



NEW YORK STATE SENATOR

Jesse Hamilton

## Senator Jesse Hamilton Announces 911 Anti-Discrimination, Anti-Harassment Legislation in Wake of Living While Black Incidents in Brooklyn and Across the Country

EAN FULLERTON August 15, 2018

| ISSUE: **HATE CRIME, RACIAL AND ETHNIC DISCRIMINATION, LIVING WHILE BLACK, CIVIL RIGHTS, HUMAN RIGHTS**



**Brooklyn, NY** – NYS Senator Jesse Hamilton announced his proposal for 911 Anti-Discrimination legislation today. Senator Hamilton’s proposal aims to combat the misuse of 911 and the many “living while black” incidents that have occurred, including the “campaigning while black” incident that happened to Senator Hamilton last Thursday at the

Prospect Park B/Q/S station entrance.

**NYS Senator Jesse Hamilton** said, “People of color should be able to eat lunch at college in peace. That’s not an emergency at Smith College for 911. People of color should be able to wait for a friend at a coffee shop in peace. That’s not an emergency at a Philadelphia Starbucks for 911. People of color should be able to knock on doors and to hand out campaign lit in peace. That’s not an emergency for 911 in Oregon or here in Brooklyn. Oregon lawmaker Janelle Bynum's knocking on doors in July and my handing out literature at this subway stop last week were not emergencies. These 911 calls are more than frivolous. These 911 calls amount to more than just a waste of police time and resources. These 911 calls are acts of intimidation.

“Living while black is not a crime, but making a false report – especially motivated by hate – should be. That is why I am introducing legislation today to add to the false reporting statutes to the list of hate crimes in New York State law. Our laws should recognize that false reports with hateful intent can have deadly consequences.”

The 911 Anti-Discrimination/Anti-Harassment Legislation Sen. Hamilton proposes would further differentiate among false reports, adding penalties based on the intent of the false reporting. The list of charges eligible for hate crimes sentencing enhancements would include First, Second, and Third Degree false reporting, increasing the penalties by one class for all three. In this instance, meaning the motivation for false reporting is a perception or belief about an individual’s race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. Senator Hamilton believes this change in law – adding false reporting to the list of crimes covered by hate crimes law and sentencing enhancements – sends an important message about the seriousness with which the State takes these potentially dangerous situations.

Last Thursday morning, Senator Hamilton was speaking with constituents at the Prospect Park (B, Q, S) subway entrance when a Trump supporter accused Senator Hamilton of supporting immigrants excessively. She objected to the senator speaking to constituents and called 911.

In addition to the 911 call against Senator Hamilton, recent “Living While Black” reports include:

- In April, a white woman, who has since been dubbed “BBQ Becky,” calling the Oakland Police Department to report picnickers having a barbeque.
- In April, a Pennsylvania golf course calling police on five black women they claimed were golfing too slowly.
- In April, two black men at a Philadelphia Starbucks being reported to the police and arrested.
- In May, a neighbor called the police on three departing Airbnb guests in California. One guest, Donisha Prendergast, who wrote, "Got surrounded by the police for being black in a white neighbourhood."
- In May, a white woman called police on a Yale graduate student taking a nap in a common room
- In June, a white woman, dubbed “Permit Patty,” called San Francisco police on an eight-year-old child selling water
- In July, Oregon State Rep. Janelle Bynum was knocking on doors when a neighbor called 911 on her
- In July, a Smith College employee called police on a Smith College student eating her lunch
- In July, a CVS manager in Chicago calling the police on a black woman over a coupon

## About Senator Hamilton:

Senator Jesse Hamilton has spent his entire career helping people, including over 15 years as President of the School Board and District Leader. He is a husband, father, and public servant delivering and fighting for one of the most diverse Senate districts in New York State.

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## RELATED LEGISLATION

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### **2017-S9149**

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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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Relates to including falsely reporting an incident as a specified offense for the purposes of hate crimes

August 15, 2018

In Senate Committee [Rules](#)

Sponsored by [Jesse Hamilton](#)

Do you support this bill?