



NEW YORK STATE SENATOR

David J. Valesky

Independent Democratic Conference's Religious Freedom Legislative Package Passes State Senate

DAVID J. VALESKY March 9, 2017

| ISSUE: **HATE CRIMES**

Bills to combat hate against religious groups after uptick in threats against JCCs and anti-Muslim incidents receive overwhelming support

Albany, NY — Members of the New York State Senate overwhelmingly approved pieces of legislation which are part of the Independent Democratic Conference's Religious Freedom package on Tuesday to combat hate-inspired crimes in New York State and to promote tolerance amongst those of different cultures and ethnicities.

The legislative package came on the heels of threats made against four New York Jewish Community Centers early last week, incidents of anti-Semitic and anti-Islamic graffiti on mass transit, and bomb threats as recently as yesterday in Brighton, DeWitt and Manhattan. Nationally, a wave of anti-Semitic incidents has occurred nationally, with 100 bomb threats called into JCCs and acts of cemetery desecration.

The Senate passed legislation to:

- **Create a specified offense for graffiti making as a hate crime** - Currently graffiti is a class A misdemeanor, but S.4777 sponsored by **Senator David Carlucci (D-Rockland)** would elevate this offense by one degree to a class E felony, if graffiti is made to target a person's race,

color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation.

- **Heighten penalties for damaging property in a house of worship or desecrating a cemetery -** Criminal penalties are elevated by a degree for damaging property or stealing property in a house of worship and desecrating or raiding valuables from a cemetery, under Senator Klein's S.1786.
- **Prohibit funding to college groups that participate in boycotts of Israel and other countries that have a Regents chartered school -** State aid would be prohibited from funding any academic entity or activities if engaged in a boycott of Israel or other countries.

"It is clear from the events across the country that swift action must be taken against those who try to intimidate people based on their ethnic, religious or racial background. The legislation we passed today will send a strong message that these crimes are taken seriously in New York. I will continue to ensure that law enforcement has the tools to tackle these types of offenses," **said IDC Leader Klein.**

"Threats and acts of hate directed at New Yorkers based on their religious beliefs cannot be condoned. This new legislation increases penalties for those who choose to perpetrate crimes against citizens who only wish to practice their religion in peace," **said IDC Deputy Leader David Valesky (D-Syracuse).** "I'm pleased that the Senate passed these bills quickly in response to recent anti-Semitic and anti-Muslim incidents."

"These hateful acts continue to happen in too many of our communities and it was critical that we act quickly to send a message that discrimination will not be tolerated in New York. In the last several months hate crimes have drastically increased, creating the need for stronger punishments for those who commit crimes like race or religious based graffiti. By

making specific types of graffiti a hate crime, we will fight back against discrimination and reduce an ugly trend that has developed throughout our country," **said Senator David Carlucci.**

"It is unacceptable that any individual or group should face discrimination because of the God they worship. The vandalism that has been reported on sacred religious ground as of late is appalling and runs contrary to the values and ideals of our state and our country. I am proud to support this bill, and the entire Religious Freedom Package that the IDC presented, and the continued religious freedom it will bring to many New Yorkers who struggle with adversity every day," **said Senator Tony Avella.**

"New York has the largest Jewish population outside of Israel and a rich diversity of numerous cultures and backgrounds from countries around the world that allow our communities to thrive. It is for these reasons that bold and swift action are necessary in order to provide our people of all creeds with the peace of mind that these hate-crimes will be promptly met with the full force of law," **said Senator Diane Savino (D-SI/Brooklyn).**

"We are not going to tolerate hate-inspired crimes against any New Yorker. There is no room for violence of any kind, especially violence against a person because of his or her religious beliefs. Freedom of religion was the foundation of our nation, so it is atrocious that people are committing crimes against particular religious groups. I am glad we introduced the Religious Freedom Package to combat hate and I want to thank the Senate for passing these measures," **said Senator Jose Peralta (D-Queens).**

"With the NYPD reporting that hate crimes overall are up 55% so far this year, and anti-Semitic hate crimes up a staggering 94%, the passage of this Religious Freedom package sends a timely message. We will not allow our friends and neighbors to be intimidated or marginalized. New York will continue to champion the values of inclusion that have served

us well for generations. I am proud to stand with my Senate colleagues and reaffirm our commitment to every New Yorker practicing their faith freely," **said Senator Jesse Hamilton.**

"Religious freedom and tolerance are cornerstones of our democracy, and in these challenging times, I am heartened by the New York State Senate's fast and decisive action to tackle the recent rash of hate crimes in our state and across the nation. This legislative package, passed with overwhelming support, sends a clear message that New York will always be a place that welcomes people of all faiths,"**said Senator Marisol Alcantara (D-Manhattan).**

The Senate already passed legislation to increase penalties for bias-related graffiti and graffiti on religious property when the act of vandalism occurs at a house of worship, a chilling effect occurs. This legislation, S.1785, sponsored by Senator Klein adds a penalty of a class E felony and aggravated harassment for this offense. It also allows the courts to order vandals to clean up their graffiti.

RELATED LEGISLATION

2017-S4777

- 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
-

Makes graffiti a hate crime

February 28, 2017

In Senate Committee [Codes](#)

Sponsored by [David Carlucci](#)

Do you support this bill?

2017-S1786

- 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

-

Enhances criminal penalties for criminal mischief and larceny offenses committed at a place of religious worship

January 10, 2017

In Senate Committee [Codes](#)

Sponsored by [Jeffrey D. Klein](#)

Do you support this bill?

2017-S4837

- 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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Prohibits the use of state aid by colleges and universities to fund or provide membership in academic institutions that are boycotting a country or higher education institutions of a country

March 02, 2017

In Senate Committee [Higher Education](#)

Sponsored by [Jeffrey D. Klein](#)

Do you support this bill?