guidance that says here is when you
5 will call or notify the office?
6

7 CHIEF PETRY: Sure, so, I mean, we, we
8 always, our patrol guide is a couple of thousand
9 pages, I believe. So we're always looking to
10 formalize things. As the director said, it's a
11 brand-new office and we've, um, ah, we've centralized
12 it to the extent that we have a Hate Crimes Task
13 Force that designates, verifies that it is properly
14 classified, meaning a crime classified as a hate
15 crime, and that's centralized under the Hate Crimes
16 Task Force. And they are the ones tasked with
17 communicating with the director and working with her
18 and her staff and I think, ah, I think what you're
19 saying is right. I mean, like anything else, as the
20 relationship develops we streamline it, we figure out
21 efficiencies and better communication than what we
22 even have now.

23 COUNCIL MEMBER LANCMAN: Well, I, I urge
24 you to get that in order as quickly as possible and
25 that it should include notifying the office at the

1
2 earliest possible moment, certainly not waiting until
3 an incident has been officially designated as a hate
4 crime, because the community is not waiting for that
5 official designation.

6 CHIEF PETRY: Sure. So, again, it's
7 crimes that come in, we have to verify that it is a
8 hate crime for, for the office of the director to be
9 triggered and, ah, so that's what we do. We are
10 doing it expeditiously and, again, we're open to
11 formalizing the process.

12 COUNCIL MEMBER LANCMAN: All right.
13 Thank you.

14 CHAIRPERSON RICHARDS: Thank you, Council
15 Member Lancman. We're gonna go to Adams, then
16 Gibson.

17 COUNCIL MEMBER ADAMS: Thank you, Mr.
18 Chair. Thank you again for being here today.
19 Appreciate your testimony thus far. Executive
20 Director, I appreciate you getting the color code
21 notification today. Thank you. Just to follow up
22 with what my colleague, Council Member Lancman, ah,
23 his line of questioning, I think, I think this is
24 gonna be more towards, ah, for the PD also, just a
25 couple of questions, because Council Member Lancman,

1
2 I believe, was referencing back-end notification,
3 um, on the back end in coordination. My question has
4 to do with coordination more on the front end as far
5 as, ah, systemic complaints, like 311 and hate crime
6 complaints coming into a system such as that. Is
7 anyone taking a look at that, how to streamline those
8 complaints and isolate them?

9 CHIEF PETRY: So, yes, we have. So one
10 of the things that, that we are going to be doing is
11 we, we are going to be ah, upgrading our complaint
12 reporting system. We're now, ah, when we enter the
13 complaint into the system there will be a checkbox
14 that will trigger a suspected or a motivated hate
15 crime, so that would be a lot easier, say, for my
16 office, Office of Crime Control Strategies, to now
17 analyze better hate crimes and, you know, what's your
18 analysis, what's the plan, what's the results of your
19 plan, right, rapid deployment. Ah, so that is
20 something that, that we are going to be doing. The
21 other thing is that we are going to have hate crimes
22 captured our on CompStatCOMPStat sheet, so that will
23 also be, that will be internally but also externally
24 in CompStatCOMPStat 2.0. So, ah, the public and, ah,
25 you know, and also internally we're able to, to

1
2 capture it, ah, more efficiently and when you capture
3 data more efficiently obviously the analysis is, is
4 more efficient and then we move resources more
5 efficient.

6 COUNCIL MEMBER ADAMS: That's good to
7 hear. And finally the, there is a, ah, disparity
8 between, ah, the number of complaints made and the
9 number of arrests made. So what are some of the
10 challenges that affect the arrests when it comes to
11 hate crime complaints?

12 CHIEF PETRY: So the, ah, the property-
13 related, ah, hate crimes, specifically the graffiti
14 hate crimes are difficult to investigate, sometimes
15 because we don't know how long that, ah, graffiti has
16 been there. So, you know, it's, it's something that
17 we look, if we have video. We will go back. We will
18 continue to go back and continue to go back, and then
19 if we see something that, you know, could, could be a
20 piece of the puzzle to investigate that crime. So
21 that, that is a challenge. When it's a crime against
22 a person, ah, we, we tend to better with those. You
23 know, that, that is something that, you know, the
24 crime is real time, um, it's, you know, it's
25 reported, usually quickly. So we, we do-~~de~~ better.

1
2 And if you look at our percentage of arrests last
3 year approximately 25%, ah, was for property crimes
4 and 75% was for crimes against people. So, you know,
5 again, we take all, all crimes seriously. We take
6 all, you know, we look at every time as a victim.
7 It's just the property crimes are more difficult to
8 investigate.

9 COUNCIL MEMBER ADAMS: Thank you. I
10 think you answered my part, also in there, also and
11 just to let you know that this council is dedicated
12 to doing whatever we can to, ah, continue to, um,
13 disrupt and stop these incidents of hate in our city.
14 Thank you very much for your testimony today.

15 CHAIRPERSON RICHARDS: Thank you.
16 Gibson, Vallone. Also joined by Council Member
17 Brannan.

18 COUNCIL MEMBER GIBSON: Thank you, Chair
19 Richards, and my colleagues who are here. Good
20 afternoon everyone. Thank you so much for being here
21 and giving us an opportunity to really understand a
22 little bit more in depth of what the Office to
23 Prevent Hate Crimes, ah, does do. Um, I was a part
24 of this effort here in the council supporting my
25 colleague, um, really all of the efforts that we've

1
2 been try to do as a council to provide support and
3 really resources. So, number, glad to hear you're
4 fully staffed. That's always a great thing. Um, I
5 wanted to understand the partnership, because it
6 seems that this office to prevent hate crimes is
7 really doing a lot of the grassroots work, working on
8 the ground, talking to various different
9 organizations, both religious, faith-based, community
10 groups, and then the Hate Crimes Unit in the NYPD is
11 a unit that actually does all of the actual
12 investigative work. So in your testimony when you
13 talked about the process, I wanted to understand what
14 some of the metrics are by definition. Because I
15 think when you hear about some of the crimes that
16 happen in New York City where they are more
17 heightened through the media and getting a lot of
18 attention, New Yorkers may think that it should be a
19 hate crime but when we go through the process it's
20 actually determined that it's not a hate crime. So
21 what I would like to understand are what are the
22 metrics and then on the ground how is the office
23 doing all of this engagement work with New Yorkers so
24 that they understand what the office is geared to do
25

1
2 and how you make that distinction. Because how we
3 feel and reality are two different things.

4 DIRECTOR LAUTER: Yeah, thank you, that's
5 a very good question, Council Member.

6 COUNCIL MEMBER GIBSON: I experienced it,
7 that's why [laughs].

8 DIRECTOR LAUTER: Yeah, you experienced.
9 So there is a lot of misunderstanding about what hate
10 crimes are and are not. Um, in New York State hate
11 crime laws are penalty enhancement statutes, so there
12 has to be an underlying crime in order for them to
13 kick in.

14 COUNCIL MEMBER GIBSON: OK.

15 DIRECTOR LAUTER: What we see frequently,
16 um, and in these times, ah, that there's been a lot
17 more name calling, I would call it, on the street.
18 Like people are experiencing, um, you know, anti-
19 Semitic remarks being yelled at them, racial epithets
20 being yelled at them. Um, those are protected
21 speech.

22 COUNCIL MEMBER GIBSON: Oh.

23 DIRECTOR LAUTER: This is the United
24 States. You have a right to be a bigot, right?

25 COUNCIL MEMBER GIBSON: [inaudible]

1 DIRECTOR LAUTER: The impact on the
2 individual can be pretty profound, I mean, but what
3 we have to do is educate people about where that line
4 is. Now, if somebody starts threatening the person
5 it can lead into, that may not reach even the, a hate
6 crime level, but it could be discriminatory
7 harassment and we have strong human rights laws in
8 the state and the City Commission on Human Rights
9 oversees those complaints as well. So when somebody
10 calls 311 they can file a complaint for
11 discriminatory harassment. So people need to be
12 educated about it. We do not, many of this advocacy
13 organizations do keep some statistics when they get
14 complaints from community members and that's exactly
15 what we're trying to do through the Hate Violence
16 Prevention Initiative is, is up their game in terms
17 of keeping statistics. So, again, we can see the
18 metrics and understand what's going on here and how
19 can we address. So, um, we're working with them to
20 do more statistical reporting. The, I'm trying to,
21 your second question, in terms of, um, I lost my
22 train of...

24 COUNCIL MEMBER GIBSON: The Hate Crimes
25 Unit in the NYPD?

1
2 DIRECTOR LAUTER: Yeah, the Hate Crimes
3 Unit. So, you're absolutely right, the Hate Crimes
4 Unit is an investigative piece. That being said,
5 we're working in partnership. So, um, you know, I
6 think have definitely welcomed the groups that we're
7 working to, to provide the level, we're, I see us as
8 almost a bridge between some of the communities that
9 don't have the trust relationship with NYPD and
10 looking for mechanisms that we can then establish
11 that trust. And what I've experienced in these five
12 months is that there's a real willingness, um, and
13 openness on NYPD's part to engage in that, um, 'cause
14 they understand. They're there to protect all
15 communities and they want better relationships. So,
16 um, I, I believe that you will see that grow. One of
17 the ironies of the metrics on hate crimes is going to
18 be, you know, a year from now when you ask me to
19 testify before this group, you're gonna want to see
20 statistics that say hate crimes went down. Ah, the
21 paradox is gonna be that if we've actually done a
22 really good job those numbers might go up because
23 people will have felt more comfortable report, right?

24 COUNCIL MEMBER GIBSON: Right.
25

1 DIRECTOR LAUTER: So, um, you know,
2 metrics is a hard thing. When I look at the long-
3 term metrics it's, it's a hard thing to know. I
4 mean, we are fully committed to impacting students,
5 teaching them, you know, respect principles, empathy
6 principlesprinciples, things that we believe will have
7 long-term impact in reducing hate violence, but
8 you're never gonna know how many kids we impacted
9 that then did not go on to commit a crime, right?

11 COUNCIL MEMBER GIBSON: Right.

12 DIRECTOR LAUTER: That's one of those
13 things that's never gonna be provable. But it
14 doesn't mean we have to lessen our commitment to
15 doing that hard work.

16 COUNCIL MEMBER GIBSON: OK. Just two
17 final questions, as I turn it back to our chair. Um,
18 I appreciate you recognizing and talking about the
19 distinction, and I would urge both the Office to
20 Prevent Hate Crimes and the Hate Crimes Unit on the
21 ground at the local precinct area. When individuals
22 go in and file complaints they're usually told based
23 on their scenario and what they have experienced that
24 it is more aggravated assault and not an actually
25 hate crime. That's why, um, I want to make sure that

1
2 there's an emphasis on the definition because on the
3 ground individuals are not being told that at the
4 local precincts. So that's number.

5 DIRECTOR LAUTER: OK.

6 COUNCIL MEMBER GIBSON: And then number
7 two, as you engage with, ah, different organizations
8 and obviously the rise in anti-Semitism and certainly
9 the evilness, and I call it evilness because you have
10 to really have an evilness in your heart to want to
11 impose violence on others, and it's really sad that
12 we've seen so much, particularly in the Jewish
13 community. Um, but I also want to acknowledge that
14 there's also hate happening in many other
15 communities, too. It's just not always in the paper
16 every day and people don't always feel comfortable
17 coming forth. So I represent Bronx County. I
18 represent a large concentration of residents from
19 West Africa. Some are Muslim and some are not. And
20 so I certainly would like to see you working with
21 organizations like [Setan Netu] that works solely
22 within the West African community that can help the
23 office understand some of the challenges that we face
24 and what we've been doing to work through that. And
25 then as you talk about the Neighborhood Safety

1
2 Coalition communities I wonder if that's almost the
3 same as the Safety Summit meetings that the NCOs are
4 offering. Sounds very similar, um, but certainly
5 engaging in the NCOs, community affairs officers, um,
6 and, and the work you're doing with DOE is also
7 critical and so I want to add another component and
8 that is the Cure Violence and crisis management
9 system. Many of those 22 different organizations are
10 already working in our communities with young people
11 and young adults. So just another layer of a
12 resource for our office to engage, because they
13 already have the relationships on the ground and they
14 can help you as you expand.

15 DIRECTOR LAUTER: Right. Thank you,
16 Council Member. I welcome to opportunity to come
17 meet people in your district and to sit down with you
18 and get that input as well. Thank you.

19 COUNCIL MEMBER GIBSON: Thank you very
20 much. Thank you, Chair.

21 CHAIRPERSON RICHARDS: Thank you.
22 Vallone, Deutsch, Miller. Deutsch, gone? Oh,
23 Deutsch is here.

24 COUNCIL MEMBER DEUTSCH: Deutsch is here.
25 Thank you, Chair. Ah, good afternoon. Welcome. So

1
2 you mentioned before this 428 hate crimes overall in
3 2019. How many of those do surveillance cameras,
4 witnesses, or some other source led to an arrest?

5 DIRECTOR LAUTER: I'll let my colleagues
6 in NYPD answer the ~~specifi~~specifics.

7 CHIEF PETRY: So I don't have the total
8 breakdown of, of, if, ah, we got probative video
9 which led, you know, mainly to that arrest. So I
10 don't have it broken down like that. And there's 181
11 arrests last year, ah, for hate crimes. Obviously,
12 video is, is, is a big part of an investigation, ah,
13 interviewing witnesses obviously a bit part of
14 investigation. You know, the, the, ah, the Hate
15 Crimes Task Force investigators are experienced
16 investigators that, ah, you know, know how to do
17 investigations, obviously. They have an expertise
18 in, ah, these types of crimes. So, well, there's a
19 lot of factors, ah, as far as how we, how we make an
20 arrest. You know, it could, it could have started
21 with a patrol officer, right? So a proper field
22 investigation and arrest by patrol at the time of the
23 incident. Then if, if we do not make the arrest then
24 the Hate Crimes Task Force investigates it and, you
25 know, that's more of the video canvasses, the witness

1
2 canvasses, the interviews of the complainant, the re-
3 interviews of the complainant, and hopefully a
4 culmination of an arrest.

5 COUNCIL MEMBER DEUTSCH: Thank you. Do
6 you have the ages of, um, a breakdown of the ages of
7 those who were arrested from the 181?

8 CHIEF PETRY: I do not have that.

9 COUNCIL MEMBER DEUTSCH: OK. I just want
10 to say for the record that, um, ah, I met with the
11 Brooklyn district attorney a few weeks ago regarding
12 the dispositions of all arrests of, ah, particular
13 the anti-Semitic hate crimes because we've seen an
14 influx of those, and only a few of the, those arrests
15 were actually going through the district attorney's
16 office, um, 'cause, 'cause in conjunction with Raise
17 the Age, ah, the law that passed, the Raise the Age,
18 most of them go through to juvenile court and they
19 end up with a corporate counsel. And what I was told
20 is also that most of those arrests there, there is
21 no, um, there's no charge of any crime, and it could
22 go on for years, it had gone for one year, two years,
23 at three years with basically it doesn't even closed
24 out. So I just want to ask. I think it's very,
25 extremely important that, um, that, um, the Office of

1 COMMITTEE ON PUBLIC SAFETY

2 Hate Crimes Prevention that you're in touch with all
3 five district attorneys, that when someone is under
4 18 and is identified that they should be offered at
5 least the education part when it's a property, when
6 it's a property crime. So this way they go through a
7 mandated, um, they could be offered to go through a
8 mandated, ah, training, so this way they understand
9 that whatever crime they committed, um, against
10 whichever, you know, ah, community, they should go
11 through that sensitivity training and understand that
12 they did something wrong, um, 'cause otherwise these
13 cases go on forever. And I tried to get a case, um,
14 a disposition of a case from last year, or two years
15 ago. There was no information on that, either. So I
16 think it's important that we, we work on this part
17 because every time there's an arrest nothing happens
18 after that. We don't, we don't get to know, the
19 public doesn't get to hear anything about that, and
20 the fact is because nothing is happening.

21 DIRECTOR LAUTER: Right. So...

22 COUNCIL MEMBER DEUTSCH: I think that's
23 extremely important. Um, secondly, I know that the
24 police commissioner has been very vocal on, on bail
25 reform, and you mentioned that in 2020 the first, ah,

1
2 the first month of 2020, um, hate crimes have gone
3 down, and how many, um, what is the reason? Do you
4 believe that the reason why there's a lower number of
5 hate crimes because of the discovery part of bail
6 reform or is it actual factual that incidents of hate
7 crimes went down?

8 DIRECTOR LAUTER: So, Council Member, if
9 I could address your first point, um, totally agree
10 with you in terms of, um, how we handle, particularly
11 youth offenders of hate crimes. Um, I mentioned in
12 my opening testimony that the Office for the
13 Prevention of Hate Crimes has been coordinating the
14 interagency committee, um, and we have all five DA
15 offices are sitting, um, on that committee,
16 representatives, and we are now in the process of
17 working in working groups and one of the specific
18 working groups is exactly what you're talking about
19 in terms of restorative justice. So we're looking at
20 models that have been effective in terms of taking
21 particularly youth offenders, um, teaching them the
22 consequences. What, what we have found is that the
23 kids, um, who are acting out and doing the swastikas
24 incidents in particular, know that they're doing
25 something bad, but they don't have a real

1 understanding about the meaning behind a swastika.

2 So, ah, I know you mentioned you met with the

3 Brooklyn DA's office. They did, I thought, a very

4 good program last summer where they took middle

5 school perpetrators to the Auschwitz exhibit and gave

6 them a real understanding of Nazi Germany. Um, those

7 are the kind of things we're looking at because, not

8 just to talk about the Holocaust, but we want, we

9 want kids to understand that, you know, bullying,

10 name calling can lead to prejudice, can lead to

11 stereotypes, can lead to discrimination, can then

12 lead to violence and worse. So it's, we refer to it

13 as a pyramid of hate and these kinds of programs we

14 believe will be very effective. So totally on Bard

15 with you, um, in terms of that. Um, in terms of the

16 numbers, I don't know if you want to address, I know

17 we can, why the numbers were down.

18 CHIEF PETRY: Sure, so, I mean, I think,

19 I think I understand your point. I mean, there's, I

20 don't think with the relatively low difference in

21 hate crimes I think we're down two versus last year,

22 ah, that we can say are based on discovery. Um,

23 people aren't coming forward. We, we seem like we're

24 pretty much in the same place as last year. But I

25

1
2 think your point is well taken and I think that, I
3 think there's been a consensus across the board, both
4 in the state and the mayor and the police
5 commissioner, when the point is made that reform was
6 in fact necessary, right? There were inherent
7 inequities in the system, so that needed to change.
8 However, there could be and there should be fixes
9 that are made to those laws, and to your point on
10 discovery, particularly about protecting victim and
11 witness, ah, identifying information or information
12 that may tend to identify victims and witnesses, not
13 to say that it can, um, be withheld forever, but, ah,
14 the rule of, ah, turn it over within 15 days is
15 somewhat problematic. Um, there could in fact be a
16 process put in that there's a presumptive protection
17 for victim and witness information, um, and then it
18 gets turned over later into ~~in~~ the process, ah,
19 before trial.

20 COUNCIL MEMBER DEUTSCH: So my, so if you
21 believe that the numbers of hate crimes are higher or
22 could be higher because of the discovery in the bail
23 reform part that people are not coming forward.

24 CHIEF PETRY: Well, I think what we can
25 say is that we seem to be roughly in the same place

1
2 versus last year. Ah, but there's certainly changes
3 that ought to be made, ah, to the laws to fix them...

4 COUNCIL MEMBER DEUTSCH: To the laws,
5 right.

6 CHIEF PETRY: To bring them into
7 alignment with a more victim-centric approach.

8 COUNCIL MEMBER DEUTSCH: Thank you. So I
9 just wanted to mention that, um, you know, I have my
10 [inaudible] on hate crimes at ~~CompStat~~COMPStat, which
11 I met with the NYPD a number of times and, ah, the
12 police commissioner made a commitment that he's going
13 to start discussing, um, the hate crimes at
14 ~~CompStat~~COMPStat, in addition, ah, also at the
15 community council meetings where the commanding
16 officer will also be discussing, ah, the hate crimes.
17 So I just want to mention that, um, because of the
18 discovery and, and the response that you just gave me
19 and also the police commissioner's, um, ah, being
20 vocal on the bail reform entirely, entirely, on bail
21 reform. So even if there isn't any hate crimes
22 within a precinct, um, I think that it's important
23 that the commanding officers at every precinct house
24 should continue speaking about hate crimes, although
25 even if there's no reports, but just to say, you

1
2 know, please, um, keep your eyes out, report it, we
3 have community affairs officers in the precinct, let
4 us know if you see something, say something to us.

5 CHIEF PETRY: Yeah, and I think the,
6 when, when you met with the police commissioner and
7 the police commissioner met with the council's Jewish
8 Caucus, I think those points were made. I think he
9 was, ah, open to that approach.

10 COUNCIL MEMBER DEUTSCH: Right, all
11 right, thank you so much. Thank you.

12 DIRECTOR LAUTER: Thank you, Councilman.

13 CHAIRPERSON RICHARDS: Council Member
14 Miller.

15 COUNCIL MEMBER MILLER: Thank you, Mr.
16 Chair. Good afternoon, and thank you for being here.
17 I have a couple of questions, firstly about
18 reporting. Um, let me digress a little bit. Ah, is
19 there a, are we finding that these, ah, hate crimes
20 are occurring randomly, demographically, or in
21 particular neighborhoods? Um, and I say that to kind
22 of say having been born and raised here in New York
23 City there was neighborhoods that weren't necessarily
24 open to everybody. Do you find yourself visiting
25 somewhere and, and the victim of a hate crime, or

1 COMMITTEE ON PUBLIC SAFETY 58
2 people coming into specific communities and
3 perpetrating these crimes?

4 DIRECTOR LAUTER: So I'll turn it over to
5 NYPD to talk about the statistics, but, um, there has
6 been no overall pattern, um, that to who's been
7 perpetrating the swastikas, but that being said we
8 can show that certain neighborhoods have been
9 targeted. So, I don't know if you have the breakdown
10 by boroughs or by neighborhoods with you?

11 CHIEF PETRY: Sure, I could give you, ah,
12 the borough breakdown, and I'll give you the NYPD
13 patrol borough breakdown. So as far as the
14 geographic borough breakdown, so New York County had
15 134 hate crimes, actually down from last year. That
16 is the second-highest reporting county. Ah, number
17 one reporting county is the County of Kings with 186,
18 ah, reported hate crimes last year. That was a raw
19 number increase of 59. So highest number, highest
20 raw number in, ah, the County of Kings, highest raw
21 number increase is, is also the County of Kings,
22 followed by Queens with 68, and followed by the
23 Bronx, with 28, and Richmond County having 12. As
24 far as the patrol boroughs, um, Brooklyn South had
25 100 and Brooklyn North having 86, and Manhattan

1
2 South, driving the number in the, in the county with
3 82 and 52 in Manhattan North, Queens South 23, and 45
4 in Queens.

5 COUNCIL MEMBER MILLER: OK, thank you.
6 That, that, not sure if that tells me what, what we
7 asked, but it is helpful.

8 CHIEF PETRY: Yes, I mean, again, when
9 you look...

10 COUNCIL MEMBER MILLER: If you take the
11 deeper dive as to who was, whether or not we know
12 someone who committed the crime was from the
13 neighborhood or the crime was committed on a victim
14 who was outside of their neighborhood was kind of
15 where we were getting to, if you have that
16 information it would be, but in the interest of time,
17 as you search that out, um, Madam Director.

18 DIRECTOR LAUTER: Yep.

19 COUNCIL MEMBER MILLER: Um, in terms of
20 reporting, I, I know in the statement you talked
21 about how we're, your, your unit is engaging
22 communities and visited multiple communities
23 throughout the city, which is great because you can't
24 cultivate a relationship in the moment of crisis.
25 And, and I think when that happens, um, we see kind

1
2 of, ah, cultures of, of underreporting, right?
3 Because of what may or may not happen and so, um,
4 being a African American Muslim I, I would submit
5 that perhaps these numbers may not be consistent,
6 right, but it also may be consistent with communities
7 that are culturally to say, ah, it happens, whether
8 it be that or the LGBTQ community, that it happens
9 and, and are we getting now into communities,
10 knowing, just having that initial dialogue that
11 people feel good about engaging authorities, whether
12 it be your unit, the police department, whatever,
13 saying that these unsafe conditions might occur so
14 that we can get to a preventive space.

15 DIRECTOR LAUTER: Right. So, Councilman,
16 those, those conversations are, I believe, critically
17 important. Um, obviously we're starting in Brooklyn
18 because we're still a bit in that reactive mode. But
19 what I've seen, um, again and again is that there's a
20 real hunger among New Yorkers to want to engage in
21 these difficult conversations. Um, and so to the
22 extent that we can foster those, um, you know, I
23 think it will have long-term positive impact for all
24 New Yorkers. Thank you for that input.

1 COMMITTEE ON PUBLIC SAFETY 61
2 COUNCIL MEMBER MILLER: And as my
3 colleagues all mentioned that, that obviously this
4 council here, whatever we can do to be supportive
5 we're, we're gonna do that.

6 DIRECTOR LAUTER: Thank you.

7 COUNCIL MEMBER MILLER: And then, Chief, I
8 heard of, ah, and it's sort of social media went
9 viral and I happened to hear these two young men
10 being interviewed on the radio who was recently, ah,
11 harassed and allegedly assaulted on, on a subway, and
12 they were, ah, African American and, and, and it may
13 be, not that it matter, LGBTQ as well, and, and, um,
14 by a, a white woman and, um, clearly she was being,
15 they were being harassed, but also, you know, they
16 were touched and other things happened, but they
17 walked into a precinct and they was essentially told
18 to man up and that she was, ah, we kind of know her,
19 she's a little off her, she's not all there, um, not
20 a big deal. Um, for a lot of reasons that's probably
21 not the way it should be handled and I'm not sure if
22 it was handled that way. This by virtue of their
23 story. Um, but if it is what confident do we have
24 moving forward that when those incidents take place
25 that people get comfortable doing that and are we

1
2 sending a message that these young men should respond
3 in a different kind of way? Are you familiar with
4 that?

5 CHIEF PETRY: I am not familiar with,
6 with that specific incident. Um, I will tell you
7 that it is the policy of the New York City Police
8 Department to take all complaint reports, ah,
9 whatever it is.

10 COUNCIL MEMBER MILLER: So I will
11 certainly get you the information because I'm, I'm
12 curious to know whether or not it was investigated or
13 taken, or what happened specifically in that, that
14 incident because, ah, as I said, I saw it on social
15 media, I saw the tweet and, and, ah, and, ah,
16 eventually they were on multiple radio programs and
17 telling their story. So obviously it's, it's
18 something that, that hit a nerve in, in those
19 communities that, um, if you go, ah, the authorities
20 are going to treat this differently and so we want to
21 make sure that services get delivered equitably even
22 in terms of that. And then finally, um, of these
23 hate crimes thus far this year has any of them been
24 attributed to someone who was out on bail, or should
25 have been out on bail?

2 CHIEF PETRY: I'm sorry, I didn't
3 understand.

4 COUNCIL MEMBER MILLER: Out on someone who
5 was out on bail...

6 CHIEF PETRY: Bail reform?

7 COUNCIL MEMBER MILLER: Or someone who was
8 home because of bail reform.

9 CHIEF PETRY: OK, I, I, as far as bail
10 reform, you know, re-arrests, bail-eligible felonies,
11 I don't have it broken down to who was arrested for a
12 bail-eligible felony that fits, ah, this criteria.

13 COUNCIL MEMBER MILLER: This, this
14 criteria.

15 CHIEF PETRY: Correct.

16 COUNCIL MEMBER MILLER: OK. Thank you.

17 CHIEF PETRY: You're welcome.

18 COUNCIL MEMBER MILLER: Thank you, Mr.
19 Chair.

20 CHAIRPERSON RICHARDS: Thank you for that
21 important question because when, you know,
22 generalities are thrown out we like data and data
23 helps to educate us, um, specifically on what things
24 we can do better and obviously we at the council have
25 not passed the state reforms, um, but one thing I

1
2 just want to caution everybody on is that data is
3 very important in helping us to determine which ways,
4 even if there is a reason to reform bail. So thank
5 you for that question, Council Member Miller. All
6 righty, thank you all for coming out.

7 DIRECTOR LAUTER: Thank you.

8 COUNCIL MEMBER MILLER: Thank you, thank
9 you for your work.

10 DIRECTOR LAUTER: Thank you, Chairman.

11 CHAIRPERSON RICHARDS: Thank you. All
12 righty. Ah, we're gonna hear from Lisa
13 Schreiberstorf from, the executive director from
14 Brooklyn Defender Services. David Katz, UJO of
15 Williamsburg. Saadyed, I'm messing this up, Muslim
16 Community Network. Rima ~~Ar~~ Ramadan, New York City
17 Anti-Violence Project, and Asenhathinha Gomez el
18 Puente. All right, let me just go through this.
19 Everybody's up.

20 LISA SCHREIBERSTORF: Hi.

21 CHAIRPERSON RICHARDS: Hi, how are you?

22 LISA SCHREIBERSTORF: I'm Lisa
23 Schreiberstorf. I'm the executive director of
24 Brooklyn Defender Services. Um, towards the end of
25 the prior testimonies we got to the point where we

1 were talking about the criminal justice reforms and I
2 really came here today to talk a little bit about
3 that, um, both as the lawyer for Tiffany Harris, ah,
4 the person who has been in the press quite a bit
5 around the issue of, um, hate crimes, and also as a
6 representative of thousands of people who get
7 arrested in Brooklyn every year, most of whom are
8 black or otherwise people of color. Um, primarily
9 what I really want to say is of course I think it's
10 important that we focusing on the issue of hateful
11 acts that are being perpetrated. I myself am a
12 Jewish person and of course it's deeply troubling to
13 me to see a rise in anti-Semitism. My family are
14 Holocaust survivors. So I in no way am I trying to
15 pooh-pooh all of this, ah, many discussions that
16 we're having, very real and very serious
17 conversations we're having about anti-Semitism. But
18 I want us to also decouple that conversation from a
19 lot of what I think is very inflammatory remarks that
20 are sometimes made about things that happen in the
21 community. And I appreciated the questions about
22 what is really a hate crime, how is that being
23 determined, and who is that against? And, um, I
24 really welcome you to read this testimony, actually
25

1 because it's one of the testimonies that I feel
2 really strongly about. I've written a lot of
3 testimonies in my years. But Tiffany Harris, in
4 whose name a lot of this conversation is happening,
5 is a person, you know, I can't really talk about the
6 privileged information, but publicly everybody knows
7 she's a person with a serious mental illness who has
8 been in the hospital since January 1, in a mental
9 hospital and, um, the assertion that, she, she was
10 out of jail on a prior case when she got arrested on
11 a case where she inflicted, I don't want to
12 characterize it, but she did an act that was,
13 involved touching others, I'm not minimizing it, um,
14 who were Jewish. But she's also been arrested for
15 the same act, which in my opinion comes, derives from
16 her mental illness, for many people who are not
17 Jewish. And I think determining what is actually a
18 hate crime versus what is not, especially when there
19 are people who have mental illness and who act out of
20 thoughts that are hard to understand, um, I think
21 it's really important that we do that. And I feel
22 like I need to stand up on behalf of my client, of
23 our client in my office, because her, what happened
24 with her is being used as an example of why the bail
25

1 laws are somehow impacting, you know, hate crime.
2 Which it just isn't, it's just not a thing that's
3 happening, and my concern with the legislation before
4 this body is that, it was just really shocking to me
5 when, when the police were going through some of the
6 statistics and they were talking about hate crimes
7 against black people and none of them were property
8 crimes. So they means they, they do not identify one
9 crime in the City of New York where the N1:53:20 @.@
10 word was scrawled on a, ah, you know, subway. In
11 other words, that's just not even part of this
12 dialogue and I would say that, um, we should be doing
13 a lot better job of separating what's a crime versus
14 what is really disgusting but is not a crime and all
15 this talk of what's a crime is really de-emphasizing
16 the importance of not having police engaging in this
17 type of growth that we're trying to do in the city,
18 which is very important. We're just trying to
19 impact, I think, a problem that we have but cannot be
20 impacted by more and more police interactions. The
21 problem with this legislation and with, and, look, I
22 thought that the people who spoke were very
23 heartfelt, but as it is, there's huge amounts of
24 communities that will not interact with the police
25

1 who themselves are victims, very, very much so, of
2 hate crimes all the time. I use the transgender
3 community as one very pressing example, especially
4 transgender people of color who themselves are
5 targeted by police for abuse. There are people who
6 have been in jail who themselves feel like victims
7 over racism by law enforcement, and have been, if you
8 look at the statistics in jail. These are not people
9 that are coming forward to report what happened to
10 them as hate crimes. And because of that the
11 emphasis now is on anti-Semitism, which, as I said,
12 as a Jewish person I am very happy that we're, we're
13 focused on this. But it is also missing some of the
14 point and it is using what I believe is some form of
15 racism against people of color who might or might
16 commit acts that that might involve Jewish people as
17 if the problem was that and actually driving a wedge
18 between the Jewish community and the black community,
19 particularly in Crown Heights in a place that has a
20 long history of racial divisiveness. And I just
21 really wanted to put that out there. I feel very
22 troubled by the fact that the number of crimes
23 against black people is so low, as defined as a hate
24 crime. And I think we need to do a lot of work now,
25

1
2 identifying what's a crime versus what is an act of
3 hatred and separating and segregating from the police
4 the responsibility for solving what is a very, very,
5 very serious social problem. Thank you.

6 CHAIRPERSON RICHARDS: Thank you. Thank
7 you for your testimony.

8 DAVID GATZ: Good afternoon,
9 distinguished Council Members. My name is David
10 Gatz. I'm the associate director of the United
11 Jewish Organizations of Williamsburg. I'm here on
12 behalf of our executive director, Rabbi David
13 Nederman, who wanted to join but had a prior
14 commitment, um, and I'm happy to deliver his support
15 in, ah, in, for the wonderful Office of the
16 Prevention of Hate Crimes and its leader, ah, Deborah
17 Lauter, that was created by this body. Williamsburg
18 has been one of the neighborhoods in New York City
19 hardest hit by this vicious spate of anti-Semitic
20 hate crimes to plague our area in recent years.
21 MoisheMoshe Deutsch, a resident of Williamsburg and a
22 volunteer of ours at the UJO, was brutally murdered
23 at the Jersey City kosher supermarket in December.
24 But well before Jersey, the Jersey City shooting, and
25 the machete attack in Monsey, Williamsburg, Crown

1
2 Heights, and other Orthodox areas of New York City
3 have been under siege with anti-Semitic assaults,
4 vandalism, and harm of Orthodox Jewish residents,
5 whose only crime is wearing their faith on their
6 sleeve. In July Tablet magazine released a map of
7 anti-Semitic incidents in New York City and they
8 tracked down, but they were able to track down since
9 2015, um, all the attacks in, in New York City. And
10 the results are disturbing and show how pervasive the
11 problem is and, ah, has been, and how difficult it's
12 going to be to tackle it going forward. The Office
13 for the Prevention of Hate Crimes is not here to
14 replace law enforcement, nor should be. Law
15 enforcement, law enforcement is the most critical
16 piece to protect communities from hate crimes and to
17 respond to those crimes in the event of an attack.
18 We also have to understand that the battle against
19 hate crimes should be multifaceted, necessitating an
20 all-hands-on-deck approach. It's important for all
21 hands to come together and that means all segments of
22 the local community where these attacks are happening
23 to come together. Their reach is deep in the
24 community and they're the ones who have the most
25 vested in keeping their communities and homes safe

1
2 and peaceful, and that's why the Neighborhood Safety
3 Coalition will be an important vehicle to accomplish
4 that. Speaking to kids in public schools in areas
5 where these attacks are happening is a must. Many
6 times we see young kids are the ones perpetrating
7 these attacks and this behavior is being learned
8 somewhere and it needs to be unlearned. In
9 Williamsburg we have met with the District 14
10 superintendent, Alisha Winnike, a number of times,
11 ah, with Deborah and with the Office of the
12 Prevention of Hate Crimes. We have spoken with
13 student leadership to hear from them why these
14 attacks are happening and what could be done to
15 prevent that kind of behavior. We've spoken with
16 principals, parents, to reach out to community youth
17 and learn from them and try to build bridges to stop,
18 ah, put a stop to the hate. We thank the City
19 Council again for the creation of this office and
20 appreciate the council's leadership on this issue and
21 the work you're all doing to put a stop to the spread
22 of hate crimes in the city. Thanks.

23 CHAIRPERSON RICHARDS: Thank you.

24 [inaudible] peace and good afternoon,

25 Chair Richards and the Committee on Public Safety and

1 thank you for hearing my testimony today. My name is
2 Rima Rahman and I'm the lead organizer at the New
3 York City Anti-Violence Project, AVP. AVP envisions
4 a world in which all lesbian, gay, bisexual,
5 transgender, queer, and HIV-affected people are safe,
6 respected, and live free from violence. Our mission
7 to empower LGBTQ and HIV-affected communities and
8 allies to end all forms of violence through
9 organizing and education and support survivors
10 through counseling and advocacy. AVP is only LGBTQ-
11 specific victim services agency in New York City and
12 the largest organization in the country, dedicated
13 exclusively to working with LGBTQ and HIV-affected
14 survivors of all forms of violence. As a member of
15 the NYC Against Hate Coalition, which last year
16 proposedproposed and advocatedadvocated for the Hate
17 Crimes Prevention Initiative, we worked with partners
18 and allies cross identity and citywide with the
19 collective goal of preventing hate violence. The
20 Office for the Prevention of Hate Crimes shares a
21 similar goal, ah similar goal, and also works with us
22 to strive to achieve it. With respect to Council
23 Member Treyger's Intro 1847, while we do think it is
24 important to respond to acts of hate violence in the
25

1
2 immediate, we don't think this office is the place to
3 call on to take that responsibility. The office is
4 meant to focus on hate violence prevention and not
5 crisis response. Community organizations are best
6 positioned and most trusted to notify impacted
7 communities about hate violence incidents and should
8 be funded to do this work, which also includes data
9 collection. Intro 1847 references violent hate crime
10 as the standard for this response work and we are
11 curious about how this is defined. At AVP we use the
12 phrase hate violence, a broader definition that
13 includes anti-LGBTQ bias incidents that may not
14 qualify as hate, as hate crimes, but are harmful to
15 individuals and the community at large. Crisis
16 response is valuable in ensuring immediate safety and
17 expressing solidarity with communities that have been
18 harmed. It does not address the symptoms and real
19 problems of hate violence. New York City must
20 support prevention that addresses the systemic
21 violence that our communities face and to address
22 hate crimes before they even happen. And the Office
23 of Prevention of Hate Crimes is part of that strategy
24 and, and needs to be able to focus on that work with
25 the staff that they have. At AVP we value work that

1 takes us towards prevention. While we do rapid
2 response work around hate violence, including
3 providing support to survivors and working with
4 communities to build safety in the aftermath of
5 violence, we also do the long-term work with partners
6 and members to ensure hate violence doesn't happen in
7 the first place. And we do this by involvement in
8 our communities, working across identities, political
9 education, and ~~deescalation~~deescalation tools and
10 unlearning and redefining what safety means to
11 communities vulnerable to hate violence. What we
12 know right now from members is that government should
13 trust our experience as vulnerable communities
14 exposed to hate violence to help shape what we think
15 response to such acts should look like. And they
16 should look to invest in community-based resources
17 that uphold values imbedded in restorative justice
18 and community safety. And AVP is at the ready to
19 continue our work with the council and city agencies
20 to support these efforts, and thank you.

22 CHAIRPERSON RICHARDS: Thank you for your
23 testimony.

24 SAAD~~HB~~ KASHKI: Good afternoon. My name
25 is Saad~~hb~~ Kashki and I deliver this testimony on

1
2 behalf of the Muslim Community Network, a civil
3 society-based, nonprofit organization that advocates
4 for and works with the city's diverse Muslim
5 population. Our work includes civic advocacy, such
6 as work on the Eid holiday campaign and introducing
7 halal/kosher food at NYC public schools, as well as
8 working with youth in Islamic schools doing diversity
9 education workshops with the DOE and private
10 institutions, as well as interfaith work with other
11 religious groups. We are partner organization with
12 the New York City Office of Hate Crimes Prevention to
13 gather data on hate crimes being experienced by the
14 Muslim community. Results from this surveil will be
15 used to create better prevention and enforcement
16 policies as well as creating public awareness about
17 the actual number of hate crimes, which is
18 significantly underreported. The reality of hate
19 crimes and experience of hate by the Muslim community
20 is not being reflected in data, policy-making, or
21 public perception. The Muslim community has not been
22 reporting the realities on ground due to factors
23 rooted in alienation and fear. This would include an
24 uneasy relationship with law enforcement,
25 unpunitiveitive immigration policies, lack of

1
2 education and language competency, lack of
3 information in the process and outcomes when
4 reporting a hate crime, as well as cultural barriers
5 due to law enforcement playing a negative role in the
6 majority of countries from where the Muslim community
7 originates. There are two large underlying factors
8 that are driving the external perception of Muslims.
9 Number one - federal, state, and local rhetoric.
10 From the White House to [inaudible] from anti-Muslim
11 rallies to Fox News, the rhetoric against Muslims has
12 been both harsh and incendiary, blurring the lines
13 for both the public and government agencies as far as
14 differentiating between ordinary Muslims and
15 religious extremists, who are indeed a clear,
16 present, and permanent danger. This in turn has made
17 the Muslim community fearful of interacting with
18 government agencies because while the political
19 leadership of NYC may speak favorably of Muslims, the
20 impact of the toxic rhetoric has had on people
21 actually working in government and law enforcement
22 has been felt by many within the community. This
23 should not at all be taken as a sweeping condemnation
24 of law enforcement or government employees, but just
25 an acknowledgement that people who already had a

1 biased disposition may feel emboldened due to anti-
2 Muslim rhetoric and those who are neutral may feel
3 swayed towards negativity. The second would be the
4 public perceptions towards Muslims has also sharpened
5 thanks to political rhetoric and this in turn has put
6 the Muslim community into a siege mentality of sorts.
7 In a situation where it is hard to tell ally from
8 oppressor, communities tend to recede into
9 themselves. This would also make them hesitant to
10 participate in any kind of activity such as reporting
11 a hate crime because they feel detached from both the
12 government and other communities and this creates a
13 perception of futility in trying to
14 receive justice. There are also several other
15 factors at play, such as the images of Muslims that
16 are projected from the media, as well as the types of
17 literature and training programs that actually
18 reinforce bias. Our response - MCN is working to
19 give Muslim victims of hate crimes a voice by
20 strengthening the reporting of data and also tackling
21 the issue of underreporting through creating strong
22 and transparent relationships with mosques, community
23 groups, and notable individuals within the Muslim
24 community. This is a process that is far more
25

1 COMMITTEE ON PUBLIC SAFETY

2 complex than it appears as conducting a hate crime
3 survey requires a safe environment as well as support
4 from local Muslim institutions within the
5 neighborhood in question. There are also multiple
6 languages spoken within the Muslim community
7 and to create a culturally appropriate survey for
8 each linguistic group is itself quite
9 challenge. I am please to report that progress is
10 rapidly being made in regards to connecting with a
11 mosque and organizations will assist in facilitating
12 our work. There is also a clear desire being
13 displayed by the community to relay their experiences
14 once they feel comfortable with the process and the
15 manner in which the survey is conducted. It is also
16 important to note that MCN is the only organization
17 working specifically on the Muslim hate crime issue
18 surveys with the Office of Hate Crime Prevention.
19 With all of this work we continue to need city
20 investment and funding to help us grow and expand on
21 our initiatives so as to build a society that
22 respects all of its diverse communities. If anyone
23 from the esteemed council or audience wishes to
24 discuss this further, in your case you have my card
25 and my information there, and for everyone else

2 please feel free to contact me at Saad@mcnny.org.

3 Please also look at our website at www.mcnny.org.

4 Thank you.

5 CHAIRPERSON RICHARDS: Thank you, and
6 just quickly how has your experience been working
7 with the Office to Prevent Hate Crimes?

8 SAAD KASHKI: [inaudible] has been
9 incredibly supportive.

10 CHAIRPERSON RICHARDS: Oh, you got a plug
11 already, OK.

12 SAAD KASHKI: I mean definitely. So I
13 have to say he's been a great ally and very open and
14 there's no, well, I'm not, obviously he's a very busy
15 person, but he always gets back to me and soon as
16 possible.

17 CHAIRPERSON RICHARDS: Good. And then El
18 Puente, are you familiar with the office? Has there
19 been outreach to organizations like, I'm sorry, your
20 Anti-Violence Project, sorry.

21 UNIDENTIFIED: Yes. No?

22 CHAIRPERSON RICHARDS: Yes.

23 UNIDENTIFIED: Yes, [inaudible].

24 CHAIRPERSON RICHARDS: El Puente as well?

2 UNIDENTIFIED: Is it AVP? Because the
3 question is [inaudible].

4 CHAIRPERSON RICHARDS: Oh, they, why did
5 I have El Puente?

6 UNIDENTIFIED: El Puente was the last name
7 [inaudible].

8 CHAIRPERSON RICHARDS: Oh, OK, well I'll
9 go ahead, oh, maybe they didn't come, oh, they didn't
10 come, OK, got you. All righty.

11 UNIDENTIFIED: [inaudible]

12 CHAIRPERSON RICHARDS: OK, got it. Um,
13 in UJO...

14 DAVID GATZ: Yes.

15 CHAIRPERSON RICHARDS: I'm assuming in
16 Williamsburg there's obviously been a lot of
17 challenges, um, what has the, have you experienced
18 working with the NYPD's neighborhood organizations
19 that they say they're pulling together? What has
20 that experience been like?

21 DAVID GATZ: The, ah, the Neighborhood
22 Safety Coalition?

23 CHAIRPERSON RICHARDS: Yes, yes.

24 DAVID GATZ: That, that just started. I
25 think last week they had their initial meeting, um...

2 CHAIRPERSON RICHARDS: OK.

3 DAVID GATZ: ...so it's gonna be a process
4 to work with all the community groups, ah, over
5 there. We look forward to, we're a part of it, um,
6 and we look forward to talking to our neighborhoods
7 and, and seeing what we could do to strengthen, um,
8 you know, the relationships on the ground.

9 CHAIRPERSON RICHARDS: OK. Awesome. All
10 righty. All right. Thank you all for your
11 testimony.

12 DAVID GATZ: Thank you.

13 CHAIRPERSON RICHARDS: All righty, we'll
14 move on to our last person, I believe. Anybody from
15 El Puente here, oh, OK, you are here. I called you
16 before. OK. All right, OK, no problem, we could
17 have brought a chair up. But we'll have Ms. Gomez
18 and we'll have Bruce Jacobs, Coalition of the
19 Rockaways. Is there anyone else who wishes to
20 testify? Fill out a, you want to testify? So you're
21 gonna fill out a slip and then you're more than
22 welcome.

23 ASENHAT GOMEZ: Good afternoon. I want
24 to thank the members of the Committee for Public
25 Safety as well as all the other city, City Council

1 members here today for their leadership and for
2 allowing me to speak on this issue today. My name
3 Asenhat Gomez, deputy director for programming at El
4 Puente, and I'm here on behalf of our executive
5 director, Frances Lucerna, as well as the youth
6 leaders and their families across the six afterschool
7 leadership centers, the MS-50 El Puente Community
8 School, the El Puente Academy for Peace and Justice,
9 as well as the community members we serve through the
10 El Puente North Brooklyn Green Light District
11 Initiative and our community arts programs. We are
12 here in support of the work of the Office for
13 Prevention of Hate Crimes and the Williamsburg
14 Neighborhood Safety Coalition that this office has
15 launched. Even if we did not have the honor to be
16 one of the coalition's initial members, we will be
17 one of its dedicated supporters, investing and
18 promoting a culture of love, compassion, and respect.
19 El Puente has fought for human rights, peace, and
20 justice in North Brooklyn for nearly 40 years. We
21 can attest that for decades Williamsburg's diverse
22 communities have come together in times of struggle
23 and in this critical moment we must do it again. The
24 recent violent attacks, especially those on our
25

1
2 Jewish sisters and brothers, have deeply shaken our
3 neighborhood and reminds us we must take concerted
4 efforts to come together and take action as one
5 united community against hate. That these incidents
6 are part of a wider patterns of hate and violence
7 against people of other faith traditions, against
8 immigrants, against our LGBTQ neighborhoods and
9 others, signals to us that we cannot do it alone. We
10 need the support and resources of the city to amplify
11 our efforts and empowered us with information so that
12 we can help lift our whole borough and our city. El
13 Puente, as our name in Spanish suggests, is committed
14 to building bridges with our neighborhood partners on
15 the Neighborhood Safety Coalition and the Office for
16 the Prevention of Hate Crimes to inspire unity and
17 understanding that will nurture a community of
18 respect for all. We look forward to City Council's
19 leadership and support in helping us do just that.

20 CHAIRPERSON RICHARDS: Thank you so much
21 testimony.

22 ANTONINE PEER: Thank you. Good
23 afternoon. My name is Antonine Peer and I'm the
24 deputy director of the Brooklyn Movement Center, and,
25 ah, good afternoon, Chairman Richards, members of the

1 Public Safety Committee, and thank you to the Mayor's
2 Office of Prevention of Hate Crimes for the
3 invitation to testify today. The Brooklyn Movement
4 Center is a black-led membership-based organization
5 of primarily low- to moderate-income central Brooklyn
6 residents. We build power and pursue self-
7 determination in Bedford Stuyvesant and Crown Heights
8 by nurturing local leadership, waging campaigns, and
9 winning concrete improvements in people's lives. BMC
10 received funding from the council last fiscal year to
11 do hate violence prevention work in central Brooklyn,
12 which we're centering around a type of black
13 intracommunity violence, attacks on black trans
14 women. In June 2019 the American Medical Association
15 named fatal violence against trans women as an
16 epidemic, citing also the disproportionate killing of
17 black trans women. Of the at least 26 trans or
18 gender nonconforming people violently killed in the
19 United States last year the Human Rights Commission
20 reports 18 were black, including Yahira Nesby, a 33-
21 year-old woman shot in Brownsville, Brooklyn on
22 December 19, 2019. Yahira performed sex work and her
23 suspected killer is a black cis gendered man who was
24 possibly a client. As we work to address hate
25

1 violence in hindsight I urge this committee to plan
2 proactively around the safety of black trans women.

3 The healthcare access afforded trans people in New
4 York City relative to much of the country attracts
5 them to move here, but the city fails trans people as

6 a whole on ensuring safety through legal employment
7 and affordable housing. Too often black trans women

8 pushed into sex work suffer violence at the hands of
9 cis gendered men whose masculinity is constructed in

10 opposition to femininityfemininity, queerness, and

11 trans identities. In their minds the violence they

12 dole out to people who are feminine, queer, and trans

13 affirms their dominance and by proxy their maleness.

14 This spring BMC will host several conversations with

15 cis gendered men in central Brooklyn about

16 transforming their own masculinity. How can black

17 men leave behind the dangerous expectations of

18 masculinity that justify unspeakable acts of

19 violence? How should they safely intervene in

20 instances of violence against black trans women?

21 There's nothing simple or straightforward about these

22 questions or their answers. Preventing all forms of

23 hate violence starts with transforming the self, then

24 extending that transformation into the broader
25

1 community. Preventing the murder of another Yahiraiia
2 Nesby will be the product of tearful conversations,
3 difficult realizations, and a continued commitment to
4 a long-term healing process. We hold undoing trauma
5 as a goal of a community healing process, equally
6 important to undoing hate. This is why we cannot
7 advocate for the NYPD to be a partner in responding
8 to hate violence, as the traumas black men and trans
9 women and black trans women have suffered from the
10 NYPD complicate and even impede a process of
11 community healing. Whether or not members of this
12 committee agree with the data showing NYPD
13 interactions are traumatizing to New Yorkers,
14 validating this widely held perspective is the first
15 step in addressing the nuance of how we experience
16 hate violence. In addressing harms and trauma,
17 policing cannot be both the problem and the solution.
18 More specifically in regards to Intro 1847, while the
19 Office of Prevention of Hate Crimes is more than
20 equipped to notify elected ~~offic~~officials of hate
21 violence incidents within 24 hours we have concerned
22 about the office's ability to mount a community-
23 centered rapid response that does not lead with
24 criminalization of community members. We have
25

1 learned that effective community-centered response
2 requires months and sometimes years of relationship
3 building, scenario planning, and leadership
4 development to execute in times of crisis.
5 Additionally, in studying the effectiveness of
6 neighborhood safety plans, we ask that safety plan
7 recommendations prioritize transformative justice and
8 healing solutions over relying on the carceral state.
9 We also request the data from community organizations
10 be included as the city works to define communities
11 "vulnerable to hate violence." As hate violence is
12 often underreported due to fraught community
13 relationships with law enforcement we are concerned
14 that the most vulnerable communities will be
15 overlooked in their time of need. In closing, I
16 would like to thank Cricket Nimmons, a transgender
17 rights advocate and friend of Yahira Nesby's with
18 whom I consulted for this testimony. Making the city
19 safer for black trans women ultimately means ensuring
20 the safety of all New Yorkers who are subject to
21 transphobiatrans phobia, misogynymisogyny, racism,
22 and all the intersections of these oppressions they
23 experience. We do this work with, not for, black
24 trans women, intentionally promoting their leadership
25

1
2 voices and experiences in the work. The reorganizing
3 of whose perspective is most prominent centers our
4 goals to affirm their inherent value in a world
5 organized to separate them from their humanity.
6 Thank you.

7 CHAIRPERSON RICHARDS: Thank you, and
8 we're gonna ask did, did we copy her written
9 testimony as well? Can we get a copy?

10 ANTONINE PEER: I, yeah, I have a copy.

11 CHAIRPERSON RICHARDS: OK, great, thank
12 you. Bruce Jacobs.

13 BRUCE JACOBS: Good afternoon, Bruce
14 Jacobs, Coalition of the Rockaways and southeast
15 Queens and [inaudible] religious freedom, US Navy
16 veteran, representative of the Red Fern Housing, I'm
17 all for this hate crime bill except for one thing. I
18 don't like the idea that everybody, it seems to be
19 like a nonprofit or whatever pushing the idea of hate
20 crimes. What about the regular, everybody's gonna
21 say to get more police in their neighborhood, they're
22 gonna say everything was a hate crime. Yes, we do
23 need the police to check the situation. In my
24 neighborhood, southeast Queens and Far Rockaway, with
25 this no bail and the idea the courts should be the

1
2 ones pushing the cases, not the [inaudible] of
3 letting out criminals in the streets without
4 programs, without anything to help them. Yes, we do
5 need the police. We need the police more than
6 organizations and vigilantes to take care of it. The
7 police are the qualified people. We, I understand
8 working with the police, but to say that the police,
9 to keep them away from somebody that's gonna ruin
10 somebody's life and say it was a hate crime when it
11 might have been a regular crime, that's a question.
12 In my neighborhood since the no bail there's people
13 hanging out in the streets doing whatever they want.
14 They have this idea they say that de Blasio is
15 hampering them. I've had discussions with de Blasio
16 where de Blasio said that's not true. The police in
17 my neighborhood claim that they can't stop anybody.
18 So you're gonna put all kind of money into hate crime
19 pacific. The problem with that is where are the
20 resources for the neighborhood that they're not gonna
21 get because we're spending all this ~~mon~~money
22 emphasizing on certain things. I went to [inaudible]
23 yeshiva so I know Brooklyn, the political, ah, aspect
24 of it. And of course I want protection for the
25 people and all different people. But I also want

1
2 protection for our neighborhoods where we can't, a
3 law-abiding citizen, walk up the street. I don't
4 want a vigilante and nonprofit telling me what to do.
5 I'd rather have law and order in our neighborhoods.
6 The thought that there is right now no law and order
7 in the streets, that's ridiculous. Look at our
8 statistics. That's what everybody is asking for,
9 statistics. Look what happened in Jamaica the other
10 day. Look what happened in Springfield Garden two
11 weeks ago. Look what happens every day when you walk
12 out to the street. A young kid who has to be
13 influenced because nobody could say anything about
14 arresting these people. The people that get suffer
15 the most in these neighborhoods is the people of
16 color, because if a guy like me walks to my corner
17 store I don't have a permit. But guess what, a young
18 kid going to the store for his grandmother or his
19 mother or family and being harassed by feeling sorry
20 for some guys 'cause the court, I agree with, you
21 know, with this council you want to try to help
22 program. The problem with this helping people is not
23 everybody is a gang member. You know, not
24 everybody...
25

1 COMMITTEE ON PUBLIC SAFETY 91
2 CHAIRPERSON RICHARDS: Can I ask you to
3 wrap up?

4 BRUCE JACOBS: [inaudible] You know, I
5 appreciate the work that you do trying, but we need
6 our safety in our streets and like I'm looking for
7 you, for you council people, to bring us back to
8 safety. Thank you.

9 CHAIRPERSON RICHARDS: Thank you. Ah, to
10 the organizations, just before we wrap up, um, I had
11 one question. Um, so just on the 24-hour
12 notification 'cause that's what this bill does and,
13 and partly one of the reasons I would say this is
14 important is because sometimes we're left in the
15 dark, um, even as elected officials, on incidents
16 that may occur, um, so I just wanted to get your
17 input on that a little bit, um, because we're not
18 necessarily taking much more of a heavier law
19 enforcement, um, solution here. We're pushing for
20 better notification so that we can have more of a
21 localized understanding, um, and approach to many of
22 the incidents, um, that do occur that may be
23 underreported or not reported at all in local
24 communities. So I just wanted to hear a little bit
25 more on that.

1
2 ANTONINE PEER: Yeah, absolutely. Ah, so
3 as stated in our testimony we definitely agree and
4 feel that the office is more than equipped to do
5 notifications of elected officials. Some of our
6 concerns are actually with, ah, some of our concerns
7 are that the bill language shows a certain
8 perspective on policing and hate violence that we
9 don't agree with. So while we're clear that that's
10 not the issue that's being discussed today we wanted
11 to be heard and known that we're looking for more
12 transformative justice solutions to dealing with hate
13 violence.

14 ASENHAT GOMEZ: I completely agree. And
15 what I want to say is in terms of the 24-hour
16 response that, um, you know, I think what's lacking
17 is what support systems are being offered to the
18 victims, right? So, yes, it is to report it to, you
19 know, whoever can support and be involved, including
20 the council members, but what support systems are
21 being offered to the people that are actually being
22 impacted? I think there should be some language
23 about that, um, because there was not a whole lot of
24 response about how are they connected, ah, and who's
25 responsible for connecting them to those resources?

1
2 CHAIRPERSON RICHARDS: All right. Thank
3 you all for your testimony. Thank you. That was
4 helpful. Thank you. All right, with that being
5 said, I want to thank everyone for coming out to this
6 public hearing. I want to thank, um, hold on, my
7 committee staff, Dan Urares, ah, Casey
8 ~~Addision~~Addison, Nevin Singh, and also congratulate
9 Tiffany Easton on her first hearing. And with that
10 being said we got a lot of work to do to make sure
11 that tolerance is more than a slogan in New York
12 City, but the solution all lies with each and every
13 one of us every day. So thank you for coming out.
14 [gavel]

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 21~~1~~6, 2020