



NEW YORK STATE SENATOR

Elaine Phillips

Senator Phillips Acts to Increase Penalties for Gang and Biased-Related Graffiti

ELAINE PHILLIPS February 7, 2017

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Senator Elaine Phillips (R-Manhasset) announced that the New York State Senate passed legislation creating stronger penalties for individuals who vandalize property with gang-related graffiti, deface places of worship with graffiti or graffiti targeting someone's religion or race. Senator Phillips cosponsored the legislation in the Senate.

“Destroying someone else’s property to promote gangs and encourage hate are serious crimes that deserve a more serious punishment. Strengthening penalties will send an important message that these despicable acts promoting violence and intolerance will not be tolerated in our communities,” said Senator Phillips.

The legislation would create class E felony charges for individuals who make graffiti:

- Promoting or encouraging gang related activities; or
- On religious buildings, structures, symbols or places of worship.

Additionally, the legislation would expand the existing crime of aggravated harassment to include graffiti which is motivated by factors such as a person’s religion, race or ancestry. It would create consistency under the current law, which covers certain symbols such as

swastikas, burning crosses and nooses, but not others expressing the same hateful sentiments.

Judges would be allowed to require offenders to personally clean up their mess under the measure.

The legislation has been sent to the Assembly for consideration.