



NEW YORK STATE SENATOR

David Carlucci

Senator David Carlucci Introduces Legislation to Combat Hate Speech on Social Media

DAVID CARLUCCI January 21, 2020

| ISSUE: **COMBATING HATE SPEECH, SOCIAL MEDIA**

(Albany, NY) -- Senator David Carlucci (D-Rockland/Westchester) has introduced new legislation to combat hate speech on social media, following an increased number of hate crimes across the country.

The Social Media Hate Speech Accountability Act will put in place best practices that social media companies and other online platforms must follow when taking complaints about hate speech. Hate speech is defined as speech or imagery, targeting a protected class, such as race, ethnicity, nationality, religion or beliefs, sexual orientation, gender identity or physical, mental or intellectual disability. Under the bill, it is required that the platform remove hate speech within 24 hours after a complaint has been reported.

Senator David Carlucci said, “We have a systemic problem in our society where people hide behind computers and attack people using hurtful and hate filled rhetoric. Social media has emboldened some people to be anti-Semitic, commit hate crimes, carry out mass violence, join terrorist organizations, and cyber bully one another. It is not okay anymore for social media platforms to say, ‘we cannot police every comment’ when sometimes comments incite violence or suicide. No one is saying freedom of speech must be limited, we are saying

hateful speech must be taken seriously.”

If a social media platform does not remove reported hate speech either intentionally or negligently, then the State's Attorney General can take action against the provider. The Attorney General can seek up to \$1 million for a violation and can increase damages up to three times that, if the company is found to have engaged in a pattern or practice of not removing such hate speech.

“While social media companies do have policies in place against what content is deemed hate speech or which can be removed, no one but the company is enforcing it. This bill will allow the State to take action and hold social media platforms accountable,” **said Carlucci.**

Following the December 28th attack in Monsey, residents said hate speech had been a common occurrence in Rockland County and a potential motivator of targeted violence. According to a 2018 survey done by the Anti-Defamation League, 59 percent of people believed hate and harassment make hate crimes more common, while 37 percent said they had experienced severe harassment online. 22 percent said they felt less safe in their community as a result of online hate and harassment.

In the U.S., social media has been a common tool among white supremacists to publicize their acts. In both the Charleston church shooting and the Pittsburgh synagogue shooting, prosecutors brought up social media, which allowed the gunmen to self-radicalize.

This legislation is part of a series of bills Senator Carlucci will be highlighting this week and calling on the Legislature to pass to combat hate. On Sunday, Senator Carlucci introduced legislation to create a domestic terrorism law.

2019-S7275

- 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 hate speech on internet platforms and social media networks

January 15, 2020

In Senate Committee [Consumer Protection](#)

Sponsored by [David Carlucci](#)

Do you support this bill?
