



NEW YORK STATE SENATOR

James Tedisco

## Tedisco & Eichenstein Call for New Bipartisan Bill to Add Antisemitic Desecration of Cemeteries to Hate Crimes Law

JAMES TEDISCO May 16, 2024

| ISSUE: [CEMETERIES](#), [VANDALISM](#), [ANTISEMITISM](#);, [HATE CRIME](#)



In response to vandalism at Jewish cemeteries in Rotterdam and elsewhere, Senator Tedisco and Assemblyman Eichenstein introduce new bipartisan legislation to help fight surging wave of antisemitism and add cemetery desecration to hate crimes statute

Senator Jim Tedisco (R,C-Ballston Lake) and Assemblyman Simcha Eichenstein (D-Brooklyn) today announced new bipartisan legislation they are sponsoring to fight a growing wave of antisemitism in New York State by adding the antisemitic desecration of a Jewish cemetery or any religious cemetery to the state hate crimes law.

Senator Tedisco and Assemblyman Eichenstein's legislation is in response to the rising incidents of antisemitism in New York State and across the nation following the October 7th Hamas terrorist attack on Israel that resulted in the deaths of 1,139 people and the taking hostage of 252 Israelis, Americans and others.

Last week, close to 100 headstones were damaged or overturned at the Jewish Memorial Park Cemeteries in Rotterdam, which is now being investigated by police. The cemetery is the burial ground for several synagogues located in Senator Tedisco's district.

In October, following the Hamas attack on Israel, a Jewish cemetery in *Watertown, NY* was vandalized. Antisemitic desecrations also have occurred in the past few months in Jewish cemeteries in Waterbury, Ct, Cleveland, Baltimore and Los Angeles.

According to the ADL, in 2023 post October 7th, antisemitic incidents across the United States increased *a whopping 337 percent* compared to 2022.

"Antisemitism, racism, intolerance, and hatred are the center of evil and must be opposed whenever they rear their ugly head. The antisemitic desecration of a Jewish cemetery or any religious burial site is truly a hate crime that's so repugnant, dastardly, and hurtful to the families and loved ones of those who have passed that it demands a heightened criminal penalty to send a message that New York State has zero tolerance for this disgusting form of evil," said Senator Jim Tedisco.

"Make no mistake. Desecrating targeted graves in a cemetery due to bias is an especially sinister and cowardly form of hate," said Assemblyman Simcha Eichenstein. "Committing hate crimes in these sacred places is disrespectful to the deceased and hurtful to their loved ones. It's our responsibility to speak out on their behalf and ensure that the perpetrators are brought to justice and prosecuted to the fullest extent of the law."

While law enforcement continues to pursue perpetrators of such incidents, hate crimes laws in New York State are silent on targeted cemetery desecration motivated by bias against race, color, religion, national origin, sexual orientation, etc.

Senator Tedisco and Assemblyman Eichenstein’s bill ([S.9297](#)) would include aggravated cemetery desecration in the second degree and first degree as specified offenses under New York’s hate crimes law. This measure would add these offenses to Section 485.05 and elevate aggravated cemetery desecration in the 2nd degree (currently a class E felony) to a class D felony, punishable by up to seven years in prison, and aggravated cemetery desecration in the 1st degree (currently a class D felony) to a class C felony, punishable by up to 15 years in prison.

“Silence is not an option in the face of this surging antisemitism. The last time the world was silent, over 6 million Jews were killed in the Holocaust. We can never let that happen again,” said Senator Jim Tedisco.

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#### RELATED LEGISLATION

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### **2023-S9297**

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- 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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Includes aggravated cemetery desecration in the second degree and aggravated cemetery desecration in the first degree as specified offenses for purposes of hate crimes

May 10, 2024

In Senate Committee [Codes](#)

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Do you support this bill?