



Tuesday, May 3, 2022

**STATEMENT OF DEPUTY INSPECTOR ANDREW ARIAS
COMMANDING OFFICER OF THE HATE CRIME TASK FORCE
NEW YORK CITY POLICE DEPARTMENT
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEES ON PUBLIC SAFETY AND CIVIL AND HUMAN RIGHTS
REMOTE HEARING
TUESDAY, MAY 3, 2022**

Good morning Chair Hanks, Chair Williams and members of the Council. I am Deputy Inspector Andrew Arias, the commanding officer of the New York City Police Department's Hate Crime Task Force. I am joined here today by Michael Clarke, Director of the Legislative Affairs Unit for the NYPD as well as my colleagues from the Mayor's Office of Criminal Justice and the New York City Commission on Human Rights. On behalf of Police Commissioner Keechant L. Sewell, we are pleased to testify before your committees regarding the work of the NYPD's Hate Crime Task Force and our investigation of hate crimes in New York City.

I think we can all agree that hate crimes are particularly insidious crimes because of their intended effect on the safety and freedoms of entire communities. When perpetrators of hate crimes select their victims based on race, color, national origin, ancestry, gender, gender identity or expression, religion, age, sexual orientation or disability, they place an entire community that shares the same traits or beliefs in fear. Fear of being attacked on their way to run errands. Fear of letting their children walk to the local playground or to school. Fear of being themselves and living their lives openly without the type of oppression many immigrated to this country to escape.

New York City rightfully prides itself on its diversity, a true melting pot where people from just about every background live and work together. A City where hate and bigotry have no place and are not tolerated. Whether it is seven random attacks of Asian women in a single day, the deplorable graffiti of swastikas on Brooklyn Synagogues, or attacks targeting our Sikh community in Queens, the NYPD's Hate Crimes Task force is committed to thoroughly investigating such crimes and bringing these perpetrators to justice.

The recent pattern of hate crimes in the city is deeply troubling. There were 202 confirmed hate crimes between January 1 and May 1 of this year, in comparison to the 159 hate crimes in the same period in 2021. This is an increase of 27%. Anti-Semitic incidents increased the most this year, increasing by 72%. In the wake of the COVID-19 pandemic there was an alarming increase in hate crimes targeting Asian/Pacific Islander individuals. While hate crimes against our Asian community members are down 62% compared to 2021, with 67 last year and 25 in the same period this year, this number is still significantly higher than pre-pandemic levels.

Sadly, these trends are mirrored throughout the nation. The FBI reported more hate crimes in 2020 than it has since at least 2008. According to the Human Rights Campaign, 2021 was the deadliest year for transgender and gender non-conforming people in this country. The City and the Department are aware of these disturbing trends and we are taking action. With 20 investigators assigned to it, the Department's Hate Crime Task Force is the largest unit dedicated to the



investigation of hate crimes in the nation. Its mission is to vigorously investigate all reported hate crimes in the City.

Whenever members of the NYPD respond to a crime that has a *possible* bias element, the responding officers are required to notify the patrol supervisor. The patrol supervisor verifies the determination and is required to notify the commanding officer or duty captain. The duty captain or commanding officer is required to prepare an unusual occurrence report, which is sent to the Hate Crimes Task Force and the Chief of Detectives. The Hate Crimes Task Force then commences an investigation to determine if there is a bias element and crime that makes the incident in fact a hate crime.

The investigation of hate crimes is a team effort. The Task force is routinely assisted by precinct detective squads, evidence collection teams, patrol officers helping to identify witnesses, and Neighborhood Coordination Officers helping to locate and retrieve video, just to name a few.

The Task Force also works with other NYPD bureaus to help *prevent* such crimes. Hate crimes are discussed at CompStat meetings as well as with the local precincts so that they can appropriately deploy resources and be able to increase presence around potentially vulnerable locations. We speak with the precinct commanding officer and with our Community Affairs Bureau after any significant incident and we work together on a plan with outreach to the community. Moreover, we work closely with key members of the community to ensure that everyone is informed.

The Department's continuing partnership with the community remains the cornerstone of our neighborhood policing strategy and is especially important when dealing with incidents of bias. Our Liaison Unit and our Community Affairs Bureau have created working partnerships with members of the community and help us provide information to them. We also work very closely with the Mayor's Office to Prevent Hate Crimes. They will speak more about their work, but they are vital in helping to ensure coordination between government agencies and community organizations.

Last year, the NYPD Hate Crime Review Panel was formed to assist us in investigating hate crimes. This civilian panel reviews suspected bias crimes to determine whether the Department correctly classified the incident. This panel assesses the circumstances of cases that may have presented challenges in establishing whether a victim's actual or perceived race, national origin, ethnicity, religion, disability, or sexual orientation were motivating factors, and makes recommendations as to whether the evidence collected would support classifying the case as a hate crime. This provides another layer of rigorous review to ensure justice for victims.

We believe that transparency is key to the prevention of hate crimes. That is why hate crimes have been added to our public facing CompStat 2.0, which is updated weekly. Individuals can look at incidents in each precinct and see what crime was charged and where it occurred. Additionally, we publish more detailed data on our Hate Crimes Dashboard that is updated quarterly. The dashboard allows users to look at hate crimes in each precinct, broken out by the motivation and charge type. Finally, pursuant to a law passed by the Council, we publish quarterly reports on hate crimes, which are located on our website.

Tuesday, May 3, 2022



The NYPD is committed to working tirelessly to bring justice to victims of hate crimes and effected communities, and to work with our government, non-government and community partners in furtherance of an atmosphere of safety bred out of respect for one another's diversity.

Thank you for the opportunity to testify before you today and I will now turn it over to my colleagues.

**Testimony of Sapna Raj, Deputy Commissioner, Law Enforcement Bureau
New York City Commission on Human Rights
Before the Committee on Civil and Human Rights & the Committee on Public Safety
May 3, 2022**

Good morning Chair Williams and Chair Hanks and members of City Council. I am Sapna Raj, the Deputy Commissioner of Law Enforcement at the NYC Commission on Human Rights.

The Commission on Human Rights

The Commission on Human Rights is tasked with addressing and investigating violations of the New York City Human Rights Law, which is a civil, not criminal law. The agency's bias response team meets the needs of communities and victims who experience bias and discrimination, and works to contact victim(s) to inform them of their rights and provide guidance on possible responses. Today's testimony offers a brief description of complementary work of the Commission's Community Relations Bureau and the Law Enforcement Bureau.

Community-Centered Prevention and Responses

The Commission's Community Relations Bureau fosters inter-group relations, the core founding mandate of the agency, and works daily to prevent bias and discrimination, and to offer a rapid response whenever any acts of bias occur in New York City. In FY 22, the Commission revamped its approach to Bias Response from a reactive approach – responding to incidents after they occur – to a more holistic approach that focuses on prevention, solidarity, and community building. This is complementary to our ongoing business corridor outreach, which included materials on the hate impacting AAPI communities, as part of the Commission on Human Rights' "I Still Believe in Our City campaign." The Human Rights Commission adopted new tools of engagement like the multi-lingual Bystander Intervention Trainings and Restorative Justice Circles, and the Commission engaged in conversations and events to emphasize preventive work in communities. The Commission also continued to do significant outreach to build trust in communities so that it could be more effective in responding to potential harms. In FY 21, the Community Relations Bureau worked together with community-based organizations to host nearly 50 bystander intervention trainings in English, Mandarin, Korean, and Cantonese, empowering New Yorkers with the tools to be upstanders against bias and violence. During the same fiscal year, the Commission organized in-language Town Halls with other partners such as the Mayor's Office for the Prevention of Hate Crimes and the Mayor's Office of Immigrant Affairs, NYPD, and DA's offices. These events helped demystify the process of reporting bias incidents and hate crimes and improved the trust between communities and government.

Prohibitions on Discriminatory Harassment: The Role of Law Enforcement Bureau

The most well-known protections within the City Human Rights Law are the prohibitions on discrimination in employment, housing, and public accommodations. The Human Rights Law also has protections against discriminatory harassment. The discriminatory harassment provision creates a **civil cause of action** for any individual who is threatened or injured because of the individual's protected status. Claims under this provision do not require that a specific relationship – such as worker/employer, tenant/landlord, or customer/business owner – be established. As a result, individuals that face bias-motivated violence and harassment have the option of bringing civil claims to the Commission – in addition to reporting to the police – to assert their rights and obtain remedies.

Thank you for this opportunity to discuss the ways the Commission, and the Adam's Administration, are working to prevent and respond to bias and hate in New York City. We look forward to continuing this work in collaboration with NYPD, MOCJ, and the Council.

Mayor's Office of Criminal Justice
Testimony to the New York City Council
Committees on Public Safety and Civil and Human Rights
Oversight: Citywide Response to Hate Crimes and Discrimination
May 3, 2022

Good morning Chair Hanks, Chair Williams and members of the Committee on Public Safety and the Committee on Civil and Human Rights. My name is Deanna Logan, and I am the Director of the Mayor's Office of Criminal Justice (MOCJ). I'm joined today by Hassan Naveed, Deputy Executive Director for the Office for the Prevention of Hate Crimes (OPHC).

MOCJ advises the Mayor on criminal justice policy and is the Mayor's representative to the courts, district attorneys, defenders, and state criminal justice agencies, among others. MOCJ designs, deploys, and evaluates citywide strategies to promote safety, reduce unnecessary arrests and incarceration, and improve fairness. Recognizing that public safety cannot be achieved by law enforcement alone, MOCJ brings together community and institutional stakeholders to address the systemic issues that undermine the safety and stability of our neighborhoods. MOCJ strives to move our City forward by providing better resources and the access to supports needed to promote and maintain healthy communities for all New Yorkers. The Office for the Prevention of Hate Crimes (OPHC) was launched in 2019 and is part of MOCJ. OPHC also works closely with the Mayor's Community Affairs Unit to provide trainings and community education on preventing and responding to hate crimes. OPHC plays a unique and unprecedented role in city government by coordinating citywide hate crime prevention and response efforts. What we know from our work in community and with our city agency partners, is that there is not one single way to fight hate. The fight against hate requires a multi-pronged approach that engages community, city agencies, and law enforcement. OPHC carries out the efforts to prevent and respond to hate crimes through the interagency coordination of three intersectional pillars: Community Relations, Education, and Laws and Law Enforcement.

Interagency Coordination

In order to ensure effective coordination of city agencies who work to prevent and respond to hate crimes, OPHC has established the city's first Interagency Committee on Hate Crimes (IAC), composed of more than 20 city agencies, the New York City Police Department, and all five District Attorney Office's hate crime units. The IAC has coordinated immediate responses to hate crimes, implemented community-based strategies to combat hate, referred victims to services, and strengthened communication among all stakeholders working on hate crimes and bias incidents in the city. On the community side, OPHC created the city's first network of over 80 community organizations committed to standing united against hate. These organizations represent the immense diversity of New York City. OPHC serves as a bridge between city government and communities vulnerable to hate crimes.

Whether providing systemic analysis on hate crime data to city agencies or working with community organizations on neighborhood safety plans, OPHC plays an integral role in advancing a comprehensive strategic response to hate crimes that integrates government and community stakeholders.

As part of its interagency efforts, and in direct response to the increase in anti-AAPI bias incidents, in April 2020, OPHC convened the Stop AAPI Hate Interagency Working Group, comprised of several city agencies. The Stop AAPI Hate Interagency Working Group continues to meet and address the increasing hate crimes and bias incidents against Asian New Yorkers. The working group leverages the expertise and experience of city agencies and community-based organizations, ensuring that efforts are culturally competent, language-appropriate, and educational. In addition to directly addressing the anti-Asian incidents, the working group broadened its approach during the peak of the pandemic by engaging with all vulnerable communities on hate crimes and bias incidents and disseminating much-needed resources and information on COVID-19. OPHC has convened the working group on a regular basis since April 2020 to ensure effective coordination of programs and events.

Pillar 1: Community Relations

OPHC manages a **network of over 80 community-based organizations** committed to fighting hate through strategies that seek to strengthen relations between communities and educate the public on hate crimes. OPHC has worked closely with these community organizations and city agencies to produce virtual and in-person events that seek to raise awareness on hate crimes and bias incidents in multiple languages across all five boroughs. The following community initiatives comprise OPHC's community network: Partners Against the Hate (PATH Forward), and Community Advisory and Services Team (CAST). In addition, OPHC also coordinates and administers the City Council's Hate Crime Prevention Initiative.

Partners Against the Hate

Understanding the critical role that community organizations hold in preventing and responding to hate crime, OPHC launched P.A.T.H. Forward in May 2021, in order to provide the support that CBOs in communities vulnerable to hate crimes require to conduct their work. PATH Forward funds programs and services in the following areas: neighborhood safety, community relations, strategies to enhance hate crime reporting, education (including bystander intervention training), victim services, and data collection. Through P.A.T.H. Forward, OPHC invests \$2.4 million dollars into 6 anchor organizations. These organizations use and distribute the funding to over 50 + sub organizations that are actively combatting hate in our city.

In order to broaden its community engagement and provide innovative opportunities to New Yorkers, OPHC also launched the Hate Crime Prevention Innovation Grants, which provides up to \$20,000 of innovative community projects for individuals, organizations and schools.

Community Advisory and Services Team

In the last quarter of 2020, OPHC created the Community Advisory and Services Team (CAST) — a partnership with New York City community-based organizations that supports and elevates important grassroots work to serve the communities that are the most vulnerable to bias-motivated incidents and hate crimes so that our city is better positioned to improve services to respond to the needs of our diverse communities and ensure a safer, more welcoming New York City for all.

Pillar 2: Education

OPHC continues to expand its education offerings to all New Yorkers, both in schools and for the public. The primary focus of OPHC's efforts is to educate New Yorkers on hate crimes, bias incidents, the difference between the two, the overall hate crime reporting process, city and state laws, victim resources and services, and what New Yorkers can do to fight hate in their communities. OPHC also works with community organizations to develop curated trainings and events that educate all communities on a variety of issues related to hate crime, bias and discrimination. These trainings include *Preventing Hate Together*, which is a comprehensive one-hour interactive training on the basics of hate crimes and bias incidents, OPHC's community-based efforts, and how New Yorkers can stand up to hate and the biases and prejudices that can lead to bias or hate-based incidents of violence. *Preventing Hate Together* is offered at events that OPHC coordinates closely with its community organizations and other city agencies throughout all five boroughs. In these events, community members also engage directly with city agencies, including the NYPD.

In addition to community trainings, OPHC also produces educational fact sheets, victim guides, and other resources and information as needed throughout the year. OPHC's offerings include: 'What is a Hate Crime' guide, Hate Crimes Victim's Guide to Help, both of which are offered in 14 languages, as well as informational web pages on hate crimes and hate crime symbols.

In August 2020, as a complement its education efforts, OPHC launched "HeARTwork Against Hate," an art contest for New York City youth (ages 10-18) to creatively express the positive values that make NYC great, while raising awareness about how everyone can stand against all forms of bias, discrimination, and hate. The contest has proved a valuable teaching tool, and the 2022 winners were announced this spring. Their artwork will be displayed digitally throughout the City.

Pillar 3: Laws/Law Enforcement

OPHC works closely with the NYPD Hate Crimes Task Force, often serving as a bridge to affected communities. Through NYPD hate crime data and community engagement, OPHC identifies hate crime and bias incident trends, shares information with communities and city agencies, and develops comprehensive plans to address them.

Violent Hate Crime Notification System- Required by LL49 (2020)

Pursuant to Local Law 49 in 2020, OPHC, in partnership with NYPD, created a system to alert elected officials and affected communities whenever the New York City Police Department (NYPD) has determined that a potential violent hate crime has occurred. OPHC's distribution list for the notification system contains over 500 contacts, including

elected officials, Community Boards, and community-based organizations. Notifications include the hate motivation and the location, date, and time of the incident. OPHC uses these notifications to guide its response coordination and to connect to community organizations.

There are no easy answers and no quick fixes when it comes to fighting hate. As our testimony has demonstrated, OPHC is committed to deploying a wide variety of interventions in order to empower communities and coordinate government in the ongoing struggle against bias and hate. I'm optimistic that with Mayor Adams' vision of a bias-free New York, and the support of this body, that OPHC will continue to make a positive difference for all New Yorkers.

DISTRICT ATTORNEY

COUNTY OF NEW YORK

ONE HOGAN PLACE

New York, N. Y. 10013



ALVIN L. BRAGG, JR.

DISTRICT ATTORNEY

Testimony Before the New York City Council Committees on Public Safety and Civil and Human Rights

“Citywide Response to Hate Crimes and Discrimination”

Thank you Chairpersons Hanks and Williams and members of the Committees on Public Safety and Civil and Human Rights for the opportunity to submit this testimony regarding the New York County District Attorney’s Office investigations and prosecutions of hate crimes. My name is Chanterelle Sung and I am the Chief of Strategic Operations for the Manhattan District Attorney’s Office. I am grateful that our City and this Council is focused on combatting hate crimes and committed to responding to the urgent and grave situation our Office faces every day in Manhattan.

Hate Crime Prosecutions

The number of hate crime cases the Manhattan DA’s Office currently prosecutes remains at an unprecedented high number. We are currently prosecuting approximately 87 hate crime cases, which include misdemeanors such as, bias-driven spitting or liquid-throwing incidents, some of the most serious felonies such as murder and attempted murder as hate crimes, as well as everything in between, from unprovoked violent attacks against members of a certain protected identity, anti-Semitic graffiti and harassment cases, and more.

The largest category of hate crime prosecutions in Manhattan are anti-Asian, with 34 open hate crime cases. The second largest category of hate crimes are those against the LGBTQIA+ community at 24 cases. Our next two largest categories of current pending hate crimes are anti-Black at 11 open cases, and anti-Semitic at 10 open cases. We are also prosecuting anti-White and anti-Hispanic hate crime cases, among others.

The DANY Hate Crimes Unit

The Manhattan DA’s Office’s Hate Crimes Unit is currently comprised of a Chief, a Deputy Chief, two investigators, and an analyst, who supervise and provide investigative support to the trial division prosecutors who handle hate crime investigations and prosecutions. Their work is overseen and supported by two executives, myself for strategy and operations, and the Chief of the Trial Division, Joyce Smith, for case work.

The Manhattan DA’s Office Hate Crimes Unit works closely with detectives assigned to the NYPD’s Hate Crimes Task Force to investigate potential hate crime incidents, for instance, to

gather and review digital, forensic, or social media data and evidence, conducting interviews of witnesses and victims, and conferring on investigative strategies. The Unit also receives pre-arrest investigations directly from victims or witnesses who call the Hate Crimes Unit hotline number and will also conduct post-arrest investigation to determine whether an arrest made by local authorities should be charged as a hate crime.

Plan For Expansion

As District Attorney Alvin Bragg has said again and again, hate crimes affect not just the victim of the crime, but tear at the very fabric of society. New Yorkers of all backgrounds deserve to feel safe in Manhattan. We are committed to ensuring that Manhattan remains a safe and welcoming place for all, regardless of race, skin color, religion, gender identity, sexual orientation, or any other protected characteristic.

In March, D.A. Bragg testified before the New York City Council seeking \$1.6 million to fund the expansion of the Unit to include:

- Chief Hannah Yu
- 2 full-time Deputy Chiefs
- Multiple specially trained, cross-designated Assistant D.A.s from each Trial Bureau
- 2 investigative analysts
- 2 detective investigators
- 2 victim services staff members – including an AAPI Counselor and LGBTQIA+ Victim Service Advocate – at least one of whom will be fluent in Mandarin, Cantonese, or Korean
- 2 Community Partnership Coordinators, at least one of whom will be fluent in Mandarin, Cantonese, or Korean

This expansion is necessary because, in addition to the rising number of cases that need to be investigated and prosecuted, we must implement long-term prevention and deterrence solutions that focus on: community engagement; building our victim support services; enhancing cultural and linguistic competencies; conducting specialized hate crimes training for police and prosecutors; and furthering anti-bias and hate crimes education and awareness efforts. We have developed a comprehensive strategy for addressing hate crimes that is deeply informed by lived experience, law enforcement as well as community-based and victim-centered solutions, and extensive stakeholder engagement. With these resources, we will be able to effectively implement this strategy.

Significant Cases

Anti-Asian cases

We have stood with our AAPI neighbors as anti-Asian hate rocked Manhattan starting in 2020 and continued its vicious course.

On March 29, 2021, a 65 year-old woman of Filipino descent was brutally assaulted in broad daylight while on her way to church by defendant Brandon Elliot, who shoved, kicked and stomped

on the victim while making anti-Asian statements. The defendant was charged by indictment with one count of Attempted Assault in the First Degree as a Hate Crime, among other charges.

On April 23, 2021, a 61 year-old Chinese immigrant named Yao Pan Ma was in Harlem collecting cans when the defendant, Jarrod Powell, ran up to Mr. Ma from behind, knocked him to the ground, and then repeatedly stomped on Mr. Ma's head and kicked him in the head, face and neck. Mr. Ma sustained a traumatic brain injury and was placed on life support until he died of his injuries on December 31, 2021. The defendant made statements to law enforcement in which he claimed to have been attacked by two Korean or Japanese men the day before he attacked Mr. Ma but admitted that he did not report the alleged robbery to police. A Manhattan grand jury indicted the defendant for Murder in the Second Degree as a Hate Crime.

On February 27, 2022, defendant Steven Zajonc began a series of unprovoked assaults on seven Asian women on the east side of Manhattan between Houston and East 30th Streets during an approximately 3-hour time period. As a result of the attacks, six of the women suffered injuries, including lacerations and bruising to their faces, and one of the women was knocked unconscious by the defendant and treated at a hospital for a concussion. The defendant was indicted for hate crime charges for all seven incidents.

Most recently, defendant Christian Jeffers was charged by indictment with Attempted Assault in the First Degree as a Hate Crime and other crimes for an incident that occurred on March 8, 2022 inside the Union Square subway station. The defendant bumped into a 29 year-old Asian man and then asked, "You can't see me? You don't have eyes?", stepped on the victim's foot, and when the victim pushed the defendant away, the defendant struck the victim on the head with a hammer and then threatened his wife, also Asian, with the hammer.

Other Hate Crime Categories

On November 21, 2021, defendant Robert Gulliver shouted homophobic slurs and assaulted a gender non-binary person at the Oculus in downtown Manhattan. An indictment was filed charging the defendant with Assault in the Third Degree as a Hate Crime, among other charges.

An indictment was also filed against Jamal Idrissi for assaulting two Black men in Midtown on October 16 and 18, 2021, while saying anti-Black slurs. This defendant was charged with two counts of Assault in the Third Degree as a Hate Crime, among other charges.

Conclusion

Thank you for your time and dedication to ensuring that hate crimes are given the prioritization and attention necessary and for giving me the opportunity to submit this testimony. We are proud of the work we do every day to zealously combat hate crimes, and with the additional funding we have requested in next year's budget, we will be able to fully realize our long-term strategy. I know our Office, the Council, and this City share our values on this issue, and we look forward to continuing to work with all our partners to hold those who commit crimes in Manhattan accountable.



**Testimony of Michael E. McMahon
Richmond County District Attorney
Office of the Richmond County District Attorney
Before the Committee on Public Safety and Committee on Civil and Human Rights
Oversight: Citywide Response to Hate Crimes and Discrimination
May 3, 2022**

I: Introduction

Good morning, Chairwoman Hanks and members of the Public Safety Committee, and good morning to Chairwoman Williams and members of the Civil and Human Rights Committee. On behalf of the Richmond County District Attorney's Office ("RCDA"), we thank you for the opportunity to submit testimony regarding RCDA's efforts in responding to hate crimes and discrimination.

Let me begin by saying that at RCDA we are committed to working tirelessly to prevent hate from spreading on Staten Island. We take all instances of bias and hate crimes incredibly seriously and our Hate Crimes Unit works collaboratively with the New York City Police Department's (NYPD) Hate Crimes Task Force as well as the NYPD's Racially and Ethnically Motivated Extremism Unit ("REME") to thoroughly investigate these troubling cases and prosecute all hate crimes to the full extent of the law.

In particular, the NYPD REME Unit has gone above the call of duty in assisting my office's prosecutors in our Hate Crimes Unit to bring justice in these cases and ensure those who commit hate crimes are held responsible.

II: No Plea Policy for Hate Crimes after Indictment

As a reminder, hate crimes are those crimes that are motivated in whole or substantial part upon the perpetrator's belief about the victim's disability, age, religion, race, color, gender, national origin, ancestry, gender, gender identity or expression, religion, or sexual orientation. When a crime victimizes someone because of who they are, it does so much more than the immediate impact--it tears apart everything that makes our diverse and culturally vibrant city and country great and strikes fear into those communities that are targeted. The seriousness and wide-ranging ramifications of these crimes are why at RCDA we adhere to an internal policy regarding the prosecution of these cases, never allowing a defendant to plead away the hate crime once they have been indicted on a hate crime charge.

In addition to holding perpetrators of hate crimes strictly accountable under this policy, our office's Hate Crimes Unit is also led and directly supervised by one of our most experienced and senior ADAs, our Executive ADA for Trials and Court Operations.

III. Some Notable RCDA Cases

In recent years, our office has handled several notable hate crimes cases, some of which I will take an opportunity to highlight.

1) **Natalya Fedyk**: In April 2018, defendant Natalya Fedyk was arrested for burglarizing the apartment of a visually impaired and almost blind person while she lived in the same building. At trial, it was proven that the defendant knew the victim was visually impaired and that the disability was the reason the victim was targeted. After trial, Fedyk was convicted of Burglary in the Second Degree as a Hate Crime (P.L. §140.25-2/485.05[a]-1), a class B felony, and Burglary in the Second Degree (P.L. §140.25), also a felony. As a result, in February 2019, Fedyk received a sentence of five years in prison and three years of post-release supervision.

2) **Ralph Tedesco**: In March 2021, defendant Ralph Tedesco was arrested for writing racist graffiti on posters of several African-American candidates running for office on Staten Island. The defendant was also alleged to have scribbled racist slurs on multiple occasions on MTA bus stop vestibules. Mr. Tedesco pleaded guilty in November 2021 to Criminal Mischief in the Fourth Degree as a Hate Crime (P.L. §485/145.00[1]), a felony, and was ordered to complete a 26-session racial sensitivity program. Once the program has been completed the felony will be reduced to a misdemeanor.

3) **Gina Aversano**: Defendant Gina Aversano was arrested in July 2021, after a joint investigation by RCDA's Cyber Crimes Unit and NYPD's Racially and Ethnically Motivated Extremism Unit (a/k/a "REME"), for posting anti-Semitic material with swastikas throughout Staten Island. Defendant Aversano is also alleged to have posted flyers throughout Staten Island from the New Jersey European Heritage Foundation ("NJEHA"), a group determined by the Anti-Defamation League and Southern Poverty Law Center to be a white supremacist organization. Notably, NJEHA's reported main form of exposure is through the distribution of flyers and stickers which the group encourages followers to print out and place in their neighborhoods.

Defendant Aversano pleaded guilty on April 26, 2022, to Aggravated Harassment in the First Degree (P.L. §240.31[3]), an E felony, for placing a swastika on property without the owner's permission; and Making Graffiti (P.L. §145.60[2]), an A misdemeanor, for writing graffiti on a Muni-meter. As part of the plea, defendant Aversano must participate in an anti-bias education and treatment program for one year. Upon successful completion, the felony will be vacated, and the misdemeanor will remain. She will then be sentenced to a conditional discharge. However, if defendant Aversano is unsuccessful, she will be sentenced to 1-3 years in jail on the felony.

IV: Staten Island Hate Crimes Task Force

Next, let me tell you about our office's efforts to educate, empower, and unite the community to prevent hate crimes and spread kindness and tolerance while celebrating the diversity that makes our borough great.

In 2018, in direct response to the tragic mass shooting that occurred at the Tree of Life Synagogue in Pittsburgh we created the Staten Island Hate Crimes Task Force ("SIHCTF" or "Task Force").

Led by myself and Scott Mauer, CEO of Council of Jewish Organizations of Staten Island (“COJO”), the Task Force is composed of leaders who represent a wide-ranging number of communities historically targeted and victimized by hate-based crime and is committed to securing the right of every person to live their lives free from bias and hate on Staten Island. The Task Force seeks out, develops, and executes programming and other efforts to prevent hateful acts before they occur, particularly through education and immersive experiences.

In addition, the SIHCTF works together with all communities on Staten Island to develop solutions and inform residents that our differences make us stronger and that hate has no place in our borough. To this end, the Task Force creates educational materials for distribution to Staten Island students and the public, informing them of the many different populations that make up our borough and the meaning behind the symbols of hate often directed toward these individuals. Further, the Task Force works to develop legislative recommendations with the aim of strengthening protections for vulnerable groups.

Task Force members also serve as ambassadors within their own communities to promote greater understanding of those with diverse identities and experiences and works with fellow members to accomplish this outside their own communities to educate Staten Islanders of all ages about tolerance and understanding.

RCDA has hosted several initiatives and programs with the SIHCTF since its launch. Some of these programs include:

- **Staten Islanders Against Hate Campaign and companion Website**

In August 2021, RCDA launched the “Staten Islanders Against Hate Campaign” and companion website, www.statenislandda.org/silove/ or SILOVE.org, which is modeled after the successful “Staten Islanders Against Drug Abuse” campaign and SIHOPE.org. The site features profiles of several SIHCTF members, information on what is and is not a hate crime, educational efforts, and a full resource listing of the members and what they have to offer to the people of Staten Island. In sum, this new tool provides information and resources for Staten Islanders of all ages to learn about hate crimes as well as our efforts to prevent the spread of intolerance in our borough.

- **Day of Action**

In October 2021, and as part of the “Staten Islanders Against Hate” campaign, RCDA hosted a “Day of Action” event at Clove Lakes Park where SIHCTF members and community volunteers from Staten Island promoted the message of love and tolerance by asking businesses to show their support by placing a “Staten Islanders Against Hate” banner in their window. The event also had free food, drinks, music, performances from cultures around the world, and many people in attendance received a “Staten Islanders Against Hate” tee-shirt. I remember stating at this event that, “it was [and still is] my firm belief that the diversity of our island makes us stronger, not weaker, and that celebrating these differences is a key component in fighting back against hate.”

- **Rise Above with SILOVE Initiative**

In February 2022, RCDA hosted “Rise Above with SILOVE,” a week-long social media campaign throughout multiple business corridors on Staten Island. The goal of the initiative was to bring awareness to what RCDA and the SIHCTF has been doing to bring love, peace, and unity to the community in light of recent hate crimes occurring across New York City. This week-long campaign concluded on Valentine’s Day, February 14, 2022, with myself and liaisons from my

office's Community Partnership Unit ("CPU") distributing SILOVE materials in person to Staten Islanders who are too often targets of hate-based attacks.

- **What You Do Matters: Lessons from the Holocaust**

In November 2019, RCDA convened a special ethical leadership program with SIHCTF community leaders and NYPD officials at St. John's University's Grymes Hill campus entitled, "What you Do Matters: Lessons from the Holocaust." In this three-hour program, law law enforcement professionals in collaboration with the United States Holocaust Museum taught a program to reinforce the principle that "never again" is more than just a slogan. Facilitated by law enforcement professionals, the program explores the process by which police in Nazi Germany went from protectors of the people to enforcers of Nazi ideology. By the end of the course, participants are prepared to apply what they have learned to their day-to-day activities to help them better serve their communities.

- **Forums to Educate and Raise Public Awareness About Hate Crimes**

The Staten Island Hate Crimes Task Force has also hosted forums with NYPD's Hate Crimes Task Force and community leaders at mosques, churches, and synagogues throughout Staten Island dedicated to raising awareness, educating the public about hate crimes, and combatting and preventing hate crimes.

- **Bringing Together a United Front Against Acts of Hate**

Lastly, when horrific acts of hate have sadly occurred on Staten Island and throughout the City, the SIHCTF has come together to stand as a united front in solidarity to condemn these acts and uplift our community. Some examples include:

- On May 28, 2019, after someone spray painted the deplorable words "Synagogue of Satan" on a wall of the Chabad of Staten Island, I, along with community leaders and other elected officials, came together to denounce these acts and paint over the heinous graffiti.
- On March 30, 2021, I attended a vigil with community leaders at the Snug Harbor Cultural Center to support the Asian and Asian-American community and stand in solidarity with them amid rising acts of violence and hate against Asians and Asian-Americans across the United States.
- On May 26, 2021, after a citywide spike in hate crimes, the SIHCTF organized a bipartisan and interfaith press conference on the steps of Borough Hall to condemn these heinous acts.
- On January 17, 2022, after a College of Staten Island student was attacked in Brooklyn for wearing clothing that showed his Jewish heritage and a hostage incident at a synagogue in Texas, the SIHCTF and elected officials from across the Island held a press conference at Borough Hall to denounce the attacks and hateful actions against any ethnicity or religion.

VI. Citywide Collaborations

A couple of years ago, the Mayor's Office formed a Citywide Hate Crimes Taskforce, which includes representation from the District Attorney's offices. My staff regularly attends meetings of this taskforce and participates in its collaborative efforts.

Similarly, last year, my office joined with the city's other DA's offices and the Anti-Defamation League to host a Hate Crimes Symposium that provided continuing legal education credits to lawyers across the country. These efforts are important to help harness the specialization and expertise of prosecutors across New York to educate and help prepare new generations of prosecutors.

VII. Conclusion

I hope it is clear from the broad scope of my testimony that my office takes the prosecution of and prevention of hate crimes incredibly seriously. We continue to make the eradication of hate driven crimes a priority and look forward to continuing to work with our partners in NYPD, in the community, and across government to make our City safer for everyone regardless of the fabric of who they are.

Thank you for convening this hearing on this important issue. I would be happy to take any questions you may have.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON PUBLIC SAFETY AND
COMMITTEE ON CIVIL AND HUMAN RIGHTS - OVERSIGHT HEARING
MAY 3, 2022**

My name is Jumaane D. Williams, I am Public Advocate for the City of New York. I would like to thank Chair Hanks and Chair Williams for holding today's hearings on the terrible hate crimes and discrimination in our City.

It has become clear since the pandemic that hate crimes in our communities have skyrocketed. In fact, this pandemic has only exacerbated the racial inequities that long plagued our city. I want to lift up the communities constantly targeted because they face, sometimes on a daily basis, discrimination over their identity, gender, or religion. The Council has heard stories from advocates and people themselves of a surge in hate crimes and discrimination.

No matter what people look like, no matter who they are, no matter how they worship, we are all New Yorkers. We have seen a dramatic increase in harmful rhetoric targeting multiple groups of people, including from our former president, contributing to where we find ourselves today. It has divided us. It is important to push back against this hateful rhetoric that too often is reduced to policy differences. Black, Latinx, Asian, and Indigenous communities deserve transformative changes that match the severity and scope of this crisis.

In the face of this hate, we need to come together as a City and create a space that prioritizes the well-being of vulnerable communities. We need to combat hate with proper education as found in numerous initiatives pushed by the City. The administration should ensure that it provides sufficient resources for community organizations in the upcoming adopted budget. These organizations know how important their work is in stopping hate and making sure people get the resources they need.

The administration's recent executive budget does provide more City funding for the NYPD. In fact, the administration is providing \$539 million in additional City funds for the upcoming fiscal year. Let me be clear, we know that law enforcement has a role to play. At the same time, we cannot just decide policing is the sole answer to these problems. Community organizations addressing social needs must be central to changing how we operate.

The administration should not consider overlooking programs such as the Hate Crime Preventive Initiative in favor of its tough-on-crime approach. There are acute situations where law enforcement is needed, but those only work when situations that require non-police intervention are also addressed. That is why it is critical for our administration to prioritize community groups and their funding requests in the City's budget.

We need to target the root causes of this form of violence. I am concerned that the administration's priorities do not account for the root causes. At a March 18th Committee on Public Safety hearing, the NYPD testified that it made arrests in 50 percent of hate crime cases. Notably, in that same hearing, it was found that 15 percent of that 50 percent led to convictions. We need to ask ourselves if our strategies are working to reduce violence threatening people. I do not believe it is.

It is up to us, as elected officials, to affirm vulnerable communities. That consists of lifting up these communities whenever the opportunity arises. For example, this administration can do more for the TGNCNB community, especially Black trans women. This can consist of offering more resources through the Department of Small Business Services to offer grants and loans to businesses by TGNCNB people, for example. I do appreciate some of the goals from this executive budget and there is a lot more than can be done through it.

These barriers of discrimination are also a reflection of existing barriers on a structural level. We need to acknowledge there is an opportunity to offer resources when necessary for communities in need. That goes back to prioritizing funding for community organizations that have done this work for years. When folks feel they are denied opportunities to succeed, then clearly there is a role to stop that discrimination.

Overall, communities deserve better than living in fear from the ongoing hate crimes and discrimination. We need to acknowledge that and move forward to a solution that ensures community organization can lead and reduce the hate seen in our City. I thank the Chairs for allowing me to speak, and I look forward to today's testimony.



Asian American Federation

Testimony to the New York City Council Committee on Public Safety & Committee on Civil and Human Rights

May 3rd, 2022

Written Testimony

I want to thank Chair Kamillah Hanks, Chair Nantasha Williams, and the Council Members of the Committees for holding this hearing and giving the Asian American Federation (AAF) the opportunity to testify. My name is Ravi Reddi, and I am the Associate Director of Advocacy and Policy at AAF. AAF represents the collective voice of more than 70 member nonprofits serving 1.5 million Asian New Yorkers.

This conversation is coming at a critical time, as the Asian American community navigates a pandemic recovery and rising anti-Asian hate. As a function of the year we've had and the year of work ahead, it's clear that our community does not feel safe.

First, the scale and size of our community:

Since 2010, the Asian population in New York City has increased 34%, growing from over 1.1 million in 2010 to over 1.5 million in 2020, making up 17.3% of our city's total population. Overwhelmingly, Asian New Yorkers are immigrants, with two out of three in the city being foreign-born. Of those Asian immigrants, 47% arrived in 2010 or after. Additionally, language barriers remain high among Asian New Yorkers. Overall, 48% of Asians have limited English proficiency in New York City, compared to a citywide rate of 23%.

The Stop AAPI Hate platform collected over 10,905 reports of anti-Asian incidents from March 2020 to December 2021 from all 50 states, as well as DC. In NYC, there were more than 2700 incidents collected by AAF, Stop AAPI Hate, NYPD, and CCHR, only a fraction of which were reported to the NYPD. These bias incidents are significantly underreported, as 70% of Asian New Yorkers are immigrants and systemic factors like high rates of poverty, limited English proficiency (LEP), and lack of immigration status deter reporting and reinforce continued systemic inequities.

A recent survey conducted by AAF of Asian small business owners showed that over 60% of respondents said they were worried about anti-Asian bias and hate crimes for the safety of themselves, their staff, and their business establishment. And the recent violent killings of two Asian-American women and almost daily physical assaults are deepening the crisis in our community.

We're also here because our most vulnerable, our seniors, are heavily targeted by anti-Asian violence. As we mourn the recent deaths of several Asian seniors, many of our seniors continue to be anxious, fearful, and on high alert. In the spree of seven anti-Asian attacks on February 27th alone, the first woman attacked was a 57-year-old Chinese American woman.

Ongoing Work



Asian American Federation

The City needs to invest in community-based safety measures like those being implemented by organizations participating in our Hope Against Hate Campaign, to provide an immediate response to street violence and support the coordination and roll-out of initiatives like a safety ambassador program to escort vulnerable Asian immigrants in public spaces and training volunteers in de-escalation strategies so they can serve as a safe, deterring presence in our neighborhoods. From the creation of safety pamphlets and e-resources to continued robust community engagement on self-defense and upstander trainings with community members who trust them first, our CBOs are doing the work and our City needs to support them as they lead by example.

The City's approach to public safety must also consider how to help victims heal from traumatic events. We are asking the City to fund recovery services in Asian languages to help victims heal from their attacks, including providing access to a victim compensation fund and supporting a network of Asian community-based organizations that can provide mental health support, legal services, and other supportive services. Furthermore, we must support programs that increase access to mental health services for all communities since perpetrators, themselves, may have mental illness and need services so as not to further harm others and themselves.

Recommendations

Our ask is simple, that our nonprofits be provided enough resources to implement and expand essential services to support the public safety and mental health needs of our diverse community.

We urge the City Council and members of the Committee to consider the following recommendations to make sure Asian New Yorkers feel safe in their own City:

1. Increase funding to Asian-led, Asian-serving organizations to centralize the reporting of incidents in order to connect victims to services they need;
2. We're calling on City Council to increase funding for the AAPI Community Support Initiative to \$6 million in order to sustain and expand direct services that are seeing increased demand as well as fund critical anti-violence programming in our Hope Against Hate Campaign. This includes safety ambassador programs that match seniors with volunteers providing physical protective accompaniment when they go outside, upstander and anti-violence trainings, as well as victim support services across the City;
3. Expand funding to include culturally competent, in-language, and senior-focused non-traditional mental health service models. This includes prioritizing CBOs that have a history of providing free or subsidized nontraditional, culturally competent services for funding opportunities;
4. Support recovery services in Asian languages to help victims heal from the trauma and increase access to mental health services for all communities to reduce harm.

We look forward to working together with the City Council and members of this Committee to restore the sense of safety in our community by prioritizing their needs and the service providers they depend on.



Testimony of Scott Richman

ADL New York / New Jersey Regional Director

Oversight: Citywide Response to Hate Crimes and Discrimination

New York City Council

May 3, 2022

Good morning. My name is Scott Richman, and I serve as the Director of ADL's NY/NJ Regional Office. Thank you for the opportunity to testify here today regarding the concerning rise in hate crimes in New York City and what we all can do to help curb these trends.

Since 1913, the mission of ADL has been to “stop the defamation of the Jewish people and to secure justice and fair treatment to all.” That means that we are a Jewish organization that not only monitors and responds to antisemitism, but also fights all forms of hate, believing deeply that if one group is persecuted, then all groups can be. Over the past three decades, ADL has been recognized as a leading resource on effective responses to violent bigotry, conducting an annual [Audit of Antisemitic Incidents](#) and drafting model hate crime statutes for state legislatures.

Hate crimes and bias incidents demand priority attention because of their special impact. These acts are intended to intimidate not only the victim, but also members of the victim's entire community, leaving them feeling fearful, isolated, and vulnerable. These incidents can damage the fabric of our society and fragment communities. While hate crime data should be treated with some degree of caution, due in large part to racial bias in our criminal legal system and barriers to reporting that disproportionately impacts marginalized communities, it can nevertheless provide an important snapshot for purposes of analyzing trends and driving policy.

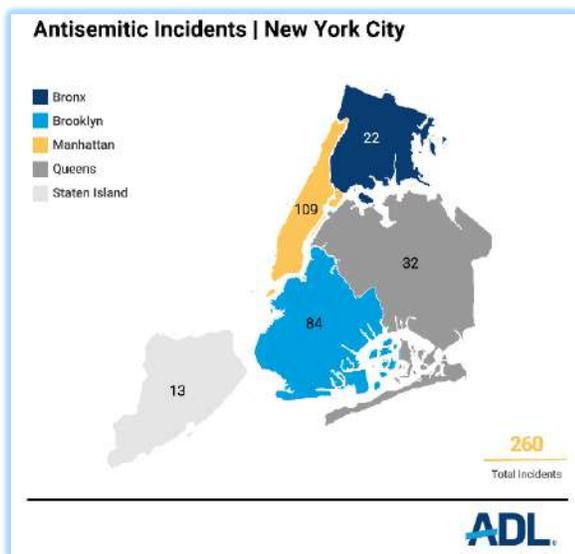
Unfortunately, the data paints a bleak picture regarding the state of hate in our City today. According to [NYPD data](#), last year there were 524 hate crime complaints and 219 hate crime arrests in NYC alone, **more than double** the 93 arrests made in 2020. Of these 2021 arrests, 59 (27%) were for anti-AAPI hate crimes (a 195% increase relative to 2020), 57 (26%) were for anti-Jewish hate crimes (a 128% increase relative to 2020), 48 (22%) were for anti-LGBTQ+ hate crimes (a 92% increase relative to 2020), 18 (8%) were for anti-Black hate crimes (a 157% increase relative to 2020), and 5 (2%) were for anti-Muslim hate crimes (a 150% increase relative to 2020).

The 2021 hate crime numbers also far exceeded 2019 figures (when 420 hate crime complaints and 133 hate crime arrests were reported across the City) and may be a harbinger for what's to come. During the first quarter of 2022, for example, there were already 142 hate crime complaints and 40 hate crime arrests in NYC, including 13 arrests for anti-Jewish hate crimes, 9 arrests for anti-AAPI hate crimes, and 6 arrests for anti-LGBTQ+ hate crimes.

These spikes are consistent with the data observed in ADL's annual [Audit of Antisemitic Incidents](#). According to our report released just last week, antisemitic incidents reached an all-time high in the United States in 2021, with a **total of 2,717 incidents** of both criminal and non-criminal acts of harassment, vandalism and assault. This represented a 34 percent increase from the 2,026 incidents recorded in 2020 and is the highest number of incidents on record since ADL

began tracking antisemitic incidents in 1979 – an average of more than **seven incidents per day** and a **34 percent increase** year over year.

[New York in particular maintained its lead](#) last year in total reported antisemitic incidents across the U.S. The 416 incidents documented represented a 24% increase relative to incidents reported in 2020, when ADL recorded 336 incidents in the state, and accounted for an astounding 15% of the total reported antisemitic incidents across the country. Perhaps most shockingly, included in the data were 51 incidents of antisemitic assault – **the highest number of antisemitic assaults ever recorded by ADL in New York** – representing a staggering 325% increase relative to the 12 assaults recorded in 2020 and a significant 46% increase relative to the 35 assaults recorded in 2019, and accounting for 57% of antisemitic assaults recorded nationwide.



Of the total number of antisemitic incidents recorded across New York State, **260, or 63%, took place in the five boroughs of New York City**. Of these 260 incidents, 106 were incidents of vandalism, and 90 were incidents of harassment. Forty-eight were incidents of assault, meaning that 94% of the 51 reported antisemitic assaults in New York State took place in NYC.

Reported antisemitic incidents in the five boroughs increased by 144% in the Bronx, and by 33% in Manhattan and Queens, and decreased by 7% in Brooklyn and 48% in Staten Island.

Incidents targeting Orthodox Jews throughout New York State increased at an alarming rate, with New York City, particularly Brooklyn, serving as the epicenter. All of these incidents are described on [ADL's online H.E.A.T. Map](#), and range from swastika graffiti and other forms of vandalism, to antisemitic slurs and insults targeting Jewish people, with many culminating in physical attacks. In one instance, a knife-wielding individual in Manhattan attacked a Hasidic family of three, injuring both the parents and their 1-year-old child. In another, a man approached a visibly Jewish woman, said “you people are disgusting,” and threw an unknown liquid substance in her face.

ADL also documented a number of physical assaults related to Israel or Zionism in New York City. These included incidents where a man wearing an IDF sweatshirt was punched and called a “dirty Jew” when he refused to remove his sweatshirt, a man was beaten and choked by a group who demanded he say, “Free Palestine,” and a visibly Jewish child’s arm was shaken while a man yelled at the child, asking why the child and his friends were “killing kids in Gaza.”

Coming on the heels of several years of surging antisemitic violence (including mass shootings at places of worship and lethal attacks targeting Orthodox communities in New York and New



Jersey), we urge the City Council to take these trends seriously and act swiftly to prevent further harm, with two key cautionary notes. First, in ADL's experience, efforts to address hate-fueled violence must always involve an inclusive process – like this hearing – that centers the voices and concerns of impacted communities, and ensures that the communities *most* affected have a *key role* in shaping what the solutions look like. Without this critical step, lawmakers and policymakers will not be able to build trust, nor develop solutions that will work. And second, hate crime laws must be put in their proper context. It is far better to prevent bias-motivated violence in the first instance, including by taking steps to eradicate systemic racism and other root causes, and to invest in community-based, restorative justice, and non-criminal / non-carceral approaches; more traditional approaches that rely exclusively on strengthening hate crime laws and securing hate crime arrests and convictions are not sufficient.

With all of this in mind, ADL would recommend that the Committee on Civil and Human Rights and the Committee on Public Safety invest in and prioritize community-driven solutions to hate-fueled crime and violence in our City. Key steps are as follows:

First, the City Council should strengthen partnerships with, and offer support to, community-based organizations when it comes to data collection and reporting. These organizations are often the first call when acts of hate and bias occur, and it is critically important that they are adequately resourced and have the capacity to track and monitor incidents as they occur.

Second, the City Council should take steps to help ensure the collection of data regarding hate crime prosecutions in New York City, with particular attention to the extent to which racial disparities may exist when it comes to hate crime charges, convictions, and criminal sentences.

Third, the City Council should make sure that NYC Office for the Prevention of Hate Crimes is appropriately staffed and resourced, as it continues to develop and coordinate community-driven prevention strategies to address biases fueling such crimes and foster healing for victims and their communities.

Fourth, we urge the City Council to direct more resources to studying the rising tide of hate and harassment online – including in the form of swatting and doxing – and to ensure that government agencies have the resources and expertise needed to investigate and respond to these incidents when they do occur.

Fifth, we urge the City Council to invest in restorative justice approaches and other non-carceral approaches to hate crimes; and prioritize community-based prevention initiatives, which can include (but are certainly not limited to) violence prevention and interruption programs, anti-bias peer-to-peer education, and Holocaust and genocide education in NYC's K-12 schools.

These approaches can empower impacted communities will still holding hate crime offenders accountable, and we hope that they will remain a top priority for the City Council as it works to ensure that New York City is safe, welcoming and inclusive to city for all.

Thank you.

A handwritten signature in black ink, appearing to read 'Scott Richman', is written in a cursive style.



Scott Richman, ADL NY/NJ Regional Director
srichman@adl.org



My name is Ada Lin, program coordinator at the Coalition for Asian American Children and Families. Thank you, Chair Hanks and Chair Williams, and the rest of the council members for the opportunity. As the nation’s only pan-Asian children’s advocacy organization, Coalition for Asian American Children and Families (CACF) aims to improve the health and well-being of Asian American and Pacific Islander (AAPI) children and families in New York City. Currently, I am a program coordinator for the Asian American Student Advocacy Project (ASAP). ASAP is a youth leadership program for Asian American and Pacific Islander (AAPI) youth from across New York City.

One of the youth in the ASAP program shared, “The frequent anti-Asian hate crimes have constantly made me feel on edge, especially as an Asian woman. I find myself making myself smaller in public spaces, being extremely distrustful of everyone around me, and generally feeling like this city isn’t my home anymore. Going outside and interacting with people should feel free after such a long period of isolation in the city-wide lockdown, but it instead feels dangerous and like there is no sense of community...” Another youth shared that “As I started to go outside more, I felt heightened anxious anytime someone approaches me. When I wait on subway platforms, I don't check for trains without first looking behind me. When I'm on the train, I wonder if people see me, an Asian American wearing a mask, and choose to sit somewhere further away. When I close the front door of my home, I want to know: Why do I feel so relieved?”

All members of our community deserve to feel safe. Another ASAP youth defined safety as, “being able to go about our day without constantly questioning whether we or our loved ones will experience unjustifiable acts of physical or emotional harm.” They continued, “There are



many ways to describe what safety can look like in our community-- stairs not creaking from damage when stepping on them, streetlights brightening up the path in the dark, public facilities running with good service and consistent maintenance, and youth having a safe and fun place to be after school. Safety means we have the resources when we need help.”

CACF’s work has always focused on uplifting, supporting, and strengthening our communities and our connections. Much of our recent programming has a specific focus on racial healing– which to us at CACF means being able to see ourselves as whole beings and fostering a sense of care and connectedness to people both within our community and across communities of color. It means building bridges and celebrating the ways in which, in standing together, we are resilient. From our anti-racist workshops for parents, healing-centered workshops for youth, and racial literacy workshops for early childhood caregivers, we believe that every member of our community should be able to access the knowledge, tools, and skills to be engaged in their own healing.

We need to raise our collective voice and commit to ending hate and racism. Most of the incidents, if not all, are the results of a lack of resources in our community and the lack of knowledge we have about each other. In all aspects of our lives, we need to be able to see ourselves as whole beings, with a sense of care and connectedness to people both within our communities and across communities of color.

We believe safety is the presence of wellness and not just the absence of crime. The criminal justice system does not and cannot address the well-being of our community members. The City must stop using the criminal justice system to address social and economic issues. We urge the city council to invest in our community. More than ever, we need culturally and linguistically responsive and sensitive services to ensure the needs of our communities are being



met and that our voices are being heard. We need the city to invest in our community because safety means feeling welcomed, heard, and included, every community member deserves that and we need to make sure they feel supported and seen.



**New York City Council
Committee on Civil and Human Rights (Jointly with the Committee on Public Safety)
Oversight Hearing on the Citywide Response to Hate Crimes and Discrimination
Tuesday, May 3rd, 2022**

Testimony from Lakshmi Sanmuganathan, Budget Policy Coordinator

Good afternoon and thank you to Chair Hanks and Chair Williams for holding this important hearing and providing us the vital opportunity to testify.

My name is Lakshmi Sanmuganathan, and I am a budget policy coordinator at the **Coalition for Asian American Children and Families (CACF)**, the nation's first and only pan-Asian children and families' advocacy organization that leads the fight for improved and equitable policies, systems, services, and funding to support those in need.

CACF also leads the 18% and Growing Campaign, which brings together nearly 70 AAPI organizations across all five boroughs of the City to fight for a fair and inclusive budget that protects the needs of our most vulnerable AAPI community members.

Over the past three years, our AAPI community members, especially our seniors and women, have continued to experience increased incidents of public assaults, harassment, and hate crimes across the City. Last year alone, there were over 9,000 reported incidents of anti-Asian violence nationwide and a 361% increase in Anti-Asian related hate crimes in NYC (the highest rate of all US cities).

Despite these painful challenges, AAPIs have been serving on the front lines for nearly 3 years, risking their own health as doctors, nurses, human services workers, early childhood teachers, grocers, delivery workers, and more to support the health and well-being of our fellow New Yorkers.

The abhorrent rise in Anti-Asian violence also exacerbates the devastating social, economic, and health impacts that have been brought on our community by COVID-19, this includes a 6,900% increase in unemployment amongst Asian American New Yorkers and a 35.7% mortality rate among Chinese American New Yorkers (both the highest rate in NYC).

To address the root causes of racism and injustice, resources must be allocated to community-based organizations that have trust and deep ties in the community to provide human services, health care, mental health supports, and racial healing and literacy.

To address the long-standing racial inequities that have underwritten the rise in anti-Asian violence in this City, we call on New York City Council to expand funding to the AAPI Community Support Initiative to \$6 Million to fund critical programming, including mental health support, racial literacy, hate crimes intervention, gender-based violence

intervention and prevention, youth programs, and other culturally responsive services needed to build long-term care and healing for our AAPI New Yorkers during this critical time.

This initiative was the first-of-its-kind in New York City to provide direct and dedicated funding to 47 AAPI organizations who are able to reach our most vulnerable and underserved community members through the power of culturally responsive and language accessible programming.

We truly believe that safety is not merely the absence of violence, but more so the presence of wellness. And we stand in solidarity with our neighbors to confront racism and injustice, by addressing their root causes.

We must continue to work together in solidarity with all communities of color, immigrant communities, LGBTQ+ communities, and other marginalized communities to firmly state that hate has no place in our city.

Thank you for this opportunity to testify, and we look forward to working with the City Council to ensure that all New York's most vulnerable communities have access to the services and support necessary to not only survive, but thrive in these troubling times.



Coalition For Asian American
Children+Families

**New York City Council
Committee on Civil and Human Rights jointly with the Committee on Public Safety
May 3, 2022**

**Testimony of Medha Ghosh, MPH, Policy Coordinator
Coalition for Asian American Children and Families (CACF)**

Good afternoon, my name is Medha Ghosh and I am the Health Policy Coordinator at CACF, the Coalition for Asian American Children and Families. Thank you very much to Chair Williams and Chair Hanks for holding this hearing and providing this opportunity to testify.

Founded in 1986, CACF is the nation's only pan-Asian children and families' advocacy organization and leads the fight for improved and equitable policies, systems, funding, and services to support those in need. The Asian American Pacific Islander (AAPI) population comprises nearly 18% of New York City. Many in our diverse communities face high levels of poverty, overcrowding, uninsurance, and linguistic isolation. Yet, the needs of the AAPI community are consistently overlooked, misunderstood, and uncared for. We are constantly fighting the harmful impacts of the model minority myth, which prevents our needs from being recognized and understood. Our communities, as well as the organizations that serve the community, too often lack the resources to provide critical services to the most marginalized AAPI New Yorkers. Working with over 70 member and partner organizations across the City to identify and speak out on the many common challenges our community faces, CACF is building a community too powerful to ignore.

CACF believes safety is the presence of wellness and not just the absence of crime. The criminal justice system does not and cannot address the well-being of our community members. The City must stop using the criminal justice system to address social and economic issues. Violence is a public health problem requiring public health solutions – we urge the city council to invest in community-based solutions. More than ever, we need culturally responsive and linguistically accessible mental health services to ensure the needs of our communities are being met.

The rise of anti-Asian hate, coupled with the COVID-19 pandemic, has intensified the mental health issues of the AAPI community in NYC, causing an even higher demand for mental health services. Despite this increased demand, there is still a lack of access to these services because of language barriers and an absence of culturally responsive care. AAPI's have the highest rate of linguistic isolation of any group in NYC, meaning that 42% of our community have no one over the age of 14 in the household that speaks English well or at all. Moreover, more than 2 in 3 AAPI seniors in New York City are limited English proficient (LEP), and approximately 49% of all immigrants are LEP. There is a lack of understanding (including data and research) of AAPI's lived experiences, needs, strengths/healing practices, and knowledge around mental health. With all these unique challenges, the City must address the diverse mental health needs of the AAPI community.

This past April, CACF and Councilmember Linda Lee co-hosted a community convening with planning support from the NY Coalition for Asian American Mental Health (NYCAAMH) to discuss the mental health issues impacting our AAPI community and strategize community-centered solutions to address them. Our findings from this convening show that:



Coalition For Asian American
Children+Families

- Poverty and decreased insurance coverage exacerbate difficulties many in New York City's AAPI community experience with seeking mental health care.
- There is a major need for integrated services and supports, given the interactions between poverty and mental well-being. Further support and funding should be funneled to CBOs, many of which not only have established, longitudinal relationships with the communities they serve, but also provide social services, community-building opportunities, and other holistic forms of care. Fostering community cohesion and developing more accessible community-based services may encourage individuals to seek out mental health support earlier before involving the police.

Our communities' recovery and healing must be rooted in the life-affirming services provided by our community based organizations (CBOs) who are often the only safety-nets for AAPI New Yorkers. These CBOs have built trust with our diverse communities; a direct line of communication to our constituents, hire and employ thousands from within the community; and have the knowledge and understanding of how our communities heal. Community-focused investments must be prioritized in the pursuit of an equitable recovery and brighter future for all New Yorkers. Investing in AAPI-led and -serving CBOs is a critical step towards actualizing this goal by addressing the root causes of anti-Asian racial bias and supporting inclusive community healing for all.

The City must invest in healing-centered solutions to address the root causes of anti-Asian racism and hate. There is growing recognition that we should implement evidence-based, public health approaches to violence and public safety overall. Investing in AAPI and all marginalized communities' quality of life by improving access to culturally and linguistically responsive healthcare, education, affordable housing, and well-paying jobs centers our communities' healing and ability to feel safe and cared for.

We ask the City to invest in a more accessible and responsive mental health care system for communities of color and immigrant communities, which includes the AAPI community. Our recommendations include:

- o Investing in community-led and community-based language accessible and culturally responsive mental health resources.
- o In partnership with our communities, building a baseline understanding of the cultural particulars of how mental illness is understood, described, experienced, and healed by diverse communities.
- o Identifying solutions that meet community mental health needs by collaborating with community leaders and community based organizations.
- o Prioritize the recruitment and retainment of multilingual mental healthcare professionals to ensure high quality care. Invest in a pipeline for people from marginalized communities to enter mental healthcare professions by funding programs that focus on addressing mental health disparities through increasing diversity in the mental health professions, including in our schools to ensure language accessible and culturally responsive mental health care for our students.



Committee of Public Safety Hearing on May 3rd, 2022

Thank you, Chair Hanks and the members of the Committee of Public Safety for giving us the opportunity to submit a testimonial to report about the public safety in New York City.

My name is Hiroko Hatanaka and I am a member of the board of Japanese American Social Services, Inc.

For the past 40 years, JASSI has been providing high quality bi-lingual (Japanese) services to people who face problems resulting from language barriers, cultural differences, and/or differences in the services systems, and JASSI has been providing these services regardless of age, income, gender, race, ethnicity, or immigration status. All services are provided without any charge. We have been encouraging the Japanese community to speak out any violence they encounter in New York in view of the prolonged anti-Asian crimes surge.

One of the cases we received from Japanese community was from a 45-years old Japanese woman. It happened at Union Square station platform during the morning rush hour. She has been too scared to take NY subway after the incident.

On January 31, 2022 about 9:30 a.m. this individual was standing on No. 6 line downtown platform at Union Square subway station. A male stranger suddenly pushed her chest and she fell on the ground. He disappeared into the crowd after he pushed her.

Fortunately, she was standing in the middle of the platform and that she did not fall off towards the train tracks. Immediately after the incident, she went to a NYPD officer who was working at the station and reported what happened. However, the officer did not take any action nor record of her incident. He instead simply told her to be careful.

While the assailant did not utter any anti-Asian statement to the victim, it is hard to believe otherwise. She was standing on the platform among other people yet the man pushed an Asian woman and disappeared into the crowd. It happened during the morning rush hour which we consider safe traveling time. All the more what puzzled her most was the no action was taken by the NYDP police officer.

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We think that anti-Asian crimes have been underreported in New York as you see in this case. Her case would not be reported at all in the NYPD statistics. How would NYPD keep track of anti-Asian crimes on their record if an officer who works in the subway system did not take a note of the incident?

Relying on a kind donation, JASSI has provided whistles to our senior members and has given in-language online self-defence course in cooperation with Asian American Federation since the anti-Asian crime wave started. We will continue to alert our community members to be vigilant and will explore programs which will be useful for the Japanese community.

We are asking the council will support \$6 million to go towards the AAPI Community Support Initiative requested by Asian American Federation which will improve the protection of members of AAPI community in the city.

Sincerely,

Hiroko Hatanaka

A member of the Board of Japanese American Social Services, Inc.



**TESTIMONY OF CHERYL FISHBEIN
ON BEHALF OF THE
JCRC-NY
TO THE NEW YORK CITY COUNCIL OVERSIGHT HEARING:
CITYWIDE RESPONSE TO HATE CRIMES AND DISCRIMINATION.
COMMITTEE ON CIVIL AND HUMAN RIGHTS
COMMITTEE ON PUBLIC SAFETY**

Approximately 6:30 PM on April 20, 2022, at the corner of Lexington and 42nd Street, a Jewish male was assaulted by anti-Israel protesters. Video footage of the assault was posted to social media. In May, 2021 there was a spike in antisemitic hate crimes, concurrent with events in Israel. In 2014, we noted a doubling of possible antisemitic hate crimes following the same pattern – events in Israel spawn attacks against Jews in New York. We are concerned when events abroad spawn hate and violence in New York.

The NYPD Hate Crimes Dashboard shows that antisemitic hate crimes increased 279% for the first quarter of 2022 (67), compared to 2021 (24). Hate is up, in general. Anti-Asian hate crimes increased 223%. Jews and Asians total 105 of the 142 reported hate crimes in New York City.

We of the JCRC-NY believe that one hate crime is too many. We condemn those who

...continued

commit them and urge that they be prosecuted to the full extent of the law. We laud the NYPD and the Hate Crimes Task Force for its ongoing serious response to all reported hate crimes.

Two years ago, UJA-Federation and JCRC-NY partnered to form the Community Security Initiative. Our talented team works closely with Jewish communities throughout New York City. Two of our most important roles is to ensure that when there is a possible hate crime, it is reported to the NYPD and that any appropriate incident is investigated as a possible hate crime. We note that a large portion of the violent hate crimes against Jews result in arrests. It is frustrating that only a portion of the cases result in convictions.

We also commend New York City's Mayor's Office for the Prevention of Hate Crimes (OPHC) for its P.A.T.H. Forward program. JCRC-NY is dedicated to meeting the complex threat and challenges of hate and anti-Semitism in our city and its neighborhoods.

As one of the six anchor agencies in the P.A.T.H forward program, JCRC-NY has made seventeen grants amounting to \$300,000 to a broad array of Jewish community-based agencies across the city to develop and implement initiatives designed to meet the complex challenges of antisemitism and hate in New York's neighborhoods.

Unfortunately, people hate for so many reasons. We understand that combatting hate in our city requires a multi-prong effort, countering every malodorous species of hate; and comprising law enforcement, education and community organizing. Thwarting hate is hard, but with appropriate resources, goodwill across the spectrum and solid teamwork we can make substantial progress.

Thank you.



**New York City Council Committees on Civil and Human Rights and Public Safety
Testimony by Dara Adams, Met Council on Jewish Poverty
May 3, 2022**

Thank you, Chair Williams, Chair Hanks, and members of the committee for the opportunity to testify. My name is Dara Adams and I'm the Director for Strategic Policy Initiatives at Met Council. Met Council is America's largest Jewish non-profit organization dedicated to fighting poverty. We also run the largest kosher food distribution program in the world. For 50 years, Met Council has provided comprehensive social services to New Yorkers in need. Last year, Met Council provided food and wraparound services to more than 300,000 New Yorkers.

In 2021 with support from the city, Met Council launched our anti-hate initiative, Hate Has no Home here, a campaign to combat the proliferation of hate crimes and food insecurity that has coincided with the ongoing COVID-19 Pandemic. The goal of the campaign is to build solidarity with like-minded organizations throughout the City, who are also working on anti-poverty issues and whose clients are from communities that have experienced a rise in hate crimes, through educational events and food distributions. Our community partners to date include the Office for the Prevention of Hate Crimes, Boys & Girls Club Harlem, The Chinese-American Planning Council, Council of Peoples Organization (COPO), La Jornada, Joan & Alan Bernikow JCC of Staten Island, SAGE Center Bronx, and United Jewish Federation.

Hate crimes are on the rise across the country.¹ New York has been the national epicenter of antisemitic hate crimes, with more than 400 reported incidents in 2021.² In Brooklyn alone, these disturbing and increasingly bold incidents include assaults of visibly Jewish children (as young as three), shouting antisemitic slurs before lighting a fire in front of a yeshiva, swastikas painted at a Borough Park playground, and dozens of reports of women and men being physically assaulted on streets, buses, and subway platforms.³ It's easy to understand why 22% of American Jews currently report feeling afraid to publicly wear, carry, or display symbols that mark them as Jewish.⁴

¹ Joe Hernandez, "Hate Crimes Reach The Highest Level In More Than A Decade," *NPR*, September 1, 2021, sec. National, <https://www.npr.org/2021/08/31/1032932257/hate-crimes-reach-the-highest-level-in-more-than-a-decade>.

² "ADL Tracker of Antisemitic Incidents," Anti-Defamation League, accessed May 4, 2022, <https://www.adl.org/education-and-resources/resource-knowledge-base/adl-tracker-of-antisemitic-incidents>.

³ "ADL H.E.A.T. Map," Anti-Defamation League, accessed May 4, 2022, <https://www.adl.org/education-and-resources/resource-knowledge-base/adl-heat-map>.

⁴ "The State of Antisemitism in America 2021: AJC's Survey of American Jews | AJC," October 25, 2021, <https://www.ajc.org/AntisemitismReport2021/AmericanJews>.

Met Council has food pantries and supportive services in the neighborhoods with the highest reported incidents of hate crimes.⁵ Many of our clients and staff live in neighborhoods that most frequently report antisemitic attacks including Crown Heights, Williamsburg, and Borough Park. Both our clients and staff are increasingly afraid for their safety because of the rising rates of violence against Jews. The Jewish community is intersectional. In addition to experiencing increased levels of antisemitism, Jews of color and Asian decent and Jews belonging to the LGBTQIA community are also experiencing a rise in racial bias, Asian hate, and homophobia. The city can and must do more to combat antisemitism and prevent and respond to all hate crimes.

The trauma our clients experience when they are the victims of a hate crime is compounded by the lack of resources and support in the aftermath of such an attack. When an individual is attacked and their property is damaged, there is very little recourse available to them, furthering the feelings of helplessness and fear. We encourage the city council to consider establishing a grant program that would support a community-based victim compensation fund. This fund would help victims of hate crimes quickly receive compensation for their damaged property as well as connect them to an organization with trauma informed social services to help them recover. For our clients, many of whom are already wary of the world outside their communities, being the victim of a hate crime reinforces fear and distrust. Establishing a grant program of this type would allow individuals who are afraid of engaging with the penal system to receive compensation and support in the aftermath of a hate crime through a trusted community partner.

The city also must improve its outreach and public engagement as it relates to antisemitism. While the city-sponsored PSA campaign “Jewish New Yorkers Belong Here” was created with the intention of discouraging antisemitism, data shows that since February 2020 when the PSA campaign was introduced, antisemitic incidents have increased rather than decreased.⁶ This campaign should be re-evaluated and relaunched with input from Jewish stakeholders in the hardest hit communities.

Research indicates that income inequality and unemployment lead to increased levels of crime.⁷ The rise in hate crimes during the past two years of the Covid-19 pandemic underscores this relationship. Met Council’s Hate Has No Home Here campaign aims to address the intersection of poverty and hate crimes. Our efforts have not only worked to inject awareness about the multifaceted Jewish community but also mitigate the effects of poverty and unemployment in communities where antisemitism has taken root. We are proud to be a partner in this effort and urge the city to invest in more opportunities for cross cultural anti-poverty initiatives. We further implore the city council to ensure that social service agencies are adequately funded in this next budget cycle and that more funding is committed to public education around the holocaust and the humanity of modern day visibly Jewish New Yorkers.

We thank you for your commitment to addressing rising hate crimes and look forward to partnering with you to make the city safer for all New Yorkers.

⁵ “NYPD Hate Crimes Dashboard (Confirmed Incidents),” accessed May 4, 2022,

<https://app.powerbigov.us/view?r=eyJrIjoieYjg1NWl3YjgtYzkyOS00Nzc0LTkwMDAtNTgzM2I2M2JmYWY1IiwidCI6IjIOWY1N2VILTc4ZDEtNDZmYi1iZTgzLWEyYWZkZDdjNjA0MyJ9>.

⁶ “Reports - Hate Crimes - NYPD,” accessed May 4, 2022, <https://www1.nyc.gov/site/nypd/stats/reports-analysis/hate-crimes.page>.

⁷ Muhammad Khalid Anser et al., “Dynamic Linkages between Poverty, Inequality, Crime, and Social Expenditures in a Panel of 16 Countries: Two-Step GMM Estimates,” *Journal of Economic Structures* 9, no. 1 (June 5, 2020): 43, <https://doi.org/10.1186/s40008-020-00220-6>.



**New York City Council
Committees on Public Safety and Committee on Civil and Human Rights**

**Oversight – Citywide Response to Hate Crimes and
Discrimination**

**Testimony from the New York Immigration Coalition
May 3, 2022**

Good afternoon. My name is Jennifer Diaz and I'm the Manager of Community Engagement at the New York Immigration Coalition, an umbrella policy and advocacy organization that works statewide with over 200 immigrant-serving member organizations. Thank you to Chair Williams, Chair Hanks and the members of the City Council Committee on Public Safety and Committee on Civil and Human Rights for convening this important hearing and allowing us the opportunity to testify.

With COVID-19 heightening New York City's xenophobic hate crimes, immigrant communities have experienced an uptick in harassment and violence in public spaces that continues to this day. This is particularly true for our AAPI communities. Anti-Asian hate is continuing unabated, but we need to show that hate crimes are happening across communities and need to communicate solidarity.

Now more than ever, we need a strategic, multifaceted approach that responds to the varied experience of New Yorkers in order to effectively identify, prevent, and report hate crimes. For these reasons the NYIC hopes that members of this council will support several budget initiatives that will not only target support to specific affected communities but also show that hate and the violence that manifest because of that hate isn't just the problem of the targeted communities. It isn't just a Asian problem, a Jewish problem, a Muslim problem, a Sikh problem; it's an all-of-us problem.

We urge the council to **support the Hate Crimes Prevention Initiative and commit \$1 million dollars towards it**. As a convener with trusted relationships with immigrant communities and immigrant-serving agencies citywide, programming expertise, and experience in hate crimes prevention education, the NYIC's role in the Hate Crimes Prevention Initiative is needed as a thought partner, community educator, and trainer for service providers. Our Know-Your-Rights workshops educate the public about protection measures and legal rights for hate crime victims, with specialized resources in the top languages. With NYC Council funding, the NYIC will continue to engage in this multi-pronged strategy, to equip our communities and service providers with the tools to identify, prevent and report hate crimes.



The NYIC also implores this council to **provide \$6 million dollars to the much needed AAPI Community Support Initiative**. This would support organizations like our member org Asian American Federation (AAF) and their Hope Against Hate Campaign. This would provide funding to Asian-led, Asian-serving orgs to fund anti-violence and community-centered, community-demanded programming. The Stop AAPI Hate platform collected over 9,000 reports of anti-Asian incidents from March 2020 to June 2021 from all 50 states, as well as DC. In NYC, there were more than 2,170 incidents collected by AAF, Stop AAPI Hate, NYPD, and CCHR, only a fraction of which were reported to the NYPD. These bias incidents are significantly underreported, as 70% of Asian New Yorkers are immigrants and systemic factors like high rates of poverty, limited English proficiency (LEP), and lack of immigration status deter reporting and reinforce continued systemic inequities

And on the topic of Language Access, we know that in times of need access to information is crucial. While New York City took an important step with passage of the Language Access Policy (Local Law 30) there are still significant barriers to language access for New York's immigrant communities, particularly those who speak languages of limited diffusion (LLDs). To build on recent gains in this area we propose that the Council support the creation of a Community Interpreter Bank (CIB), modeled after an interpreter bank that has been used successfully since 2007 in the District of Columbia, to expand language access and increase the supply of trained, vetted immigration interpreters by **committing \$2.5 million through a City Council budget initiative** to be provided to community-based nonprofit organizations. To better serve LLD's we are also proposing that **the funding for the NYC Council's Worker Cooperative Business Development Initiative be increased by \$750,000** to enable immigrant community-based organizations to develop and launch three language services worker-owned cooperatives—one for African Languages of Limited Diffusion (LLDs), one for Asian LLDs, and one for indigenous Latin American LLDs.

And lastly we must address the NYPD's nearly \$10 billion dollar budget. An over-bloated budget that is larger than what NYC spends on health, homeless services, youth development, and workforce development combined. We understand the inclination to increase this budget to help combat the current level of hate-based crimes but we believe that if \$10 billion dollars isn't enough then it doesn't matter how much money you give the NYPD because ultimately policing isn't the solution. We support a dramatic reduction of funding for the NYPD. Those funds should be re-invested in long ignored and underfunded communities for healthcare, education, housing and initiatives like the ones we've identified. That is what will ultimately help communities be safe and thrive. Once again, thank you for convening this extremely important hearing and allowing me to testify.

May 3, 2022

Kamillah Hanks
Chair - Committee on Public Safety
New York City Council

Re: Citywide Response to Hate Crimes and Discrimination

Dear Chair Hanks and Members of the Committee on Public Safety,

I am writing to you on behalf of the Sikh Coalition, the nation's largest Sikh civil rights and advocacy organization. The Sikh Coalition defends civil rights and civil liberties of Sikhs and other religious minorities in the United States, fosters and promotes Sikh community empowerment and civic engagement, all while educating the broader community about who Sikhs are. The Sikh Coalition owes its existence in large part to the effort to combat discrimination against Sikh Americans after September 11, 2001. Since our inception, we have worked to provide cultural competency training and information regarding the discrimination Sikhs face in America.

By way of background, the Sikh religion, founded in India, is the fifth-largest organized religion in the world, with over 500,000 followers in the United States. While Sikhs have been an integral part of the American fabric, they remain disproportionately targeted in cases of bigotry, bias, bullying, and backlash. Based on the most recent FBI hate crime report there was an 82% increase in anti-Sikh incidents between 2019-2020. Once again, Sikhs remain among the top five most targeted faith groups for hate crimes in the United States. Although New York City has one of the largest Sikh populations across the United States, through the first quarter of 2022, the NYPD has not reported a single anti-Sikh hate crime, since anti-Sikh hate crimes were added as a category in 2015.

Like the Sikh community, the broader Asian population in New York City continues to grow. The Stop AAPI Hate platform collected over 9,000 reports of anti-Asian incidents from March 2020 to June 2021 from all 50 states, as well as DC. In NYC, there were more than 2,170 incidents collected by the Asian American Federation, Stop AAPI Hate, the NYPD, and CCHR, only a fraction of which were reported to the NYPD. These bias incidents are significantly underreported, as an estimated 70% of Asian New Yorkers are immigrants and systemic factors like high rates of poverty, limited English proficiency (LEP), and lack of immigration status deter reporting and reinforce continued systemic inequities.

The Sikh Coalition stands in solidarity with all communities who experience hate and continues to advocate for both legislative and social change to safeguard our liberties and lives.



Recommendations:

- Although New York City has one of the largest Sikh populations across the United States, the NYPD has not cataloged any anti-Sikh bias-related incidents or hate crimes in the past 10 years, despite evidence to the contrary. More must be done to help protect targeted communities from acts of hate in our streets, houses of worship, and classrooms. The NYPD must accurately name, track, and investigate hate crimes. Community stakeholders should also have the opportunity to provide input on the training NYPD officers, specifically the Hate Crimes Task Force, receive.
- Continue to build proactive relationships with the Sikh community.
- Ensure that the Sikh perspective is included on task forces, roundtables, in legislation, at events, etc., and promote greater language accessible resources.
- Create safer and more inclusive classrooms that teach students about their Sikh peers and reduce unacceptably high rates of bullying of Sikhs that are twice the national average; This includes reintroducing City Council Res. 1257, which calls on the NYC Dept. of Education to provide age-appropriate religious diversity curricula for all students, and to offer professional development for teachers in this area.
- Provide religious accommodations in the workplace or public settings. For example, as we have battled the COVID-19 pandemic, Sikhs in the healthcare industry, including in NYC, have reported complaints of employers failing to provide accommodations for alternative forms of PPE.
- Enhance the AAPI Community Support Initiative to \$6 million to provide direct, sustainable, inclusive, and equitable funding to vital organizations that serve the diverse AAPI communities of NYC.
- Renew focus and funding for mental health work across communities of color.

Should the committee have questions about the Sikh Coalition's recommendations or require resources and information on the New York City Sikh community, please contact Nikki Singh, Senior Manager of Policy and Advocacy at nikki@sikhcoalition.org.

Respectfully,

Nikki Singh
Senior Manager of Policy and Advocacy
nikki@sikhcoalition.org
(732) 924-5945



**Testimony to the New York City Council
Committee on Civil and Human Rights (jointly with the Committee on Public Safety)
92nd Street Y
May 3, 2022**

Thank you to the New York City Council and both Committees for the opportunity to submit this written testimony in support of programming and education that counters racism, injustice, and hate. **My name is Elizabeth Costa, and I am the Vice President of Government and Community Relations at The 92nd Street Y**, a cultural and community center located at 1395 Lexington Avenue, New York, NY 10128.

The 92nd Street Y's mission

As a proudly Jewish organization, 92Y enthusiastically welcomes and reaches out to people of all ages, races, faiths and backgrounds, while embracing Jewish values, including the love of learning and self-improvement; the centrality of family; the joy of life; the pursuit of justice and the importance of giving back to our wonderfully diverse and growing community, both here in New York and around the world. For nearly 150 years, we have harnessed the power of arts and ideas to enrich, enlighten and change lives, and the power of community to repair the world.

The 92nd Street Y asks the NYC Council to support programming at NYC nonprofit organizations that seeks to build understanding and unity through conversation, the performing arts, literature, and education.

At The 92nd Street Y, this programming includes an initiative begun in 2020: **92Y Confronts Hate**.

92Y Confronts Hate's goal is to use our many platforms to understand the role that hate and racism play in our society, to give voice to important policymakers and thought leaders from multiple backgrounds who are on the front lines of the struggle against hate, and to take affirmative steps to combat hate and build bridges across communities.

The first event in this initiative was:

- a conversation between **92Y's Rabbi Peter J. Rubinstein and Reverend Jacques Andre DeGraff of Canaan Baptist Church in Harlem**. These two important faith leaders co-chair **Attorney General Letitia James's Black and Jewish Clergy Roundtable**. They had an informative and important conversation entitled ***Building Bridges: Is It Possible?***

Subsequent events have included, for example:

- Rabbi Rubinstein and New York Times opinion columnist Bret Stephens discussing **the phenomenon of contemporary anti-Jewish hate, its pernicious effects on our culture and democracy, and what we can all do to fight for a more just society for everyone**.

We seek to bring people from different backgrounds together, including through a new initiative called **SHARE OUR AMERICA**, a new domestic cultural exchange program designed to bring diverse and disparate individuals together to share their viewpoints and better understand each other's worldviews — with the goal of fostering understanding, respect, and empathy. Our first project, launched this

month, brings 92Y's NY-based community members on a trip to an interdenominational church community in rural Nebraska.

We also strongly urge that NYC Council resources support access to the arts for NYC youth, particularly because access to the arts may be seen as contributing to, as NYC Cultural Affairs Commissioner Laurie Cumbo has suggested, the public safety goals of NYC.

Through our Center for Arts Learning and Leadership, 92Y works together consistently with the diverse school communities of New York City to offer arts in education and career readiness initiatives for students and their teachers. We connect young people to celebrated writers, musicians, dancers, visual artists, and thought leaders from around the world through school-based residencies, performances at our historic cultural center, and internship programs for youth pursuing careers in the creative industries. We seek out mutually beneficial partnerships with schools in under-resourced areas of NYC.

At The 92nd Street Y, we believe that access to high-quality arts education is a right, not a privilege. We know through experience that children and youth amplify their intellectual, social and emotional capacities by engaging in the arts. **By enabling young people to observe, create, critique and explore the issues embedded in various art forms and forums, we have discovered ways to prepare young people in NYC and beyond to participate more fully in determining the future of their world.**

Through our programs, we help students develop an appreciation of others' lived experiences and perspectives. We strive to provide students with a range of tools, resources and outlets that will help them express their experience of the world and the world they want to build.

92Y also launched Teen Arts Week in 2019, founded by 92Y Teen Producers as NYC's only citywide celebration of the arts for teens with free cultural events for NYC youth in all five boroughs. For one week in March, dozens of arts organizations across NYC offer classes, performances, music jams, poetry slams, art-making, films, career workshops, and more. Programs show teens pathways to careers in the arts through talkbacks with event producers and featured artists, as well as behind-the-scenes tours.

Through 92Y's in-class and afterschool arts programs for youth, and the citywide Teen Arts Week, NYC youth explore using cultural expression as a catalyst for social change.

We respectfully ask the NYC Council and the Committee on Civil and Human Rights and the Committee on Public Safety to support programming at NYC's nonprofit cultural and community organizations that have an impact on promoting understanding, respect, and cultural expression of diverse viewpoints.

Sincerely,



Elizabeth Costa
Vice President, Government and Community Relations
The 92nd Street Y

Testimony for Committee on Civil and Human Rights, with the Committee on Public Safety, from Panthea Lee

For the Committee on Civil and Human Rights and the Committee on Public Safety’s consideration, I humbly offer two pieces that appear in the current (May 2/9, 2022) issue of *The Nation* magazine. These may provide some important and helpful context for the Committees to consider.

“Sex, Death, and Empire” (the current cover story) offers a history of recent attacks against Asian women, and “Multiple Things Can Be True” (a companion interview) offers a vision, articulated by Jason Wu of The Legal Aid Society, of policy and social interventions we should be considering. Both pieces can also be accessed online by clicking on the title links.

Sex, Death, and Empire: The Roots of Violence Against Asian Women	1
“Multiple Things Can Be True”: Understanding the Roots of Anti-Asian Violence	11

[Sex, Death, and Empire: The Roots of Violence Against Asian Women](#)

The line from America’s earliest empire in the Philippines to Japan, Korean, Vietnam—and anti-Asian violence at home—is straight, clear, and written in blood.

On March 11, a man with a footballer’s build assaulted a 67-year-old Asian woman in Yonkers. As she walked past him, he called out “Asian bitch”; she ignored him. He followed her into her building and punched her from behind, knocking her to the ground. Then, [over the course of 1 minute and 12 seconds](#), Tammel Esco roundhoused his arms into her—mechanical, unwavering—pummeling her over 125 times. He then stomped on her seven times and spat on her before walking away. The victim, whose name has not been released, was hospitalized with broken bones in her face, bleeding on her brain, and cuts and bruises across her head. Esco has been charged with attempted murder.

Four weeks before that, in the early hours of February 13, Christina Yuna Lee, a 35-year-old Korean American woman, was murdered in her Manhattan Chinatown apartment after returning from a party. An unhoused man had followed Lee into her building and forced his way into her apartment. One hour and 20 minutes later, she was found dead in her bathtub by police, naked

from the waist up, with 40 knife wounds in her body. Her attacker, 25-year-old Assamad Nash, had tried to sexually assault her. Lee died fighting back.

125 blows.

40 stabs.

I can't get these numbers out of my head, yet I struggle to process their implications. How can a person hammer their fist into an elder—into flesh, through bone—over and over and over again, 125 times? How can a person plunge a knife into another human being 40 times over, until all life has bled out? Did these men understand their victims to be human—or were they somehow subhuman? These are not rhetorical questions.

Lee's murder hit home. I had been in Chinatown just hours earlier, on the first warm, sunny day of the year. It was Super Saturday, a Lunar New Year tradition where lion dancers roam the streets to drive away evil spirits and bring good luck. After two punishing years for New York's Asian American community—2021 saw a [361 percent increase in anti-Asian attacks](#) and [staggering economic hits](#) fueled in part by COVID bias-related avoidance of Asian-owned businesses—this celebration was a much-needed balm. The air vibrated with a cacophony of firecrackers, marching bands, confetti, laughter. Spring was coming. Fresh beginnings were upon us.

The next morning, I woke to the headline: "[Woman Followed and Fatally Stabbed in Her Chinatown Apartment.](#)" I looked up Lee's address and realized I had walked right by her apartment the day before. I read news reports. She had been three years younger than me, loved art and music. She sounded like me.

The *New York Post* [had obtained security camera footage](#) from the night of her death. They stitched together grainy clips from her building's four cameras and put them side-by-side. Camera 1 shows a woman walking up to the building then pausing, likely to fish for keys. A shadowy figure shuffles up behind her, then hovers a few feet back. Camera 2 then sees her walking through the building door. Before the door fully shuts, the figure vanishes from Camera 1 and reappears in Camera 2, slipping in behind her. Lee then appears in Camera 3, walking towards her apartment. The figure, clad in gray, trails her. Unsuspecting, she walks off camera. He follows. Through it all, Camera 4 is fixed on the empty street, bearing witness and void of witnesses. The footage is bathed in purple, giving it the aura of a paranormal horror movie. I watch it over and over again, aching for a different ending: A passerby appears in Camera 1, Lee shuts the door behind her in Camera 2, she hears footsteps in Camera 3 and escapes. Each time she reappears on a new screen, my heart catches. But the footage is defiant; it refuses to change. Many loops later, I can no longer feel my insides.

While the media lingered on these grisly details, I yearned to see more of Lee than just her last walk home. Her death had grabbed the headlines, but what of her life? I scour the internet for clues. She had produced a documentary about a street rapper in New Orleans. I look up the

director—on Facebook, we have six mutual friends. On Instagram, I go through his tagged photos. Lee is in several, almost always surrounded by friends. I click on the friends and scroll through their photos too, searching for her. I find Christina celebrating a friend's birthday in Mexico in 2020, ringing in New Year's 2019 in Flatbush, at a Friendsgiving in Williamsburg in 2018. She liked the pizzas at Paulie Gee's. I wonder if, like me, she drizzled her pies with their signature hot honey. I read these friends' tributes:

["She rarely walked](#), she danced. [...] She would randomly call me, SUPER excited, like she had just won the lotto, to tell me about the sweetest strawberry she had from a nearby farmer's market."

["She saved people](#) seats at meetings, [...] had lunches with people on completely opposite and random teams, slacked people while on a zoom call telling them 'Your lipstick is absolutely perfect today.'"

"For my Sisdude, who liked to search through the sand for pretty pebbles and sprinkle them on her head to be a little closer to mother nature."

For once, I was grateful for the social media rabbit hole. My voyeurism enabled me to see her as a woman with agency, history, joyous quirks, a memorable shimmy—not as another dead Asian woman. Because especially in the last two years, we have had too many.

From March 2020 to December 2021, 6,506 hate incidents against Asian American and Pacific Islander (AAPI) women were [reported to Stop AAPI Hate](#); the actual number is likely far greater. This is almost double the incidents reported by men. Media coverage of Lee's death refrained from exploring the significance of her race, relegating it to a single sentence about what unnamed authorities did or did not know.

[CNN](#): "It's not clear whether Lee's race or ethnicity played a role in the attack."

[The New York Times](#): "The authorities have not determined that Ms. Lee was targeted because of her ethnicity."

As a journalist, I understand why the media are reluctant to go beyond what police say. And for police, hate crimes require a higher [burden of proof](#)—though some have used their recent increase to advocate for higher policing budgets. As an activist, I also know that hate crimes carry heavier sentences, condemning many who are themselves victims of a broken society into an inhumane system that fails to address the root causes of crime.

Yet as an Asian woman in America, the who-knows-if-race-played-a-role reporting feels like cultural gaslighting, denying both our experience and America's history.

The Long Phrase

“In rest and recreation spots such as Angeles, Olongapo, and other U.S. military bases scattered all over Southeast Asia, street vendors display hats and t-shirts emblazoned with the long phrase or simply the abbreviation LBFM as souvenirs of wild times, wild women, and wild places,” writes [Celine Parreñas Shimizu](#), a Filipina American filmmaker and cultural scholar, in *The Hypersexuality of Race*.¹

The long phrase is “little brown fucking machines powered by rice”, an expression that traces back to at least the Philippine-American War. In 1898, despite telling the Filipinos that Americans were eager to help them defeat their Spanish colonizers, the US cut a deal with Spain to buy the Philippines for [\\$20 million](#). When the Filipinos took up arms in a bid for independence, the US deployed 125,000 troops to persuade them otherwise. The war lasted over three years and devastated the country. Filipinas who had never considered sex work were forced into it as a matter of survival. And American men who had not previously known any Asian women now found themselves in a country where most women they met worked in the sex industry.

In the Philippines, a soldier could have [“a girl for the price of a burger.”](#) writes legal scholar Sunny Woan. Filipinas were viewed as so subservient that American GIs sexually denigrated them in ways they would never consider for their wives or women back home: “Filipina sex workers frequently report being treated like a toy or a pig by the American [soldiers] and being required to do ‘three holes’—oral, vaginal, and anal sex.”

The US military registered sex workers, regularly tested them for venereal diseases, and tagged them, like pets, reinforcing their status as less-than-human. It justified this system as imperial necessity. “The idea was that the soldiers are aggressively sexual and need a sexual outlet in the military theater. And if we don’t set up a system and inspect women, then they’re going to get sick and then we can’t fight,” explains [Paul Kramer](#), a historian of US empire. “It presumes all of these things about men’s sexuality and then essentially says: This is a pragmatic matter of manpower. We need men to be healthy and fit.”

By the end of American colonization in the Philippines about a half century later, this ideology had spread across Asia, laying the foundation for the region’s notorious sex entertainment and trafficking industries. At the end of World War II, to prevent rape by Allied troops on its general population, Japan [established a network of brothels](#) where [55,000 women](#) were recruited to service [up to 60 GIs a day](#). Many women committed suicide, particularly in the network’s opening days; upon its closure, the Japanese saw up to [330 rapes a day](#).

While Japan had a history of exploitative prostitution, [its conscription of women as military necessity](#) was based on studying Western tactics of empire-building. Since the 1930s, it had established “comfort stations” wherever Japanese troops went overseas; WWII, however, was the first time it offered its own women as sexual slaves for a foreign force.

¹ The Hypersexuality of Race, by Celine Parreñas Shimizu, pages 185 - 186

In 1950, months after it had entered the Korean War, the US military [introduced a program called R&R \(rest and recuperation\)](#) that gave soldiers breaks from active duty by sending them on holiday. It began shuttling GIs to Japan daily. [Soldiers' slang](#) for R&R illustrate their use of the program: “rock and ruin” and “rape and run”. By the time US troops entered Vietnam in 1965, this comfort stations network had spread across the Philippines, Korea, Vietnam, Taiwan, Japan, Thailand, Malaysia, and Singapore, and [85 percent of GIs](#) surveyed reported having been with a prostitute. One year later, US Senator J William Fulbright declared [“Saigon has become an American brothel.”](#) Nearly a decade later, by the time America had withdrawn from Vietnam, there were roughly 500,000 prostitutes in the country.

Other Western militaries, such as the British and Australian, developed their own R&R programs. Kramer calls this system of sexual exploitation the military-sexual complex. One Australian Navy officer who served in the 1960s [recalls his R&R time in Thailand](#): “There was nothing that wasn't for sale. I guess this had something to do with providing for R&R grunts fresh from the killing grounds of Vietnam, their every conceivable wish was catered for. [...] There were plenty of good cheap hotels and certainly no shortage of massage parlors. A 24 hour escort and tour guide would cost around 400 - 500 Baht [[US\\$ 20 - 25](#)], with an option to extend.”

R&R is not a relic of the past; it is alive and well. In a 2018 thread [“R&R info?”](#) in the US Army Reddit forum, a GI asked about the program today. The top-voted response: “My cousin went to Thailand and spent his 14 days fucking whores, drinking, and eating. I spent my R&R going home to see my son's 2nd birthday. Go fuck whores in Thailand.”

The [United Nations](#) and [many international non-governmental organizations](#) now also provide R&R to staff serving in hardship posts or humanitarian settings. While many use R&R to see families or quietly decompress, the breaks have become notorious for contributing to sexual assault of both [other aid workers](#) and local populations. There is a distinct male swagger—brazen, almost sneering—that comes from being on the winning end of global inequality, and strutting and dangling that privilege in front of those on the losing end. While working across the Global South, I've watched men grab women as they please, and many let them—for the money these men spend in an hour can feed their families for a month. In response, I chopped my hair off and started wearing shapeless, baggy clothes. I wanted to hide my gender. I wanted to shield my body. I wanted to look like anything but another Asian plaything for Western men.

She's Fun, and So Uncomplicated

But I was battling a long tradition. In 1887, French writer Pierre Loti published *Madame Chrysanthème*, a semi-autobiographical novel about a naval officer who travels to Japan and seeks a temporary wife: a “little, creamy-skinned woman with black hair and cat's eyes. She must be pretty and not much bigger than a doll.” Once he marries Chrysanthème, he reflects: “It is a hundred to one that she has no thoughts whatever. And even if she had, what do I care?”

She was simply another Oriental artifact, beautiful and inanimate, for his collection. The book was wildly successful—it was reprinted over 200 times during Loti's life alone—and inspired the opera "Madama Butterfly" (1904, set in Japan), which in turn inspired [Hollywood's oldest-surviving Technicolor feature](#) "The Toll of The Sea" (1922, in China), the hit musical "Miss Saigon" (1989, in Vietnam), and the film "M. Butterfly" (1993, in China). While the locales changed in line with the Western geopolitical interests du jour, the story remained largely the same: docile Asian woman falls in love with white man, bears his child, then, realizing her love is unrequited, kills herself. Despite decades of global protests against "Miss Saigon", in 2013, its 25th anniversary revival in London [broke box office records](#), selling £4.4 million in tickets on the first day alone.

In a 1990 piece titled "[Oriental Girls](#)" for [British GQ](#), a writer examined "the enduring appeal of the great Western male fantasy":

"When you get home from another hard day on the planet, she comes into existence, removes your clothing, bathes you, and walks naked on your back to relax you. And then there is sex. [...] She's fun you see, and so uncomplicated. She doesn't go to assertiveness-training classes, insist on being treated like a person, fret about career moves, wield her orgasm as a non-negotiable demand."

When not a fantasy, the Asian woman is a punchline. Stanley Kubrick's 1987 film *Full Metal Jacket* about American Marines in the Vietnam War made famous the line "Me so horny. Me love you long time," spoken by a Vietnamese prostitute in broken English. The line was sampled by 2 Live Crew in their 1989 hit "Me So Horny", which reached [number 1 on the US Billboard Rap Songs chart](#), and by Sir Mix-A-Lot in "Baby Got Back", which became the [second best-selling song in America](#) in 1992. In doing so, they helped entrench "me so horny" as cultural catchphrase and [meme](#)—and as nightmare for Asian women, who continue to be haunted by this racist catcall.

Deadly Cures for Yellow Fever

Every woman has stories about creepy men. Asian women have their own, and often of a particular kind. [The Fleshlight Chronicles](#) is an Instagram account that catalogs racist come-ons Asian women receive on dating sites. They include gems like: "I want to try Asian pussy; since I love Asian food, I'm like maybe I would love this too."

Lacking the ability to stop such pick-up lines, some women have resigned themselves to rolling their eyes. Yet we rarely interrogate the roots of yellow fever—slang to describe those with an Asian fetish—or its implications. The term itself suggests that Asian women's bodies are the sites of disease. This notion has deep roots: J Marion Sims, the father of modern gynecology [insisted there was a unique strain of syphilis](#) in Asian women. In 1876, at the American Medical Association's centennial jubilee, Sims used his presidential address to sound the alarm on this deadly "Chinese tocsin". For the next century, in its brothels across Asia, the American military

would screen women for venereal diseases to prevent yellow fever from spreading from its soldiers' minds to their bodies.

The notion that yellow fever is problematic but treatable persists today. "Never been with an Asian before so banging you would be a dream come true," writes [one man](#) in *The Fleshlight Chronicles*. "I need my yellow fever cured." This idea has deadly implications.

On March 16, 2021, a 21-year-old man went on a shooting spree at three massage parlors in Atlanta. He killed eight people, six of them Asian women: Soon Chung Park, Hyun Jung Grant, Suncha Kim, Yong Ae Yue, Xiaojie Tan, and Daoyou Feng. The shooter, Robert Aaron Long, [cited his sex addiction](#) as the reason for his actions—to him, these women were temptations to be purged. Most men try to "cure" their yellow fever by dating Asian women, Long opted to kill them.

During a press conference, a Captain at the Cherokee County Sheriff's Office summarized Long's motives: "It was a really bad day for him and this is what he did." The media seized on this flip remark, and social media was flooded with hot takes. One year later, a Google search for "Atlanta spa shooting 'bad day'" returns nearly 2.5 million results. Individual searches for "Atlanta spa shooting" plus the names of each Asian victim return between about 10,000 and 21,000 results. Even adding up all the victims' results—a poor way to determine just how much was published about them, since most articles include all their names—returns just 91,600 results. Surely six of their lives were worth more than 3.7 percent of the discussion devoted to Long's bad day?

When the media did focus on the victims, there was a salacious undertone to [much of the reporting](#), as journalists tripped over themselves and sites like Rubmaps trying to determine if the women had in fact been sex workers. Shimizu's words ring in my ears: "Sex is the primary site of contestation over the making and unmaking of Asian female legibility in popular culture." In English-language media, these women were centered when journalists wanted to interrogate and stigmatize the possible uses of their sexuality; otherwise, they served as props in yet another mass shooting story.

I return to *GQ's* 1990 "Oriental Girls", which portrayed Asian women as outlets for a bad day: "When you get home from another hard day on the planet, she comes into existence. [...] She's there when you need shore leave from those angry feminist seas. She's a handy victim of love or a symbol of the rape of the Third World Nations, a real trouper."

The Asian victims in Atlanta were in America because of the rape of their homelands. What the cultural conversation around Long's bad day missed is that these women, who were between the ages of 44 and 74, were all born during or just after a period of US-led wars in Asia. For them, immigration was one of few paths to escape war and economic devastation. These women had been "real troupers"—whitespeak for oppressed people who quietly accept injustice. Once in the US, they had limited ways to earn a living, thus entering a system that exploited them while invisibilizing their risks.

Mental Illness as Red Herring

When asked for comment about Lee's murder, New York City Mayor Eric Adams replied that the city must do more to address mental illness. In recent vigils for slain Asian women, officials dutifully line up to lament yet another tragedy, exclaim "this must stop!", point the finger at mental illness, then hang around for photo ops.

But mental illness is a red herring. Treating perpetrators as aberrations—as if they are bizarre deviants from the norm—misses the point. Mental illness operates within specific cultural contexts. The mentally ill still draw upon existing cultural templates, which they may distort or act upon in more extreme ways. And when it comes to Asian women, the cultural template has long been sexual denigration—three holes, rape and run, "me so horny". Nash and Long, among so many others, simply took these messages to fatal conclusions.

On January 15, Michelle Alyssa Go, a 40-year-old Chinese American woman, was pushed to her death in front of a subway train at Times Square. The attacker, Martial Simon, was an unhoused man who was schizophrenic. Authorities said there was no indication that Go had been targeted because of her ethnicity.

Repeatedly denying the role of race while pointing the finger at mental illness relieves the state of culpability. The message: These attacks are strange coincidences, the actions of crazy people. So let's just lock them up, then keep on keeping on.

Yet in terms of acknowledging and managing these risks, our government has repeatedly come up short. For years before pushing Go to her death, Simon had been in and out of hospitals. In 2017, a psychiatrist working at a state mental institution [noted that](#) Simon had said it was "just a matter of time" before he would push a woman onto train tracks. He was nevertheless discharged.

To make sense of how our society fails men like Simon, and thus their victims, I contact [Jason Wu](#), a seasoned public defender with The Legal Aid Society. Wu criticizes dominant analyses of anti-Asian violence, which draw on a traditional criminal framework: there are bad people who do bad things. "But it takes out of context that their prejudice was stoked in our current political environment, that's tied to a racializing of a virus, that's tied to geopolitical tensions that play out on the bodies of Asian Americans. That political move is not new. But who we hold responsible in this moment should be bigger than the person taking the bait—it should include our government."

In the long shadow of state-sanctioned violence against Asian women—a violence reinforced through culture, and distorted by mental illnesses that this country stokes but refuses to treat—I consider how Asian American women must now muster individual solutions for our safety. My group texts are filled with chatter about where to buy mace—and coupon codes for personal safety alarms. At rallies, well-meaning nonprofits hand me flyers with self-defense strategies. I

stare blankly back at them. I imagine how to teach my parents to do a palm-heel strike; the thought alone is too much to bear.

Meanwhile, authorities continue to investigate whether these recent victims, my sisters, were targeted because of their race.

Contemplating the Third Rail

I now rarely listen to music or read books while waiting for the subway. I stand hypervigilant in the middle of the platform, equidistant from either edge, wishing the space was wider.

My partner and I have walked step-by-step through what I would do if I were ever pushed onto the tracks, from best to worst option. Plan A is to stand to the side, beneath the ledge where there is space to tuck myself under. Some stations have human-sized vestibules in the walls, intended for service workers. Before Go's death, I never noticed them; now, I scan for them whenever I enter a station. Plan B is to outrun the train until I reach the far end of the station, in front of where trains stop, so that I can get the conductor's attention.

Plan C, only to be used if I've been pushed right in front of an oncoming train and there is no time for Plans A or B, is to lie between the two rails of the track and turn my head to the side as the train runs over me. I have nightmares about Plan C: lying among wet garbage and rats as ten 85,200-pound metal cars screech over me, inches from my face.

In all scenarios, my partner stresses that I must not touch the third rail, the metal railing from which the trains draw electricity. Touch that, he warns, and you're done.

"How long would that take?" I ask.

"It'd probably be instantaneous. There is so much voltage going through that thing, you probably wouldn't even feel it."

I imagine the circumstances under which I might go for the third rail. A quick touch of death seems better than being mangled by a train. There are worse ways to go.

As I contemplate options for my death and try to make sense of Christina's, I feel called to honor her memory. In Chinatown, I lay flowers and a note at her memorial. On Instagram, I gather tributes I find into a post. I feel disoriented, yet clear in my need to know and remember her.

The next day, I find a comment on my post, from an account that claimed to be my neighbor. I click on the profile—it is indeed the guy next door, who I've waved hi to but never actually met. He had found my post via the #ChristinaYunaLee hashtag and wrote: "Christina and I would have drinks on my stoop regularly in the summer of 2020. I remember her smiling and cheering at you and your boyfriend as you were doing the same. Your instinct was right, you actually shared a lot with her unknowingly."

His message stopped me cold. One night burst forward in my mind, like a folder of forgotten images spilling from a filing cabinet. It had been a muggy Brooklyn night. A friend had just gotten a new job and we were celebrating. My partner and I sat on our stoop toasting her, and waved at the pair the next stoop over. As she and I prepared to head to dinner, my partner was seized by a need to send us off with vintage Robbie Williams. With “Angels” blasting on the speaker, he began an over-the-top rendition of the 1997 hit, complete with interpretive dance.

I grab my phone. I can see the night so clearly. Did I take a photo? Do I have anything to remember her by? I go to my Photos app, organize my photos by Places, and zoom in to the map until I find our apartment. I scroll to 2020 and then down, scanning June, July, August, September. Nothing. One more time, scrolling up: September, August, July.

There.

It’s a 38-second video from July 24, 2020, taken at 8:39pm, of my partner singing and dancing in front of our building. I hear laughter coming from off-screen, one stoop over.

“Wherever it may take me / I know that life won’t break me / When I come to call...” he belts out.

I hear a woman laughing. Bright. Carefree.

“My boyfriend loves Robbie Williams!” I shout, choking back laughs.

“Love it!” Christina shouts back. I’ve lost count of how many times I’ve played this video, just to hear her laughter and those two words. Love it!

He turns to serenade them with the final lines: “She won’t forsake me... I’m lovin’ angels instead.” They cheer.

“I’m Panthea and this is Troels!” I yell and wave to them, for the first and last time.

The video ends.

“Multiple Things Can Be True”: Understanding the Roots of Anti-Asian Violence

A conversation with public defender Jason Wu, who says if we do not learn from history, we risk misdiagnosing the problems—and applying remedies that will continue to fail us.

Jason Wu is a public defender, attorney-in-charge at the Legal Aid Society’s Harlem Community Law Office, and cochair of GAPIMNY, a community organization that works to empower queer and trans Asian Pacific Islanders to create positive change.

There has been debate among Asian American communities on whether to push for more anti-Asian attacks to be labeled as hate crimes. Some feel that not doing so denies their lived experience.

Multiple things can be true: It can be true that Asian Americans are particularly vulnerable to violence, attacks, harassment, and discrimination in this moment. It can also be true that there's a level of fearmongering that law enforcement agencies and politicians engage in because it's their politics—and a way for police agencies to get more money. And it can also be true that the criminal legal system and jails and prisons are extremely violent and racist. All three things can be true.

So maybe some communities are looking for recognition from the criminal justice system where that might not be the place to be seeking recognition?

Exactly. There's also a level of exploitation regarding the trauma in Asian American communities that's happening. The things that keep Asian American communities safe are the same things that keep all our communities safe: resources and investment in systemic changes, like in housing policy and healthcare. But instead of giving us truly affordable housing, we send more police into the subway and push the homeless out into the cold when the city, at the same time, puts out a Code Blue that you can die in the freezing cold. That doesn't make anybody safer.

How are you seeing attacks against AAPI communities being weaponized?

We hear it from our elected officials. Part of it is that there can be a lack of imagination of what is possible. The easy thing to say is we'll just put more dollars into policing, which we heard from our President, to show we're being responsive to people's legitimate concerns around safety. We can all agree that there are problems that require criminal response—but if the problem is inequality, then we have to actually address the systemic inequality in our society that is producing violence.

We sometimes see framings that try to pit AAPI communities against the homeless, or the mentally ill. What's your view on why this is happening?

[It comes from] an us-versus-them perspective on *those* “bad” people that need to be separated from the rest of society, and *us* who need to be protected from them. I want us to break out of that binary, because the person that you might be afraid of has a story, too. There are things that have happened to them and a failure of our society to provide a safety net that have led that person to where they are. That person was part of someone's family, was part of a community—is still part of our community. So as opposed to just viewing it as us-versus-them, and othering and dehumanizing another person, how do we think about creating policies and responses that allow for our community to actually heal and to repair relationships?

And it's not abstract, because sometimes people think "oh, the abolitionists, it's just abstraction." It's not. We can actually translate that into the current budget debates. Where do we want to see our funding go? Using the subway example, we can send police who get paid overtime to push homeless people out into the streets, then we can send more police to push homeless people off those streets onto other streets, and keep that cycle going. Or we can truly invest in affordable permanent housing.

I also want to tie this back to the debate on critical race theory, which isn't even about critical race theory, but about our ability to have a language to talk about systemic racism or to understand our history, including that of Asian Americans in this country. Asian Americans have experienced extreme violence including lynchings and exploitation that have brought us to this moment. We need to address the education piece. That's not abstract, to advocate for ethnic studies in our schools and to push back against the kind of silencing of critical race theory en masse across this country.

It's so important for us to have that understanding, which frustrates people because they're like, “I want to feel safe now. I don't need to hear about history.” But without history, we're misdiagnosing what the real problems are. Then by extension, we're applying solutions that don't work and have continued to fail us.

Do you think that when it comes to serious crimes, New York City is ready to advance more restorative and transformative justice approaches?

Restorative justice and transformative justice approaches require all the parties to consent. And I don't think that NYC, like many places in this country, has really given those approaches the investment for a real, good-faith try in terms of scaling it up. We've seen what that looks like in places like San Francisco or Philadelphia where certain District Attorneys are trying. But then there's a backlash in response. Even with DA Alvin Bragg in Manhattan, there's a certain kind of common-sense policy changes that he started, and then there was a huge backlash, so he's started pulling back.

[These approaches] are underutilized; we should explore them and experiment. They need investment. Our legal system is set up where we have criminal responses, prosecutorial responses, and the important work of my colleagues to provide criminal defense. We don't have

a constitutional right for transformative or restorative justice. Part of the [response to] critique of “these things are never going work” is that we've never tried. We've never invested the resources to build out the practices, and experiment to see how they could work.

What are we missing in current conversations about anti-Asian violence?

I think a lot about the role of non-Black people of color in building solidarity with Black communities. [Consider] the rise of Black Lives Matter during this pandemic; at the same time, anti-Asian violence was happening. And the increase in carceral demands by certain parts of [the latter], to me, is a very clear contradiction. On the one hand, we were saying that these systems are broken, unfair, racist. On the other, we're saying that we want to lean on these systems to protect us against them.

In Asian American spaces, where some of this has been teased out a bit, one of the responses I've heard is: “A lot of these attackers in places like NYC are Black, and just because they're Black doesn't mean that we don't deserve accountability or justice.”

I think that first, we have different definitions of what justice is; that needs to be fleshed out. Justice is more than just prosecution and jails and prison. Justice is transforming our systems and conditions so that we can stop violence altogether.

The other piece is sometimes the race and identity of attackers is brought in to further divide and pit communities of color against each other. That's a rhetorical and political move of white supremacy as a system, and that some Conservatives leaders and media circuit people love to feed into. They love to get Asian Americans to advance white supremacists' carceral arguments and dehumanize Black people and [delegitimize] BLM as a movement. So it's important to name that.

Is there a space for communities of color to address the biases and prejudices that exist within our communities towards each other? We're dealing with people feeling a lot of trauma and fear in this moment of attacks, and it's hard for us to get to that good faith place of really trying to build understanding across communities of color. I wish we could get to that place. There have been moments where our communities have tried: the LA riots [in 1992] was a moment where there was a building of shared analysis of racial triangulation and of our communities, identities, experiences in relation to white supremacy. That's a piece that's missing in this conversation.

Some Asian Americans view this as just “you don't want to talk about Black people attacking us so you're going to talk about police violence all the time”, which is not my intention. I'm trying to recenter what the question and issue is: What are the broader problems that we should be focusing on?