



NEW YORK STATE SENATOR

Daniel L. Squadron

Squadron Intros Bill To Curb Gun Access For Hate Crime Offenders

DANIEL L. SQUADRON April 25, 2017

| ISSUE: **HATE CRIMES, GUN SAFETY, GUN VIOLENCE, COMMUNITY SAFETY, CRIME**



With Hate Crimes on Rise, State Gun Laws Don't Consider Hate Crime Convictions, Leave Communities Vulnerable

Squadron's Common Sense Proposal Addresses Gun Law Hate Crime Loophole

NEW YORK – State Senator Daniel Squadron announced legislation to help protect communities from gun violence by prohibiting hate crime offenders from legally purchasing firearms ([S.5569](#)). Squadron bill comes in response to a sharp uptick in hate crime reports, as national political rhetoric has become increasingly hostile towards many of the populations

covered under hate crime laws.

Squadron's bill would include hate crime conviction as a "serious offense" that restricts access to firearms. In March, Governor Cuomo and Mayor de Blasio noted that hate crime reports in NYC had more than doubled, and that for the end of 2016, statewide numbers outside of NYC had also doubled when compared to the preceding year^[1].

"We've all seen the disturbing and violent impacts of hatred -- it's common sense to keep guns out of the equation," said **State Senator Daniel Squadron**. "As the politics of hatred and fear continue to fuel violence in our communities, it's urgent we help ensure safety. Thank you to Assemblymembers Walker and Kavanagh, the Center for American Progress, New Yorkers Against Gun Violence, Americans for Responsible Solutions, and the Brady Campaign for standing together against hate-fueled violence."

"Guns and a demonstrated propensity to commit crimes of hatred can be a particularly dangerous mix," said **Assemblymember Brian Kavanagh, Chair of American State Legislators for Gun Violence Prevention and New York Legislators for Gun Violence Prevention**. "I am proud to support this legislation which would keep guns out of the hands of those who have been convicted of such crimes, a meaningful step forward in our ongoing efforts to keep our communities safe."

"The use of a gun in the commission of a hate crime turns an already vicious crime into a potentially fatal encounter," said **Chelsea Parsons, Vice President of Guns and Crime Policy at the Center for American Progress**. "This bill is a crucial step in disarming hate in New York and helping ensure the safety of every community across the state."

"Guns and hate are a lethal mix that cannot be tolerated. With hate crimes on the rise, this bill is crucial for the safety of New Yorkers, particularly those who are vulnerable to bias

attacks and communities disproportionately impacted by gun violence,” said **Rebecca Fischer, Executive Director, New Yorkers Against Gun Violence.**

“Hate turns deadly when dangerous people are able to get their hands on guns. And we know that Brady background checks work to keep guns out of those hands - the hands of the people we all agree shouldn't have them. The Brady Campaign supports this effort to disarm hate and keep all New Yorkers safe,” said **Kim Russell, regional organizing manager with the Brady Campaign to Prevent Gun Violence.**

“Every year, tens of thousands of hate-based crimes involve a gun, and the results are devastating. Doing more to make sure those motivated by hate and bias do not have easy access to a gun makes sense and will help make New York a safer place,” said **Robin Lloyd, Director of Government Affairs, Americans for Responsible Solutions.** “We thank Senator Squadron for championing this important legislation and we urge the New York Senate to swiftly pass this life-saving bill.”

A majority of hate crime convictions in New York are misdemeanors^[2], some of which may not be covered under existing gun safety laws. New York has been the site of a number of high-profile hate-fueled crimes, including the racially-motivated murder of Timothy Caughman in March, religiously-motivated attack on NYPD Officer Aml Elsokary in December, and countless reports of anti-LGBT incidents as well as swastika vandalism and threats against the Jewish community.

The Center for American Progress (CAP) has found that from 2010-2015, roughly 46,500 hate crimes “involved the use or threat of a gun” (previous statistic^[3]). According to CAP, Minnesota, Oregon, and New Jersey already have similar public protection laws on the books, while Delaware, Maryland, and Massachusetts have laws that provide some of these same protections^[4], and the Brady Campaign to Prevent Gun Violence reports similar legislative efforts are underway in other states and in Congress^[5].

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- [1] <https://www.governor.ny.gov/news/governor-cuomo-and-mayor-de-blasio-announce-increase-reward-any-information-leading-arrest-and>
- [2] <http://www.criminaljustice.ny.gov/crimnet/ojsa/hate-crime-in-nys-2015-annual-report.pdf>
- [3] <https://www.americanprogress.org/press/release/2016/02/24/131653/release-cap-report-finds-43000-hate-crimes-involved-guns-from-2010-to-2014-calls-for-legislation-barring-individuals-convicted-of-misdemeanor-hate-crimes-from-obtaining-guns/>
- [4] <https://www.scribd.com/document/300199519/Hate-and-Guns-A-Terrifying-Combination>
- [5] http://www.bradycampaign.org/sites/default/files/The-Fight-to-Protect-23-Years-of-Lifesaving-Success_BradyCampaign.pdf

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RELATED LEGISLATION

2017-S5569

- Introduced
- - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Categorizes hate crimes as serious offenses in relation to possession of firearms; repealer

April 13, 2017

In Senate Committee Codes

Sponsored by Daniel L. Squadron

Do you support this bill?