

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL AND HUMAN RIGHTS

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October 15, 2018
Start: 10:24 a.m.
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HELD AT: Committee Room - City Hall

B E F O R E: Mathieu Eugene
Chairperson

COUNCIL MEMBERS:

Mathieu Eugene
Daniel
Ben Kallos
Brad S. Lander
Bill Perkins
Ydanis A. Rodriguez
Helen K. Rosenthal

A P P E A R A N C E S

DANA SUSSMAN - Deputy Commissioner for Intergovernmental Affairs and Policy, at the New York City Commission on Human Rights

EDWIN TABLADA - Advisor for Policy and Intergovernmental Affairs, Commission on Human Rights

ALBERT FOX CAHN - Legal Director for the New York Chapter of Care, the Council on American-Islamic Relations

RAWAA NANCY ALBILAL - President and CEO of the Arab-American Family Support Center

GISELLE KLAPPER - Staff Attorney with the Sikh Coalition

RAMA ISSA IBRAHIM - Executive Director of the Arab-American Association of New York

ANIQA NAWABI - Muslim Community Network

RABBI ELI COHEN - Executive Director of the Crown Heights Jewish Community Center

1
2 CHAIRPERSON EUGENE: [Gavel] Good morning.
3 How are you today? Very good. My name is Mathieu
4 Eugene and I am the Chair of the Civil and Human
5 Rights Committee. Today our Commission will be
6 hearing testimony on the issue of discriminations
7 against Muslim, Arab, South Asian, Jewish, and Sikh
8 or if you want (MASAJS) communities. As one of the
9 most diverse City in the country, New York City
10 prides itself on celebrating its diversity in
11 pursuing an agenda of inclusivity; however,
12 **[inaudible 4:21]** of this administration. In 2016,
13 fearmongering and racists attitudes are a **[inaudible**
14 **4:35]** have had devastating effects in New York
15 because the city hates crimes. Discrimination and
16 bias are based at that of all increased and members
17 of MASAJS communities have been officially targeted.
18 Prejudicial attitude against various groups have
19 always been prevalent in America, and black people,
20 Latino, LGBTQI individuals continue to be a victim of
21 bias and hate crimes in high numbers. The focus
22 today on discrimination against MASAJS communities is
23 in no way diminishes the experiences of other
24 vulnerable groups; and rather, it presents an
25 opportunity to explore some of the different

1 dimensions that fuel discrimination against this
2 group in New York City. For example, since the
3 September 11 terrorist attacks in 2001, political
4 rhetoric has often conflated Islam with terrorism,
5 fueling suspicion of Muslim people. These
6 stereotypical views have had a lasting effect on the
7 country's attitudes and approach towards the Muslim
8 population and perpetuate the discrimination they
9 experience. For instance, a survey conducted by Pew
10 Research Center in 2016 showed that nearly half of
11 all respondents believed that at least some Muslims
12 in the country were anti-American. Anti-Semitic
13 incidents have also dramatically increased across New
14 York since the 2016 Presidential election. According
15 to a report by the Anti-Defamation League (ADL),
16 anti-Semitic incidents in New York City increased by
17 90% in 2017 compared to 2016. Harassment, bias in
18 one race has increased across the country since the
19 2016 election and New York City has sadly not been an
20 exception. In addition to the increase of bias
21 attack and harassment, there have been a number of
22 high-profile incidents that issue the type of hassles
23 that MASAJIS has been experiencing. For example, in
24 Crown Heights, there were two separate incidents
25

1 within a week of each other where Jewish men were
2 violently attacked while the assailant yelled anti-
3 Semitic comments. An NYPD officer, who wears a
4 hijab, was verbally assaulted by a man who called her
5 "ISIS" and threatened to slit her throat. This
6 single incident was experienced by an MTA walker who
7 was also wearing a hijab when she was followed off a
8 train, pushed on the stairs and called a "terrorist".

9
10 The surge in bias attacks against MASAJIS
11 communities and the backdrop of xenophobic rhetoric
12 and policies pursued by this administration, prompted
13 the commission and human rights to conduct a survey
14 to examine firsthand accounts of discrimination that
15 these populations were experiencing. The key
16 findings detailed in the final report indicate that
17 for members of MASAJIS communities in New York City,
18 discrimination and bias attacks are a common
19 experience and we look forward to hearing today from
20 the commission about these findings. We also look
21 forward to hearing testimony today from members of
22 representative and a representative from these
23 effected communities as well as advocate in other
24 stakeholders to learn more about their recommendation
25 on how we can tackle this targeted discrimination but

1 before we begin, I would like to recognize the
2 members of this committee who have joined us. We
3 have Council Member Dromm, and also Council Member
4 Rosenthal. Thank you very much. We have been joined
5 also by Council Member Ydanis Rodriguez. I would
6 like also to thank the committee staff Harbani Ahuja,
7 Counsel to the Committee, Leah Skrzypiec, Policy
8 Analyst and Yariv Shavitt, Financial Analyst as well
9 as my staff **[Inaudible 11:37 -11:40]**. Now before we
10 start, I would like to ask the Council of the
11 Committee to administer the oath.
12

13 COUNCIL OF THE COMMITTEE: Please raise
14 your right hand. Do you affirm to tell the truth,
15 the whole truth, and nothing but the truth in your
16 testimony before this committee today and to respond
17 honestly to Council Member questions?

18 DANA SUSSMAN: Yes.

19 EDWIN TABLADA: Yes.

20 COUNCIL OF THE COMMITTEE: Thank you,
21 please state your names for the record.

22 DANA SUSSMAN: Dana Sussman, Deputy
23 Commissioner for Intergovernmental Affairs and
24 Policy, at the New York City Commission on Human
25 Rights.

2 EDWIN TABLADA: Edwin Tablada, Advisor
3 for Policy Intergovernmental Affairs, Commission on
4 Human Rights.

5 DANA SUSSMAN: Good morning Chair Eugene
6 and Council Members for the Committee on Civil and
7 Human Rights and Committee Council and Committee
8 staff. I am Dana - oh, excuse me.

9 CHAIRPERSON EUGENE: Thank you very much
10 and I want to thank you for coming to testify on this
11 very important topic and to all of you here, so thank
12 you for your presence. Thank you for your
13 participation to this very, very, important hearing.
14 Thank you, you may start now please.

15 DANA SUSSMAN: Thank you. I am Dana
16 Sussman, Deputy Commissioner for Intergovernmental
17 Affairs and Policy at the New York City Commission on
18 Human Rights. Thank you for convening today's
19 hearing on discrimination faced by Muslim, Arab,
20 South Asian, Jewish, and Sikh or ("MASAJS") New
21 Yorkers, a topic of great and focused concern at the
22 Commission. As you may be aware, the Commission
23 undertook a survey of these communities in the fall
24 of 2017 and published a report earlier this year
25 announcing the findings of the survey. I have

1 provided the Committee with copies of the report and
2 fact sheet, which are also available on our website.
3 I am pleased to share with you today how the survey
4 was developed and implemented and provide a summary
5 of the survey results and next steps. I will also
6 highlight the Commission's outreach and enforcement
7 efforts as it relates to these communities. I am
8 incredibly proud to be joined today by several key
9 members of the Commission's staff who were integral
10 in the development of the survey and engaging with
11 communities across New York City to ensure the survey
12 reached as many people as possible. Here with me
13 today is Edwin Tablada, Advisor for Policy and
14 Intergovernmental Affairs and also here from the
15 Commission is Widad Hassan, Lead Advisor for MASA
16 communities. Beth Miller, Liaison to Jewish
17 Communities, Jo Kaur, Chief EEO Officer and Policy
18 Counsel, who leads our outreach to Sikh communities,
19 and Christelle Onwu, Lead Advisor on African
20 Communities.
21

22 After the 2016 Presidential election, in
23 late 2016 and early 2017, the Commission convened a
24 series of roundtable conversations with community
25 leaders and organizations, including immigrants'

1 rights advocates, workers' rights groups, LGBTQ
2 advocates, faith leaders, and racial justice
3 advocates. As we witnessed the rise of hateful
4 rhetoric on the federal level, we observed an
5 increased in bias incidents nationally and in New
6 York City, and organizations reported increases in
7 calls and complaints. The Commission determined that
8 an affirmative survey of MASAJIS communities in New
9 York City was needed to better understand what was
10 happening on the ground.

11
12 While the Commission recognizes that many
13 marginalized groups in New York City are vulnerable
14 to harassment, discrimination, and acts of hate, the
15 MASAJIS groups were selected because the Commission
16 had identified, as a direct result of these
17 roundtable discussions, that these groups had been
18 experiencing heightened risk of these types of
19 incidents. The research project was animated by
20 anti-Muslim rhetoric and policies at the national
21 level, including overt racism against Arab and South
22 Asian communities. Anti-Semitic vandalism and
23 reports of harassment and bullying that emerged early
24 in the project led to the inclusion of Jewish
25 communities and during the community engagement

1 process, Sikh community leaders advocated for their
2 inclusion as a group separate from those already
3 identified, given their distinct visible identity and
4 vulnerability to discrimination and hate.
5

6 As the agency charged with enforcing the
7 City's anti-discrimination and anti-harassment
8 protections, and mandated by statute to issue
9 reports, hold hearings, and convene discussions and
10 dialogue to facilitate positive intergroup relations,
11 the Commission is well-positioned to work with
12 community groups to develop a survey that captured
13 diverse groups' experiences with discrimination and
14 bias incidents. In fact, the Commission had
15 previously undertaken a survey of Muslim New Yorkers
16 in the aftermath of 09/11, and issued a report in
17 2003, reporting that over two-thirds of survey
18 respondents experienced one or more incidents of bias
19 and/or discrimination in the aftermath of 09/11. The
20 Commission felt that it was necessary to revisit this
21 work and expand upon it, given the current political
22 climate.

23 The survey was designed and implemented
24 following 15 focus groups coordinated in
25 collaboration with a dozen community-based

1 organizations. The Commission partnered with
2 Strength in Numbers Consulting Group, Inc., a small
3 M/WBE-certified social justice research and
4 evaluation firm in New York City that specializes in
5 working with the most marginalized groups to do
6 participatory research projects driven by community
7 needs and accountability to those most affected by
8 the work. The Commission partnered with over 150
9 community groups, faith leaders, City agencies, and
10 elected officials, to disseminate the survey and
11 reach community members. The survey was conducted in
12 nine languages (English, French, Bengali, Punjabi,
13 Arabic, Russian, Hindi, Urdu, and Yiddish) over a
14 three-month period (October – December 2017) in all
15 five boroughs. The survey was made available to
16 participants in print and online, including in a
17 mobile-friendly format. Commission staff were
18 stationed at houses of worship, community centers,
19 colleges, legal services providers, and other partner
20 organizations with iPads and hard copy surveys in
21 multiple languages to assist community members in
22 completing the survey.
23

24 Over 3,100 qualified respondents took the
25 survey. The majority were Muslim; nearly one-third

1 were Jewish, with over one in four being South Asian
2 American, and about 14.5 percent being Arab American.
3 About one in ten were Sikh.

4
5 The key findings showed that high levels
6 of bias harassment, discrimination, and physical
7 assaults were experienced by MASAJIS communities
8 leading up and following the 2016 presidential
9 election. The report also revealed that victims of
10 such acts are reporting them at low rates. The key
11 finding from the report are highlighted in a one-
12 pager fact sheet that we have, and we also have it in
13 the nine-survey languages as well. I will read the
14 key findings into the record. Nearly two in five
15 survey respondents reported experiencing verbal
16 harassment, one in ten reported being a victim of
17 physical assault, and nearly one in six said they
18 experienced some form of racial, religious, or ethnic
19 discrimination-related problem in their employment in
20 either a current job or while seeking a job. One in
21 four Muslim Arab women who wear a hijab reported
22 being intentionally pushed or shoved on a subway
23 platform. Sikh New Yorkers under the age of 35 have
24 nearly twice the chance of experiencing verbal
25 harassment than other survey respondents. 80 percent

1 of Jewish survey respondents said they were "very" or
2 "somewhat" negatively impacted by anti-Semitic
3 vandalism or property damage. One in five South
4 Asian survey respondents said they experienced
5 employment discrimination. Overall, nearly 71
6 percent of survey respondents said they did not
7 report bias incidents to a community-based
8 organization, a faith-based organization, the
9 Commission, or the NYPD, citing concerns their
10 reports would not be taken seriously, fear of
11 retaliation, and because previous reporting did not
12 result in action and in addition, this statistic is
13 not on the key fact sheet, but it is in our report.
14 Muslim and Sikh respondents were more likely to be
15 told not to wear religious clothing in the workplace,
16 and Muslim respondents were mostly likely to indicate
17 that they had been prevented from observing their
18 religion at work.

19
20 In May or June 2018, The Commission
21 released the report with fact sheets summarizing
22 these key findings in the nine survey languages. The
23 Commission also launched a social media campaign
24 promoting the report and how to reach the Commission
25 to file a complaint. The campaign garnered three

1 million impressions or views generated across all
2 platforms and 14,000 visits to the survey project
3 landing page on the Commission website. Over 500
4 reports and fact sheets have been downloaded and
5 distributed.
6

7 Consistent with the experiences reflected
8 in the report, the Commission's Law Enforcement
9 Bureau fielded nearly 1,000 inquires alleging
10 discrimination based on immigration status, national
11 origin, race, and religion in Fiscal Year 2018 and
12 filed nearly 400 complaints of discrimination under
13 the same protected categories.

14 In 2017, the Commission relaunched its
15 multilingual Bias Response Team – a Commission
16 initiative that originated in the early 1990s – in
17 response to widely reported increases in bias
18 incidents, discrimination, and act of hate. In
19 Fiscal Year 2018, the Commission significantly
20 expanded this work by hiring two dedicated Human
21 Rights Specialists to serve as Bias Response
22 Investigators. The Commission's Bias Response Team
23 now quickly mobilizes in the immediate aftermath of
24 incidents of bias or hate with a range of different
25 responses, including: ensuring that Commission staff

1
2 are visible and present at the site of the incident
3 with material about people's rights as well as
4 services the Commission provides; connecting with
5 community leaders and affected parties; providing
6 programming and on-site legal intake; and engaging
7 with the community about an appropriate agency
8 response.

9 In Fiscal Year 2018, the Bias Response
10 Team responded to 146 bias incidents – a greater than
11 200 percent increase compared to the previous Fiscal
12 year. The Commission both strategically responds to
13 and tracks these incidents, and this tracking effort
14 will enhance its responses in the future. A few
15 examples of the bias response teams work include: In
16 August 2017, a condominium in Sunnyside Queens was
17 vandalized with Nazi signs and other hateful symbols
18 in its lobby. The Commission mobilized a Day of
19 Action and a press conference with Council Member
20 Jimmy Van Bramer and other City agencies and that
21 action led to a law enforcement action on behalf of
22 our law enforcement team that resulted in a
23 resolution earlier this year. In September 2017, a
24 home in Riverdale was vandalized with a swastika on
25 its doorway. It was quickly discovered that the

1 perpetrator was a local teenager and the Commission
2 alerted the Bronx Community Board 8, and the
3 Commission made a presentation the Board's Youth
4 Committee about the Civil Rights Law and protections
5 under the Law.
6

7 In January 2018, in downtown Brooklyn, a
8 group of young women attacked a Muslim woman, calling
9 her a terrorist and spitting on her. Members of the
10 Commission met with the victim to inform her of her
11 options to file a complaint with the Commission. The
12 Commission also organized a Day of Visibility near
13 the site where the incident occurred, shared
14 materials on protections for Muslims and those
15 perceived as Muslim.

16 In March 2018, racist, anti-Black
17 pictures were distributed on social media at a local
18 college campus. The Commission conducted outreach to
19 the victims, elected officials, community leaders and
20 Campus officers, and distributed literature in the
21 community.

22 The Commission continues to increase its
23 focused community outreach to observant religious
24 communities and seeks to ensure a consistent
25 Commission presence at community-based resource

1 fairs, forums, and events to share information about
2 what the Commission does and what to expect if
3 community members report experiences with
4 discrimination and harassment. For example, in
5 response to the rise in anti-Muslim rhetoric leading
6 to the 2016 election and later, the announcement of
7 the Trump Administration's travel bans primarily
8 targeting Muslim-majority countries, the Commission
9 partnered with the Mayor's Office of Immigrant
10 Affairs on providing outreach and education about the
11 most updated developments, New Yorkers' rights, and
12 relevant City resources. More precisely, the two
13 agencies cross-trained frontline staff to ensure that
14 the agencies were educated on both immigration issues
15 and anti-discrimination to better address inquiries
16 related to the policies announced. MOIA created
17 public-facing materials to inform New Yorkers about
18 the latest travel ban developments and how to connect
19 to free legal help and other resources and the
20 Commission developed materials in multiple languages
21 regarding religious discrimination, and harassment
22 protections. Together with MOIA and faith and
23 community groups, the Commission participated in
24 major outreach events in communities highlighting
25

1 information about the travel bans and protections for
2 vulnerable communities.

3
4 The Commission convenes events intended
5 to lift up the experiences of New Yorkers of diverse
6 faiths and bring communities together, also educating
7 community members on their rights and City resources
8 and provides know your rights workshops for diverse
9 communities. For example, over the last three years
10 the Commission, MOIA, and the Mayor's Community
11 Affairs Unit have hosted the City's Iftar in the
12 City, the largest outdoor Iftar in New York City, to
13 celebrate and support the City's diverse Muslim
14 communities. In the past three years its been held
15 in Manhattan, Brooklyn, and Queens. This year's
16 Iftar, which was held in the heart of Jackson
17 Heights, Queens was attended by more than 600 people
18 and centered on celebrating the resiliency of
19 immigrant communities.

20 This spring, the Commission co-hosted an
21 Interfaith Seder for Immigrant and Refugee Rights
22 with the Center for Faith and Community Partnerships,
23 which brought together attendees from diverse faiths
24 and ethnicities to share in the re-telling of the
25 Jewish story of Passover and its liberation narrative

1 and discuss what people throughout the City can do to
2 support and protect immigrant and refuge communities
3 in New York. It welcomed 130 attendees across many
4 faiths. The Commission partnered on an Interfaith
5 Diwali Celebration with the Bronx's diverse South
6 Asian and Indo-Caribbean communities, which was
7 attended by over 300 people and co-hosted by the
8 Vishnu Mandir, a local Hindu temple in which faith
9 and community leaders from Hindu, Sikh, Jain, and
10 Buddhist communities who came together to celebrate a
11 message of peace and unity, and the Commission
12 coordinated the City's first-ever Vaisakhi
13 celebration sponsored by city agencies to celebrate
14 and bring awareness to the City's Sikh communities.

16 The Commission regularly deploys mobile
17 legal clinics in which lawyers from the Commission's
18 Law Enforcement Bureau, meet with community members
19 where they are most comfortable in their communities,
20 at community-based organizations, or at houses of
21 worship, to assess potential cases and collect
22 information at the initial stage of a case. The
23 following cases are examples of the Law Enforcement
24 Bureau's work in this area.

1
2 The Commission required a bank to pay
3 nearly \$40,000 in damages and penalties after the
4 bank denied a Muslim employee an accommodation to
5 observe her religion. The Commission required a
6 Dunkin Donuts to pay an employee \$7,000 and attend a
7 training on the City Human Rights Law after a manager
8 used a derogatory term in reference to an employee's
9 national origin. That employee is Egyptian. The
10 Commission also launched an investigation into a
11 vendor of JFK airport after they openly disparaged
12 Muslim employees on an intercom and denied them
13 accommodations to pray during Ramadan.

14 As a direct follow-up to the report, the
15 Commission is now partnering with seven community-
16 based organizations to pilot the Commission Referral
17 Network, in which staff from partner organizations
18 will be trained on how to identify potential
19 violations of the City Human Rights Law and refer
20 cases directly to the Commission. The Commission has
21 developed a Referral Network toolkit and is hosting
22 its first Referral Network meeting this month.

23 As recommended in the report, the
24 Commission is in the process of training City and
25 Mayoral staff on the City Human Rights Law and the

1 survey results so that they are better equipped to
2 identify potential violations of the Law and refer
3 cases directly to the Commission. To date, we have
4 provided our Human Rights Law 101 training to the
5 Mayor's Community Affairs Unit, the City's mental
6 health first aid workers, and plan to offer it along
7 with our workshop on Understanding Muslim Experiences
8 and Combatting Anti-Muslim Bias, to other Mayoral
9 staff and outreach staff at other City agencies. The
10 Commission is also exploring ways to expand education
11 around Jewish and Sikh awareness and the religious
12 discrimination faced by these communities.

14 Thank you for convening this hearing
15 today on this important topic. I look forward to
16 your questions. Thank you.

17 CHAIRPERSON EUGENE: Thank you very much.
18 Thank you very much. It seems that you have given
19 the response to many of my questions already. Wow,
20 thank you. We have been joined also by Council
21 Member Kallos. Thank you very much for being here
22 Council Member. Thank you very much. You have
23 indicated that there has been an increase in the
24 number of harassments and bias claim in New York
25 City. You mention also that there was an impact

1 of the behavioral of this administration and do you
2 believe that there maybe other reasons or other
3 causes why bias and discrimination have been
4 increased in New York City and in certain
5 populations?
6

7 DANA SUSSMAN: We certainly feel that the
8 dynamic and the hateful speech rhetoric and policies
9 that have been coming out of our federal government
10 and this current administration, have emboldened
11 individuals to engage in these kinds of acts of hate.
12 We're seeing it across the country, New York City is
13 not immune to this and so, we think that certainly
14 has something to do with it. We also wanted to
15 affirmatively survey and speak with community members
16 to hear what their day-to-day experiences were. So,
17 while we believe there to be a likely increase in
18 these kinds of incidents over the past couple of
19 years because of the Xenophobic, the Islamophobic,
20 and the Anti-Semitic policies and speech coming from
21 the Federal Government. We also didn't have a clear
22 picture of what was going on in the City even prior
23 to that, or outside of that context. So, it was an
24 effort to understand and catalog what was happening
25 on the ground in these communities, get a bit of a

1 snapshot of their experiences, but what we don't have
2 is sort of an immediate comparison to maybe the years
3 prior to the 2016 election and what we do have is
4 this snapshot of experiences, and as I mentioned in
5 the testimony, reports are up at the Commission, up
6 in these categories, but up in other categories as
7 well and so, we cant attribute it directly to the
8 national environment but we do know that reporting is
9 up. It could be because the Commissions presence is
10 more resonant in certain communities and that the
11 Commission has additional resources to do more
12 community outreach. So, we're sort of theorizing why
13 complaints are up in inquiries are up at the
14 Commission.

16 CHAIRPERSON EUGENE: As we know, there
17 are many other groups in New York City and in United
18 States that are facing this same type of
19 discrimination, and harassment. Why does the
20 Commission focus only to Muslim, Arab, South Asian,
21 Jewish, these you know, specific groups?

22 DANA SUSSMAN: Commissioner Malalis
23 joined the agency in almost four years ago now, in
24 early 2015 and her mission was really to make the
25 Commission a resource to communities that had been

1
2 marginalized, had little to no relationship with the
3 Commission or with government in general and so,
4 these communities were part of that effort and we
5 understood again through the community consultations
6 that we engaged with after the election in late 2016
7 and early 2017 that through the feedback we received,
8 that these communities were particularly targeted
9 again, with policies and rhetoric, and increases in
10 bias. So, we believe that this was a good first step
11 that we would take in reinvigorating the Commission's
12 role in survey's and reporting and it's one of our
13 functions that hadn't been done in a long time. We
14 are also exploring ways to document the experiences
15 of other marginalized New Yorker's and we are
16 exploring ways to do it for different communities and
17 different ways for different communities, so that we
18 can reach New Yorker's and lift up their experiences
19 across the five boroughs and with respect to the
20 diversity of New York City. So, this was one first
21 step with this survey and this report and the
22 recommendations out of the report, but we do
23 recognize that there are many groups under attack,
24 that this is again, one initial effort and that we
25 are continuing to think about creative ways that we

1
2 can connect and lift up the voices of different
3 communities in the City.

4 CHAIRPERSON EUGENE: The report of the
5 Commission focuses on harassment and this Commission
6 in Public places. Has the Commission explored to
7 extend you know, the authority of the survey in other
8 places like school? Like for example, City agencies?

9 DANA SUSSMAN: So, through the community
10 consultation process and through the 15 focus groups
11 that we worked with to develop the survey,
12 experiences with City agencies and with other places
13 of public accommodation did come up and questions
14 about those experiences were included in the survey
15 and we are in the process now of evaluating those
16 responses and working with our sister agencies on
17 appropriate responses to those questions.

18 CHAIRPERSON EUGENE: Based on **[inaudible**
19 **40:24]** it seems that the Commission is trying to do a
20 lot of things to address or to tackle these issues.
21 The issue of discrimination, harassment, but do you
22 believe that the Commission has incurred certain
23 challenges in trying to talk with those issues? What
24 are the most important challenges, values, that the
25 Commission faces.

1 DANA SUSSMAN: Sure.

2 CHAIRPERSON EUGENE: In trying to address
3 those issues?
4

5 DANA SUSSMAN: So, I think there's an
6 inherent distrust in government, broadly speaking,
7 that sometimes the Commission has to overcome, so
8 that's been a challenge and something that we
9 recognize and address as best as we can. One way
10 that we do that is by bringing on an incredible staff
11 who have real true credibility in communities across
12 the City. I have several of my amazing colleagues
13 with me here today who all have come from community-
14 based organizations, who have deep connections to the
15 communities that we serve. So, working to build the
16 credibility of the agency, as a government agency
17 here to protect New Yorker's and engage with New
18 Yorker's. That's always a challenge and we continue
19 to attempt to raise the profile of the agency and
20 ensure that people trust us, that they know us, and
21 that they come to us and see us as a true resource
22 and partner.

23 CHAIRPERSON EUGENE: We know that New
24 York City is, and I say that all the time and we all
25 know that. New York City is one to serve in

1
2 immigrant people and most of the time they don't want
3 to report or to go to express the difficulties,
4 challenges, and harassment that they are facing
5 because their afraid of retaliation and do you
6 believe that there are many other people who have
7 been experiencing those types of harassment or
8 discrimination? Do you believe that some of them
9 didn't come to raise those issues to the Commission
10 and what are the reasons why you believe that they
11 won't do it, or they didn't do it?

12 DANA SUSSMAN: Sure, you know, I can only
13 again, make some assumptions but many of them you
14 know, I think there is a few reasons why people don't
15 report. I think one, is they don't know where to
16 report and that's part of our mission is to again,
17 raise the profile of the agency, ensure that we are
18 accessible, our staff now speaks over thirty-five
19 languages. Across our staff, we have a multilingual
20 info-line to take calls during business hours Monday
21 through Friday and a system, a mechanism, for
22 reporting on our website. I think there is fear in
23 coming forward and that's understandable if someone
24 is undocumented or if they've had not positive
25 interactions with government before, they may not

1 want to report. Also, we recognize that our system
2 is administrative, there's a bureaucratic process and
3 that is also time consuming to some degree and
4 intimidating to some people and so, we work
5 incredibly hard to demystify whatever process they
6 have to go through at the Commission to make it less
7 onerous on the individual coming forward. People are
8 busy, they have commitments and family, and work, and
9 so, we work to ensure that we meet people where they
10 are. We are out in the community doing legal intake
11 as opposed requiring people come to our office, but
12 there are those sorts of structural challenges that
13 exist in reporting to the Commission.

14
15 CHAIRPERSON EUGENE: In your testimony,
16 you indicated that the behavior of this
17 administration, they have played a very important
18 role in the increase of harassment and discrimination
19 against Muslim and Arab, but do you believe that
20 there maybe other reasons, or other elements that may
21 have played a role in the increase of those
22 incidents?

23 DANA SUSSMAN: I cannot ascribe the
24 increase to you, to anything in particular. What
25 we're seeing at the local level is consistent with

1 what we're seeing at the national level and many
2 experts have come to the conclusion that it is likely
3 tied to the presidential election, the language, and
4 the rhetoric that was used during the presidential
5 election and through the Trump administrations
6 policies. So, that is the connection that we are
7 also making, but again, I would not be able to make
8 further assumptions as to any other reasons why there
9 might be an increase and again, the survey looked at
10 a specific period of time. We don't really have an
11 exact comparator for maybe two or three years prior
12 to the period that we surveyed to do sort of a direct
13 comparison.
14

15 CHAIRPERSON EUGENE: Thank you very much.
16 I would like to call Council Member Ben Kallos for
17 some questions.

18 COUNCIL MEMBER KALLOS: Thank you very
19 much to our Chair Mathieu Eugene for leading on the
20 issue of Civil Rights for his entire career and now
21 in the City Council. As you may have read about over
22 the weekend on Friday, a person who was there to
23 speak hate was invited to speak on the upper east
24 side at the Manhattan Republican Club. There were
25 arrests of people who were there to protest hate

1 speech and following the speech, the person involved,
2 it's reportedly was waving a samurai sword in our
3 streets and then shortly following that, there is
4 video of the people who were there sensibly to listen
5 and participate in that hate speech, assaulting other
6 people in the community who were then protesting that
7 hate speech. What can we do as a City with regards
8 to hate speech and what can we do to ensure that we
9 don't see the same type of violence that has occurred
10 throughout our country or even has occurred on the
11 upper east side?

13 DANA SUSSMAN: Yes, we have been
14 following this horrific incident as well. There are
15 obviously criminal investigations that NYPD I know,
16 is investigating this. From the Commissions
17 perspective there is a provision of our law called
18 discriminatory harassment which is essentially like a
19 civil version of a hate crime. So, if an individual
20 is being targeted with hateful speech and violence,
21 or threats of violence, there is also civil liability
22 available to that individual. So, for a lot of the
23 incidents that I reported that are bias, our bias
24 response team is engaged with, those are
25 discriminatory harassment type claims and people

1 should know that they have a civil remedy available
2 to them if they are being targeted. If an individual
3 wearing a hijab is harassed, or if that hijab is
4 pulled or a turban is pulled, or if someone who is
5 you know, walking down the street and slurs are
6 yelled at them because they are Jewish, or because
7 they are Muslim, or South Asian. So, we can address
8 those cases from a Civil Law Enforcement perspective
9 as well, in addition to allowing the criminal process
10 to proceed.
11

12 COUNCIL MEMBER KALLOS: Are you currently
13 planning to follow up on any criminal incidents with
14 Civil incidents in supporting victims of violence, so
15 that if regardless of what happens on the criminal
16 front, that they are able to be made whole?

17 DANA SUSSMAN: Yes, so typically, what
18 will happen is when we do see reports in the media,
19 like the incident over the weekend, and we understand
20 that it's motivated by discrimination or bias, our
21 bias response team and other folks in our Community
22 Outreach Team will reach out to either the local
23 community board, the house of worship, the Council
24 Member for the district, and see how we can partner.
25 We also recognize and connect with the victim if the

1
2 victims are interested in speaking with us. However,
3 we also recognize that in some circumstances our
4 presence is not useful. So, we work with community
5 members to understand where we are best utilized,
6 whether it's connecting to other city resources,
7 whether it's meeting with the victims directly, or
8 meeting with the local community-based organization
9 that is leading that communities' efforts. We don't
10 kind of just insert ourselves, we ensure that our
11 response is appropriate for the needs of the
12 community effected.

13 COUNCIL MEMBER KALLOS: Please get
14 whatever materials you can for us to share over
15 social media. To myself as well as the Council, I
16 represent a half a block away, so I share with
17 Council Member Keith Powers, so if you can share that
18 we have a press conference at three o'clock with
19 Speaker Cory Johnson and then there is another one at
20 five o'clock with comptroller Scott Stringer, thank
21 you.

22 DANA SUSSMAN: Great, thank you.

23 CHAIRPERSON EUGENE: Thank you, Council
24 Member Kallos, thank you. Now, let me call Council
25 Member Rodriguez.

1
2 COUNCIL MEMBER RODRIGUEZ: I think that
3 one thing that this Donald Trump administration has
4 done to all of us is bringing us together and we know
5 that when Jewish work on their attack, when they
6 escape haters, people standing up for the Jewish.
7 Same thing, it's the same problem. We're under
8 attack with the gays and lesbian community. We're
9 under attack when Latinos are under attack and no
10 doubt that the Muslim has been the first target of
11 this administration and I fear that in 2018, New York
12 City has a great opportunity to lead by example or
13 the nation that we would like to build, and I think
14 that we have made important progress. I can say that
15 society you know, impossible that has been born and
16 raised in another country like myself, living here
17 since 1983, but I make one of those 38 percent as New
18 Yorker's. That we have been born and raised in other
19 places, and when we travel to this city, we don't
20 only provide cheap laborers, but also, we have a lot
21 of organizing skills. We come, we have a lot of
22 professional skills and I think that when we live it
23 after 9/11, how Muslim was on the attack. Not
24 because of Donald Trump but because of the government
25 that we have in the White House. So, discrimination

1 has been happening, maybe it's because we have Donald
2 Trump as a president. He had escalated the
3 discrimination, but we know that there is a lot more
4 that we have to do, and it is in our responsibility
5 to watching what is happening. Millions under Donald
6 Trump here will be done very soon, but it's society
7 that we have built, that they aren't working,
8 immigrants - he should, and he doesn't recognize the
9 contribution that all of them make and sometimes we
10 lost opportunities to come together and celebrate who
11 we are and when we do our Independence Day, people
12 feel that by bringing a focal dancing and bringing
13 **[inaudible 56:26]** and the music of our country,
14 that's how cultural is celebrating, instead of
15 celebrating the ethic or how working individuals
16 that all of us represent. So, one thing, one of my
17 concerns that I have as a City is, how much are we
18 doing to really build in society. That not only we
19 put the data together, not only we encourage people
20 to report those cases of hate, but what are we doing
21 to integrate every single group especially those that
22 have been discriminated in government, in the policy
23 sector. Like, still today we cannot guarantee to our
24 children that we have a City that the government that
25

1 we have, that the agency that we have, were the
2 decisions that we're making represents the Muslim
3 community, the Hindu community. This advantages
4 New Yorker's here. So, what are we doing besides
5 putting the data together and report? How are we
6 doing today to be sure that the Muslim, that the
7 Hindu's, that the Latino's does make the minority of
8 the Asian on the faces in government?
9

10 DANA SUSSMAN: So, that's an incredible
11 mandate. I can speak to you what the commission does
12 at our level. So, this project was really undertaken
13 based on and inspired by the community consultations
14 that we held at the Commission and we had a series of
15 I think, up to eight round table conversations in the
16 winter 2016 and this project was born out of that.
17 The second step was to convene fifteen focus groups
18 with I think over 115 focus group participants
19 representing diverse cross sections of the MASAJS
20 community including women only groups, men only
21 groups, older MASAJS members, LGBTQ members of the
22 community, to again, direct where this survey would
23 go, and then again, the recommendations were
24 developed in consultation with a lot of those same
25 community groups to ensure that we're meeting their

1 needs. I don't think we endeavor to do any project
2 at the Commission without consulting with community-
3 based organizations first and then throughout the
4 process to ensure that we're taking direction from
5 them. We work for them, and we take that very
6 seriously. I should also mention that our mandate by
7 statute is to facilitate positive intergroup
8 relations, and so again, our community outreach team
9 works to create programing and events, celebrations,
10 informational events, that bring communities together
11 that might not typically engage with one another.
12 One example of that is we posted an LGBTQ Iftar, but
13 I think the second one was this past year at the
14 LGBTQ Community Center, not an event that had
15 previously been held at a space like that. We had an
16 interfaith social justice Seder lifting up the
17 liberation narrative with respect to immigrant and
18 refugee rights. Last week, we had our Hispanic
19 heritage event, a huge event in Sunset Park. So, we
20 really do try to be in community but also building
21 relationships between communities that might not
22 always engage. We are happy to be that convener if
23 its useful, but we can always do more, and we would
24

1
2 love to partner and work with you to ensure that we
3 are reaching the folks that need to hear from us.

4 COUNCIL MEMBER RODRIGUEZ: I would just
5 like to encourage you to really look at the presence
6 of those groups that we know have been discriminated
7 has been integrated in governments and talk about
8 leadership, and talk about how many men and women as
9 Dominican that I am, I know those men can make a
10 larger numbers, NYPD in the lower level but I also
11 know when it comes to who are the detectives, I know
12 that in each borough, the person who is in charge,
13 the detective borough, is white. So, and we look at
14 the NYPD hierarchy, you don't see diversity there and
15 I'm for building a city where white, Asian, Black,
16 and Latino have the same fair representations. In
17 the 1900's, the citizens of New York City were 96
18 percent white, 2 percent Black, Latino and Asian in
19 the reservoirs, there were no counting. Today's
20 population in New York City in 2018, is completely
21 different and I think that even though we have made a
22 lot of progress, and I can tell you both of those in
23 form of teachers, both of them serving in all the
24 administration. We know that a lot of people in
25 this administration, they are progressing by career.

1
2 Progressing because that's a cool thing to say, but I
3 feel that we have some distance. You know, calling
4 ourselves who we are and understanding that when it
5 comes to literature, look to the DOE who are looking
6 to incorporate the holidays of those groups in our
7 calendar. Why do we have to be fighting so hard to
8 incorporate new holiday that represent a large
9 percent that we know we need to protect. Who
10 **[inaudible 1:04:04]** all those agencies. Just look at
11 who come to testify here. Most of those bodies, they
12 don't represent the diversity of the city that we
13 have today. So, I hope that as we learn that we are
14 not so lucky to know that we have very often
15 reaprogressive administration, we can up come the
16 year and say, the next three years over and there are
17 still the faces of people in leadership doesn't
18 reflect the diversity of all of us. So, I hope that
19 we should tackle that number and we should talk about
20 - we have ten thousand leadership positions in New
21 York City and no, those ten thousand doesn't reflect
22 this group that been discriminated and if we need to
23 hear their voices, they have to reinclude in that
24 position. Its not to have one here and there. They
25 have to have a fair share representation because

1 that's when we're going to be having people not only
2 to look and count the data but people that can be
3 able - that they are going to be doing policy.
4 Reflecting the need of those to make the minority the
5 same. That is my recommendation. Thank you.

6
7 CHAIRPERSON EUGENE: Thank you very much
8 Council Member Rodriguez. Council Member Dromm,
9 please.

10 COUNCIL MEMBER DROMM: Thank you very
11 much and assistant or deputy commissioner, I'm sorry.
12 Thank you for coming in. This report is very
13 interesting as I'm glancing through it, I see a
14 number of things in here that I wanted to ask you
15 about. Also, I just want to start off by saying I
16 was very proud to be able to be at the Iftar in
17 Jackson Heights that you mentioned in your testimony,
18 which was great. Even though it was raining, we
19 still had a good number of people who turned out for
20 it, and also that my office helped participate in the
21 distribution of the survey as well.

22 DANA SUSSMAN: Thank you.

23 COUNCIL MEMBER DROMM: Thank you. I
24 noticed in the page that deals with methods asking
25 sensitive questions about identity. In the last

1 paragraph it says, in cover sheets for focus groups,
2 many respondents declined to answer questions about
3 the sexual orientation. The researchers and advisors
4 at the Commission decided at best to test an
5 alternative version of a question about sexual
6 orientation asking first if respondents identified as
7 heterosexual or straight, something else, or
8 preferred not to say. Those who identified as
9 something else were asked follow up questions. So,
10 I'm glad that that was in there. I'm curious if you
11 could tell me, how many or what percentage of folks
12 chose not to answer it, let me put it that way, out
13 of the overall number of respondents to the survey,
14 how many chose not to answer that?

16 DANA SUSSMAN: I don't think we have the
17 data on who chose not to answer but we do have I
18 think some data here around the reported sexual
19 orientation for those who did answer.

20 COUNCIL MEMBER DROMM: Yeah, I see it in
21 the report as well.

22 DANA SUSSMAN: But we could find out
23 exactly how many chose not to answer.

24 COUNCIL MEMBER DROMM: Those numbers seem
25 to be what I would feel are fairly accurate, 87

1
2 percent identified as heterosexual, 4.8 percent was
3 queer, bisexual 3.9 percent, gay or homosexual 3.6
4 and lesbian 1.8, that's a little low though I think
5 but I'm just curious because sometimes even within
6 religions themselves, there is discrimination and I'm
7 wondering if the fear of answering that was part of
8 the reason why people opted out and it would be
9 interesting to see the number who chose not to do
10 that part and how we can better address that as well.
11 So, I would love to get that number from you.

12 DANA SUSSMAN: Sure, we can look into
13 that for you.

14 COUNCIL MEMBER DROMM: And by the way, I
15 also was very grateful that the Caribbean Equality
16 Project worked in distributing it. I did the Iftar
17 with you in the Center, I think I had a
18 representative there. So, I think it's in the
19 recommendations if I'm - ongoing commission actions.
20 It says that prioritizing continued research efforts
21 at the Commission with the particular attention to
22 intersexual experiences and their intrinsic
23 vulnerabilities and that's kind of what I was getting
24 at before, was that Muslim and gay, Christian and
25 gay, whatever, we see that quite often but it says,

1 the Commission would expand the scope with research
2 projects like this one that explore forms of bigotry
3 and there impact. Such exploration should focus on
4 intersexual experiences such as those at LGBTQ
5 religious or Black religious New Yorker's. So, can
6 you fill me in? Do you have plans for that now to do
7 that? What is your view of that? How do you see
8 though that intersectionality playing into the work
9 that you've done and just what your feelings are in
10 general from what you got from the returns from the
11 LGBTQ identified respondents?
12

13 DANA SUSSMAN: So, what was interesting
14 about this process is the report here – or the survey
15 was very quantitative in that you know, people were
16 filling in buttons identifying their experiences,
17 their identities. The focus groups that preceded
18 this report were the narrative – we got a lot of
19 narrative stories, and that was really where we heard
20 a lot about discrimination within communities. We
21 had LGBTQ members of all of the MASAJS communities
22 participate in those focus groups and so, that was
23 really where we got some of those stories and wanted
24 to include some of those identifying questions to
25 learn a little bit more about their unique

1 experiences. So, I think it is something that we are
2 very much focused on. You know, many of us live at
3 the intersection, both you know, here at the
4 Commission and also in the community and so, I think
5 as we think about subsequent reports, we are very
6 much you know, invested in telling the stories of New
7 Yorkers through this public hearing, surveys,
8 reports. I think that's something that we'd like to
9 explore, and I think we can get at it perhaps in a
10 more qualitative way where people are able to tell
11 their stories, communities are able to tell their
12 stories. It's I think a little bit harder when we're
13 just talking about like, numbers and statistics. So,
14 that's sort of where we're envisioning some of the
15 future reports to be.

17 COUNCIL MEMBER DROMM: So, you mentioned
18 the difference between the focus groups and then
19 those who actually responded to the survey right?
20 So, those who chose to respond, did they actually
21 have sexual orientation questions on this survey?
22 Was it all done on paper, that's the other question?
23 Was it all done on paper, or was it done online?

24 DANA SUSSMAN: So, there were both
25 options. There were a few ways to get the survey, so

1 we had a paper version in all of the translated
2 languages. We also had it online in all those
3 languages. The paper version was slightly shorter,
4 simply because online, once you chose your identity
5 you were able to get questions specific to that
6 identity or that experience. With the paper version,
7 you kind of had to page through everything, so in
8 order to avoid it being a hundred pages long, we cut
9 it down a little bit on paper, but we did actually
10 get significant completion rates for the paper
11 version because some folks are just not as
12 comfortable using it on a screen, which is
13 understandable, or on a phone. So, it was both
14 available on paper and online and we did ask
15 questions about sexual orientation, and gender
16 identity in the survey and we can get back to you
17 like I said, about who chose not to answer, or the
18 numbers rather. We did not collect any identifying
19 information or IP addresses or anything like that.
20 It was completely anonymous and confidential, but the
21 focus group experience was just a little bit
22 different because it was really observing
23 conversations and engaging in facilitated
24 conversations in small group setting where people
25

1
2 were really allowed to kind of, explain their own
3 experiences, their own identities, and to a degree
4 they were comfortable to and depending on the space
5 they were in.

6 COUNCIL MEMBER DROMM: Maybe another
7 number to look at if I may make the suggestion as
8 well, is the number of people who responded on the
9 sexual orientation question on paper, verses those
10 who responded online and I'm just thinking that
11 maybe, I could be wrong on this, that they might feel
12 more secure answering it online where it could be
13 more anonymously then they would on paper where
14 somebody might be sitting near them or something like
15 that and I wonder if there was a statistical
16 difference there?

17 DANA SUSSMAN: Sure, we can look into
18 that for you.

19 COUNCIL MEMBER DROMM: Okay, thank you
20 very much.

21 CHAIRPERSON EUGENE: Thank you very much
22 Council Member Dromm. Thank you. I know that the
23 Commission has tried many steps to address or to
24 tackle the issue of discrimination and harassment but
25 did the Commission evaluate those steps, those

1 actions to tackle these issues? Do you believe that
2 all these steps made by the Commission have been
3 successful and can you explain?
4

5 DANA SUSSMAN: Sure, so the report
6 identifies sort of two main buckets. One is ongoing
7 Commission actions and the second are recommendations
8 for future action, many of which were already
9 engaging it. The measurement of success is a little
10 bit hard to quantify. I would say that reporting is
11 up, we are consistently now at around ten thousand
12 inquires per year which is about double where we were
13 when we arrived at the Commission in early 2015. So,
14 we doubled the number of people who are reaching out
15 to the Commission and we've about doubled the number
16 of active cases at the Commission at any given time.
17 So, that's a significant increase. Our visibility I
18 think, in communities has increased. Again, I don't
19 have numbers to quantify that and I recognize that we
20 will always have a long way to go but we have
21 increased our staff thanks to the support of the
22 Council and the administration and again, we've
23 brought on incredible staff who lead community
24 engagement across the five boroughs throughout
25 religious diversity, gender identity diversity, and

1 all the other ways that we are diverse and
2 intersectional and so, we have dedicated significant
3 resources to do that work but I can't really point to
4 besides the increase reporting and the increased
5 complaints. I can anacdonidly say that I think the
6 Commission's presence and the recommended actions
7 items are working but again, I recognize that might
8 be hard to quantify.

10 CHAIRPERSON EUGENE: Thank you very much.
11 In your testimony, you mentioned collaboration of
12 partnership between the Commissions and many
13 community groups and elected official and leaders in
14 the community. That's great because I do believe
15 that by working together, we will do much more, but
16 can you give us more detail about the collaboration
17 of the partnership of the Commission with the
18 different groups and leaders in the community?

19 DANA SUSSMAN: Sure, so it can take
20 different forms. What we've done with several
21 different community groups, we've hosted events
22 together were it will be sort of a form or a know
23 your rights event, where we will have stationed
24 people to collect intake at that event in the
25 language that the community members speak, so that we

1 are meeting them where they are at those community-
2 based organizations. We've partnered with
3 organizations to do by-standard training. We
4 recently did that with Arab-American Association of
5 New York in Council Members Justin Brannan's office
6 in Bay Ridge. We have done outreach events together,
7 days of visibility we recently did a visibility day
8 with an anti-violence project and some other
9 organizations after a homophobic attack in I believe
10 it was in Williamsburg in Brooklyn. So, we do sort
11 of a whole host of things. We also collaborate on
12 larger events with different community-based
13 organizations. So, we engage with youth and
14 organizations that work with youth. We do round
15 table conversations about discrimination on a whole
16 host of topics with young people as well. So, we
17 have different ways that we engage. We bring, as I
18 mentioned, we bring community leaders into the
19 Commission for round table conversations with the
20 Commissioner present and we'll meet with anyone. If
21 anyone wants to meet with us, or wants a workshop for
22 their staff, we will provide it.

24 CHAIRPERSON EUGENE: Very good. We all
25 know that when we work, we have got to take a moment

1
2 to evaluate you know, what we are doing. If what we
3 are doing is good or is there anything that we can do
4 to implement what we are doing? As I said, this is
5 wonderful to work and to partner with the different
6 community groups, with leaders, but has the
7 Commission done any follow up after the survey? Has
8 there been any follow up with those groups to analyze
9 and to have the feedback from those organizations in
10 terms of the different study that I've been taken by
11 the Commission to tackle those issues? Has the
12 Commission done any follow up in the accommodation
13 and what can the Commission do to make sure that you
14 know, to better service, to tackle those issues
15 appropriately or more efficiently?

16 DANA SUSSMAN: Yes, so one of our key
17 recommendations, which we're implementing right now
18 is what we're calling the referral network, which
19 will involve a group of community-based organizations
20 that have really been a part of the survey process
21 from the beginning to serve as sort of a referral
22 pipeline between the Commission and the community and
23 we're convening that group. I believe our first
24 meeting is next week. They will also be a feedback
25 mechanism for us, you know we are hoping that they

1 will be open and honest and transparent about how we
2 can do better to serve their communities and provide
3 sort of on the ground information to inform our work.
4 So, we're hoping for them to serve as a feedback
5 mechanism for us as well, in addition to being able
6 to refer cases directly to us.

8 CHAIRPERSON EUGENE: We have been joined
9 also by Council Member Perkins. Thank you very much
10 Council Member for being here, thank you. You know
11 that we are all partners the City, community group
12 organizations, community leaders, the Commission, we
13 are all in the same team. What recommendation can
14 you give to the City Council and also to this
15 committee in order for us to contribute to the
16 success of the Commission in trying to tackle those
17 issues?

18 DANA SUSSMAN: We see the committee and
19 the Council Members to be integral partners in this
20 work. You know, the district offices from any of the
21 Council Members, our community centers and so, we are
22 happy to hold office hours in district offices, co-
23 host events together in the district, walk along
24 business corridors sharing information to local
25 businesses about both their responsibilities under

1 the law but also their protections as you know, New
2 Yorkers of varying backgrounds. So, we have five
3 borough-based offices, one in each borough but we are
4 not on the ground in every district. We just don't
5 have the offices and the people power, so we really
6 would love to work with any Council Member that is
7 willing to spread the word about the work that we do,
8 how to reach us, and also, we are happy to sit in
9 district offices and hold like I said, office hours
10 or intake hours where we can meet with your
11 constituents and identify you know, if they have
12 claims or train your staff so that when community
13 members come to you with these issues, your staff
14 know exactly what we can do to help, how to reach us,
15 who to contact. So, I think that would be a
16 wonderful opportunity for us to partner.

18 CHAIRPERSON EUGENE: Has the Commission
19 mapped the location in the City of New York, has the
20 Commission mapped the location, center location,
21 where there have been you know, more issues or more
22 cases of discrimination or harassment in the City of
23 New York? Are there any hotspots? This area is a
24 very hot area where we have seen more discrimination
25 or more harassment against this group of people?

1
2 DANA SUSSMAN: So, our report, because of
3 sort of the numbers and we wanted to make sure that
4 people's anonymity was preserved, we did not ask for
5 like borough, or zip code of residents, or incident
6 but what we do know from the work of our bias
7 response team that you know, as I mentioned in the
8 testimony, we responded to 146 incidents of bias in
9 the past Fiscal Year and if I'm looking specifically
10 at anti-religious incidents that's 76, so about half
11 and the majority of those were in Brooklyn that 39 of
12 those incidents were in Brooklyn. The majority of
13 the incidents across those 76 were anti-Semitic
14 followed by anti-Muslim and then I think I could also
15 probably get you some data on borough, with borough
16 specificity as the incidents in the report as well.
17 Do we have that with us? So, it looks like
18 respondents who live in the Bronx were more likely to
19 respond that they had experienced employment
20 discrimination and also in the Bronx, individuals are
21 more likely than residents of other boroughs to
22 experience physical assault. So, I could say based
23 on this information that the Bronx is an area that we
24 have some work to do and you know as I mentioned,

1
2 Brooklyn also had a high rate of bias incidents in
3 the past Fiscal Year that we responded to.

4 CHAIRPERSON EUGENE: If somebody makes a
5 complaint to the Commission, that she or he has been
6 a victim of discrimination or harassment, what are
7 the services that are available for that person?

8 DANA SUSSMAN: Sure.

9 CHAIRPERSON EUGENE: Are there also some
10 references in to all the institutions or
11 organizations in case the Commission can not provide
12 the necessary support that person may need?

13 DANA SUSSMAN: Sure, so if an individual
14 wants to report to the Commission, there's a couple
15 ways to do that. You can fill out a form on our
16 website or call our hotline number which is 718-722-
17 3131 or call 311 and ask for Human Rights or say that
18 you've experienced discrimination. There's an intake
19 also, it's about a five to fifteen-minute phone call.
20 We have multilingual intake staff and obviously we
21 have a language line that we can call in if we don't
22 have staff available in that language, that will sort
23 of do a general assessment of whether there is
24 potentially a violation of the City Human Rights Law.
25 If we identify that there is a need that we cannot

1 meet, because its potentially let's say, an issue of
2 imminent danger for someone, we might refer them to
3 the NYPD or we have community-based organizations and
4 legal service providers that we regularly refer
5 people to. If it's a question about immigration law,
6 we refer them to MOIA's Action NYC team or mental
7 health needs go to Thrive. So, we have a vast
8 referral network within that. If we do identify that
9 this is a potential violation of the City Human
10 Rights Law, the individual will be set up with an
11 appointment to meet with one of our attorneys and our
12 law enforcement bureau and we will then - that is an
13 in person meeting or it can happen over the phone as
14 well, where a complaint is drafted and eventually
15 signed and served onto the responding party. Again,
16 if that individual wants to move forward with a law
17 enforcement action. If they don't, we still
18 encourage people to come forward, give us the
19 information because the Commission can initiate its
20 own investigation, can file its own case, even if an
21 individual does not want to put their name on a
22 complaint, which we understand. There are reasons
23 why people choose not to do that and very
24 understandable reasons. So, we still want them to
25

1 connect with us and provide that information to us,
2 so we can collect it and determine if we can engage
3 in our own investigation. We also direct people to
4 and refer people to community-based organizations
5 with which we have strong partnerships. If they're
6 looking for legal representation, we can send them to
7 again, legal services providers that provide free
8 representation as well.

10 CHAIRPERSON EUGENE: You know, I'm sorry,
11 any time that I have a situation I always have to
12 mention my father because he is my mentor you know,
13 my friend and he used to say to all of us, listen
14 guys, there's no perfection in anything. There is no
15 perfection. There is no 100 percent correct or
16 success. Every time you have to see that and say,
17 did I do well? Did I do the best that I can do? And
18 he said, before you go to bed, you've got to say,
19 what have I done during the day and I'm going to be
20 better. What am I going to do more tomorrow to
21 improve what I am doing? I know that the Commission
22 has been trying many things. Working away with
23 partners, with elected officials, committee groups
24 and leaders. I know you have been trying the best
25 that you can do to tackle these issues. To make sure

1 that we can prevent or eliminate or decrease the
2 incidents of harassment and discrimination but my
3 question to you is, what do you believe that can be
4 done? Are you planning? Are you working and
5 implementing, and proving what you are doing right
6 now? Because there's always room for improvement. I
7 know that you have been doing the best that you can
8 do but do you have a group or task force to see them
9 to get and say, hey guys, what can you do more? What
10 can we do to make sure that we reach our goal? Did
11 we reach our goal? So, what is your plan for the
12 future? What other action or strategies that the
13 Commission is envisioning right now in order to reach
14 the goal or to come closer to the goal, because I
15 don't know if you believe that we have been - I say
16 we, because we are all in this together, not only -.
17 It is the job of the Commission. It is our job also.
18 It is a job of the government. The community needs
19 this, the members of the community to work together
20 in order to have a community or a city free of
21 discrimination, free of bias. So, now the question
22 is, what do you have in place to ensure that we do a
23 better job to tackle these issues?
24

1
2 DANA SUSSMAN: I think your
3 recommendation to convene a task force you know, to
4 ensure that we are getting the feedback that we need
5 to better serve New Yorkers and on all the that we
6 address is a good one and one that we have taken to
7 heart already in the work that we do. We can
8 certainly do more of that. I think one challenge
9 that we face is as I mentioned, complaints and
10 inquiries are up at the Commission and we take our
11 investigatory power very seriously. So, when someone
12 comes to us with a complaint about a specific issue,
13 we will look at that respondent across all issues and
14 that takes time. So, we are challenged to be both
15 effective and efficient at the same time. To ensure
16 that respondents are complying with the law across
17 all categories and there is a lot, but also to ensure
18 that individuals are moving through our process as
19 quickly and efficiently as we can. So, that's going
20 to be a constant push and pull for us and a challenge
21 that we face in ensuring that people can access us,
22 can get justice, but also that we can look deeply and
23 broadly at respondents and make sure as the city we
24 are addressing patterns and practice of you know,
25 systemic issues and discrimination as well.

1
2 We also are working to engage more sort
3 of nimbly with the people that come to us. So, if
4 someone is for example, in need of accommodation in
5 the workplace, very immediately, their pregnant, they
6 have a disability, they have a religious observance
7 and what their seeking is the right to stay on the
8 job and maintain a healthy pregnancy or continue to
9 work productively with a disability. We want to be
10 able to respond quickly and be flexible in that
11 response. You know, it's not always going to work
12 for someone to file a complaint and wait thirty days
13 for a respondent to answer and go through the
14 process. So, we look creatively and flexibly at how
15 we can adjust our process to meet the needs of the
16 people coming forward.

17 CHAIRPERSON EUGENE: You know, fighting
18 against discrimination and bias, this is a big task.
19 A very big one and it is not easy, because people can
20 be discriminated for many reasons, in many ways and
21 some of the people, they don't even know they have
22 been discriminated or bias sometimes and the complete
23 city comes also the fact that New York City or United
24 States, you know, is home to so many people with
25 different cultures, different beliefs. We came from

1 all over the place. So, I mean, this is a very
2 complex situation. You know, the diversity, the
3 complexity but in order to address these issues, to
4 tackle these issues, we have to have a diverse team
5 also. A diverse group and complex group also to
6 tackle these issues and I know that no one can know
7 better than the person who is experiencing the
8 situation. No one can know better, the need, what
9 the person needs to overcome these difficulties. My
10 question is that in the Commission, do we have you
11 know, a diversity of employees? I don't expect the
12 Commission to hire everybody from all ethnic
13 background, impossible but what is the Commission
14 doing to make sure that this stuff of the Commission
15 is inclusive? We have more people in order for the
16 Commission to be able to be more effective, because
17 you know, when we have people from different ethnic
18 background, people who are facing those issues every
19 single day, they can guide us you know, and that can
20 be a good asset for the Commission. What is the
21 effort of the Commission to hire or to include people
22 from different ethnic backgrounds?
23

24 DANA SUSSMAN: It is an incredible
25 priority of our Commissioner that the agency reflects

1 the communities that we serve. When Commissioner
2 Malalis started her ten year in 2015, the agency
3 spoke across the agency about six languages. The
4 agency now speaks over thirty-five languages. It is
5 as she says, very difficult to get a job at the
6 Commission if you don't speak another language
7 fluently and so we have staff who speak the languages
8 of the community members that we surveyed, we have
9 individuals across all sexual orientations and gender
10 identities at the agency. You know, we really work
11 to ensure that we reflect the diversity of the city
12 and that when we are out in community, we are
13 speaking their language. We are culturally fluent in
14 the community and one of the challenges that we face
15 is as a government agency, sometimes there is
16 inherent distrust and so, we've taken that challenge
17 head on by again hiring incredibly brilliant and hard
18 working staff from community-based organizations who
19 have deep ties with again, the diverse communities
20 that we serve through the work they've done with
21 community-based organizations from coming from those
22 communities themselves and so, we are quite proud of
23 the team that we've built and the diversity that our
24 team reflects, and continue to you know, as we bring
25

1
2 on new people as other people move on from the
3 Commission that we continue to maintain that as a
4 priority.

5 CHAIRPERSON EUGENE: Thank you very much,
6 thank you. We know that – and you just said it. The
7 Commission is trying to include as many people as
8 possible. People with different ethnicity or
9 different culture in order for the Commission to
10 better tackle these issues, but this is a reality.
11 What I'm going to say, this is the fact. In order to
12 do a better job in New York City and Canada, and
13 wherever you are, in this society, we need resources.
14 We need resources. Some of the time to do a better
15 job, you have to hire people who have experience.
16 People who know what they're doing. Even we have
17 wonderful people who are dedicated to help the
18 government or help the Commission, to help the non-
19 profit organization and to give back to the community
20 and to contribute to the success that we are making
21 but those people they have needs also. So, that
22 means in order to do a better job, we have to have
23 the resources to attract people. Not only who are
24 dedicated, who are talented, but people who can be
25 proud of the team without any possibilities to face

1
2 the individual issues. So, what I mean is do you
3 have, does the Commission have enough resources to
4 reach that goal? Do you believe that additional
5 resources can help the Commission on the tasks of
6 tackling the harassments and discrimination in New
7 York City?

8 DANA SUSSMAN: So, thanks to the support
9 to the Council and the administration, the Commission
10 has grown over the past several years in resources
11 and staff, but we do face challenge in keeping up
12 with the increased inquiries and the increase
13 complaints at the Commission. The New York City
14 Human Rights Law has been amended many times under
15 our administration, protections have expanded. We
16 interpret the law very broadly and very protectively
17 and we investigate cases as I said, both deeply and
18 widely. So, we look at when a respondent comes
19 before us, we look at their compliance across all
20 categories, not just the one that was brought to us.
21 We've also expanded our testing program and our
22 Commission initiated work. So, it is a challenge
23 that we face, we are working with the existing
24 resources that we have and again, have grown
25 significantly over the past three years to better

1 meet the needs of New York and I think none of us
2 were quite prepared for the events on the federal
3 level over the past couple years and sort of the
4 change in focus that that required. So, we continue
5 to respond to those needs and as you know, the
6 landscape at the federal level continues to shift and
7 you know, target additional groups. We will continue
8 to respond in kind.

10 CHAIRPERSON EUGENE: Thank you very much
11 to both of you, but before I let you go, I would
12 recommend and ask the Commission to conduct other
13 survey for the other communities who are facing this
14 same type of tragedies and also, we'd be able to do
15 another public hearing to have a better idea on the
16 challenges facing by those people. Thank you very
17 much for the wonderful job that you are doing on
18 behalf of the New Yorkers and I want to ensure you
19 that we in this community and also in the New York
20 City Council, we want to partner with you to continue
21 to work together with you in order for New York City
22 to continue to be such a wonderful place where people
23 are very happy to live and to raise their children
24 but a place free of discrimination, harassment, and
25 bias. Thank you very much.

1 DANA SUSSMAN: Thank you. Sorry, how do
2
3 we —

4 COUNCIL MEMBER PERKINS: The repour with
5 the Trump administration?

6 DANA SUSSMAN: So, we don't engage with
7 the Trump administration per say, we do work in
8 collaboration with the EEOC, so the Equal Employment
9 Opportunity Commission. It's a federal agency that
10 enforces the federal anti-discrimination law
11 specifically in employment and so we work often in
12 partnership with them. They have offices in New York
13 City and their doing sort of anti-discrimination work
14 on the ground, enforcing the federal law. So, we're
15 in touch with them, there is some dual filing
16 requirements where a case involving a violation, a
17 City Human Rights Law may also violate federal law,
18 so we have dual filing requirements in those
19 circumstances, and we also work on a civil rights
20 round table with other state and federal agencies
21 that are charged with protecting people in housing,
22 employment, and public accommodations. So, we're in
23 touch with sort of our local counter parts at the
24 federal and state level. It's important that we
25 remain speaking in communication, sharing

1 information, but we are aren't sort of engaging with
2 the Trump administration at large. Its really those
3 specific agencies that have the same mission that we
4 do.
5

6 COUNCIL MEMBER PERKINS: It's not
7 relevant.

8 DANA SUSSMAN: I would say certainly the
9 policy is and the language and the tone that's coming
10 out of Washington DC is highly relevant to the work
11 that we do but we are not - our work is not directed
12 by - so, the president can't sort of direct our work
13 on the day-to-day. We enforce, and we try to make
14 this distinction very clear because government can to
15 some folks and that's understandable, government is
16 government, but we really try to make the distinction
17 that we represent you know, New York City government.
18 We enforce the New York City Human Rights Law which
19 is far broader and more protective than the federal
20 and the state counterparts and that we do not enforce
21 immigration law. We do not ask about immigration
22 status, but we are a welcome place for everyone to
23 come to and feel safe. So, we work very hard to make
24 that distinction clear to people that you know, we do
25 not answer to the Trump administration in that way.

1
2 COUNCIL MEMBER PERKINS: I'm glad to hear
3 that.

4 CHAIRPERSON EUGENE: Thank you very much
5 Council Member Perkins and thank you so much. Have a
6 wonderful day.

7 DANA SUSSMAN: Thank you.

8 CHAIRPERSON EUGENE: Thank you. Now, we
9 are going to call the second panel. Albert Fox Cahn,
10 I hope that I pronounced it properly, from Cair New
11 York and Rawaa Nancy Albilal, I'm sorry if I miss
12 pronounce your name, from Support Center, from Arab-
13 American Family Support Center. Thank you very much
14 and Giselle Klapper from the Sikh Coalition. Thank
15 you very much to the three of you and you may start
16 at any time. Make sure you pronounce your name,
17 state your name for the record.

18 ALBERT FOX CAHN: Good Morning, my name
19 is Albert Fox Cahn and I serve as the Legal director
20 for the New York Chapter of Care, the Council on
21 American-Islamic Relations. My oral remarks are an
22 excerpt of the longer written statement submitted for
23 the record and I'm proud testify today in continued
24 support of our colleagues at the New York Commission
25 on Human Rights and their indispensable work to

1
2 counter discrimination and harassment and moreover, I
3 applaud Chair Eugene for calling today's hearing on
4 this vital topic.

5 We see increasing numbers of Muslim New
6 Yorkers encounter hate and discrimination in the
7 class room, in the work place, and even on our public
8 streets. Throughout this trying time the New York
9 City Commission on Human Rights has been a leading
10 supporter of Muslim New Yorkers, generally and in our
11 work at CAIR-NY specifically. They have partnered
12 with organizations for a variety of projects
13 including the I am Muslim NYC Solidarity campaign and
14 their recent religious and ethnic discrimination
15 survey. The reality is stark. According to our data
16 at CAIR-NY from 2015 to 2017, we saw a 974 percent
17 increase in anti-Muslim harassment, discrimination,
18 and hate crimes in New York and behind each one of
19 these statistics is a heartbreaking story; lives
20 forever changed by hate. New Yorkers who are fired
21 for simply asking for a place to pray during their
22 breaks, who have to endure abuse and degradation for
23 wearing a beard or covering their head, children who
24 are bullied and taunted on the playground, but that
25 nearly ten-fold increase fails to capture the story

1 of so many who continue to suffer in silence.
2
3 According to the Commission's June report documenting
4 bias harassment and acts of hate against Muslim,
5 Arab, South Asian, Jewish, and Sikh New Yorkers, 71
6 percent of New Yorkers never report discrimination.
7 71 percent, so we know our reports are just the tip
8 of the iceberg. This sort of survey is an
9 indispensable tool for advocates, helping us document
10 the landscape of harassment and discrimination;
11 helping show the scale of the problems we face. The
12 Commission's landmark survey also found that nearly
13 one in five Muslim women report being intentionally
14 shoved on subway platforms, nearly one in ten are
15 blocked from practicing their faith in the workplace.
16 This report is remarkable not just for its findings
17 but for its very scale. Showcasing the Commission's
18 unique ability to engage in Citywide data collection.
19 The sort of data collection we need now more than
20 ever without this sort of broad-based survey and
21 these sorts of tools. We never hear from the most
22 vulnerable victims of harassment and hate. Since
23 President Trump's first Muslim Ban, Commission
24 staffers stood side-by-side with CAIR-NY and other
25 community advocates to tell Muslim New Yorkers that

1
2 our city will continue to defend them against bias
3 and discrimination. This June, Commissioner Malalis
4 said that our City cannot and will not let fear,
5 xenophobia, or bias against Muslim and other
6 religious communities become the norm.

7 I'm so proud to live in a City that would
8 make such a promise and call on the Council to do
9 everything in its power to make sure we live up to
10 those words. The Commission's work is only likely to
11 increase in the coming months and years, along with
12 those of the activists who you have here today. The
13 activists who depend on our partners in the City. I
14 look forward to continuing this partnership with the
15 Council and the Commission to make sure that New York
16 continue to lead the country in our pro-active
17 response to harassment and discrimination. Thank
18 you.

19 CHAIRPERSON EUGENE: Thank you very much.
20 Thank you, sir. Next.

21 RAWAA NANCY ALBILAL: Good morning, my
22 name is Rawaa.

23 CHAIRPERSON EUGENE: Good morning.

24 RAWAA NANCY ALBILAL: I'm the President
25 and CEO of the Arab-American Family Support Center.

1
2 We are headquartered in Brooklyn, were footprint. We
3 have locations in every borough of the city and a
4 total of 72 employees that are serving New Yorkers in
5 every borough.

6 I am honored to be here as we mark this
7 critical moment in amplifying the voices of the
8 marginalized and in fighting to end discrimination
9 against all communities, particularly the Muslim,
10 Arab, South Asian, Jewish, and Sikh population.
11 Thank you to the New York City Commission on Human
12 Rights for your commitment to uplifting voices,
13 addressing acts of discrimination and hate, and
14 building a peaceful, inclusive city where all people,
15 regardless of background, culture, or religious
16 beliefs can thrive.

17 At the Arab-American Family Support
18 Center, we have strengthened immigrant and refugee
19 families since 1994 by promoting wellbeing,
20 preventing violence, getting families ready to learn,
21 work, and succeed, and amplifying the voices of
22 marginalized populations. We have witnessed a rise
23 in the acts of hate against our community members in
24 the last several years, which has a direct impact on
25 their mental and physical wellbeing, particularly on

1 the most vulnerable among us, our children. This
2 past year, many of our program participants
3 contributed to the findings in the New York City
4 Commission on Human Rights' report, and we were happy
5 to be the organization that hosted the release of the
6 report. The report mentions a number of disturbing
7 statistics about the reality of many Muslim, Arab,
8 South Asian, Jewish, and Sikh communities face daily.
9 Some of them you've heard already. I would like to
10 mention them again, because they are that important.
11 40 percent of those surveyed reported being verbally
12 harassed. 9 percent had been physically assaulted,
13 and 20 percent were discriminated at work. One in
14 four women wearing a hijab reported being
15 intentionally shoved on a subway platform.

17 At the Arab-American Family Support
18 Center, our trauma-informed staff hear many of these
19 stories first-hand. Our community members turn to us
20 when their children are afraid to go to school for
21 fear of being bullied, when their hijabs are ripped
22 off, and when they are taunted in the streets. We
23 have held the hands and supported those who have had
24 hateful works spray painted on their cars and homes
25 and as young men and women are denied job after job

1 because of their names. We have assured them that
2 New York City will come together to fight for the
3 diversity that makes this city rich and vibrant.
4

5 Today, I join in this conversation in
6 honor of all of those brave enough to share these
7 horrible experiences with us and for those who are
8 suffering in silence. We are committed to ending
9 discrimination, xenophobia, othering, and all forms
10 of oppression, for good. We must prioritize
11 culturally and linguistically competent services that
12 support individuals in the wake of acts of hate and
13 we must make it clear that these instances will not
14 be tolerated. Thank you for the opportunity to
15 testify today and we are committed to serving those
16 that are in need. Our doors are open to anyone that
17 is in need of services and we welcome the opportunity
18 to partner with you and the Commission, as well as
19 other service providers. Thank you.

20 CHAIRPERSON EUGENE: Thank you very much.
21 Next speaker please.

22 GISELLE KLAPPER: Thank you. My name is
23 Giselle Klapper, and I am a staff attorney with the
24 Sikh Coalition. The Sikh Coalition is a nonprofit
25 and nonpartisan national community-based civil rights

1 organization. Our goal is to work towards a world
2 where Sikhs and other religious minorities in America
3 are able to practice their faith freely, without bias
4 and discrimination. Our team addresses issues of
5 bias and discrimination on a daily basis.
6

7 As you may be aware, Sikhs wear an
8 external uniform to unify and bind them to the
9 beliefs of the religion and to remind them of their
10 commitment to Sikh teachings at all times. According
11 to the requirements of the Sikh faith, observant
12 Sikhs maintain unshorn hair, including facial hair,
13 and wear turbans. In North America, the majority of
14 those who wear turbans are Sikhs. As a result,
15 recurring media images of alleged terrorists and
16 negative portrayals of men in turbans have created an
17 environment in which Sikhs are regularly singled out
18 for bias harassment, discrimination, and acts of
19 hate. Their distinct visible identity makes Sikhs
20 vulnerable to discrimination and hate way too often,
21 in many different forums including the workplace,
22 schools and in interactions with law enforcement.

23 Sikh children in schools experience
24 threats, name-calling, teasing, physical, cyber and
25 verbal bullying. They are called "Bin Laden",

1 terrorist and other derogatory names by fellow
2 students, and in some cases by school staff and
3 faculty members. 50 percent of Sikh children
4 experience bullying. For turbaned Sikh students,
5 that number climbs up to 67 percent. Over the 2017-
6 2018 school year, the Sikh Coalition's legal team
7 review almost double the number of school bullying
8 cases than the previous three years combined.

9
10 Sikh New Yorkers who wear turbans are
11 frequently subject to workplace discrimination. As
12 indicated by the New York City Commission on Human
13 Rights' report released in June 2018, Muslim and Sikh
14 respondents compose nearly the entire sample of those
15 who had been told to give up wearing their
16 identifiable religious clothing in order to keep
17 their job.

18 The survey also found that Sikh young
19 person under the age of 35 has nearly twice the
20 chance of experiencing verbal harassment compared to
21 the other respondents. It also found that wearing
22 religious clothing elevated the risk of experiencing
23 physical assault. The Sikh Coalition has received
24 information indicating that in the first three months
25 of this year alone, Sikhs were victimized by hate and

1 bias-based incidents on average once per week. Sikhs
2 were told to go back to their country, that they do
3 not belong here, and they were physically assaulted
4 while driving taxis or engaging in everyday
5 activities. These acts of hate took place here in
6 New York City, and across the country.
7

8 We also see discrimination in public
9 accommodations. Survey respondents who wear
10 religious clothing were more likely to have been
11 followed by a security guard than those who did not
12 wear religious clothing. Even among the communities
13 who do wear religious clothing, Sikh respondents
14 reported having someone trying to forcibly remove
15 their religious clothing more frequently than other
16 groups. Clearly, this is a group which continue to
17 endure unprecedented levels of discrimination in many
18 different areas which the general public may take for
19 granted. For that reason, we strongly believe that
20 mandated cultural competency and implicit bias
21 training is crucial for schools and employers to
22 include in their annual employee training programs,
23 so the perpetrators of these hate incidents recognize
24 the impact of their actions.
25

1
2 We also want to bring to the attention of
3 the Committee the issue of under-reporting. As
4 indicated by the Commission's survey, among those who
5 have experienced at least one incident of bias
6 harassment, discrimination, or hate, members of the
7 Sikh community were the least likely to report those
8 incidents. This is why we believe that tracking and
9 monitoring bias incidents against the Sikh community
10 and other religious minorities is crucial. It can be
11 achieved through more town halls, more round tables,
12 listening sessions and other community-focused
13 events. Through these forms of interactive
14 engagement, a more trusting relationship can be built
15 between members of the Sikh community and government
16 agencies and Sikh's will then be encouraged to voice
17 their concerns. The Commission recognizes these
18 concerns and addressed the first by partnering with
19 community organizations like ours to visit more
20 houses of worship to collect more data. In addition,
21 they hosted the first-ever Vaisakhi celebration in
22 April as a way to build deeper relationships with the
23 community.

24 We applaud the Commission's forward-
25 thinking approach to dealing with the types of issues

1 that the Sikh community struggle with. We know that
2 budgets can be tight, however we are here today to
3 underscore for this Committee the importance of the
4 Commission's continued efforts and resources to be
5 placed with marginalized minority groups like the
6 Sikh community, who rely on the Commission's work and
7 collection of this type of data to proactively deal
8 with discrimination. Continuing to advocate for
9 local agencies to categorize and track anti-Sikh bias
10 is the only way to recognize the impact these
11 incidents have on both the Sikh community and the
12 broader community. Only with accurate data will
13 government agencies be able to allocate appropriate
14 resources to combat the problem of hate and bias,
15 including cultural competency training for city
16 workers and those who are tasked with investigating
17 these incidents, as well as creating an environment
18 where those who are subject to the crimes feel
19 comfortable reporting what has happened to them.
20 Accurate data and statistics on bias, bigotry and
21 discriminatory backlash remains critical to the work
22 we do to better combat and prevent hate in New York
23 City, and in America. We appreciate your commitment
24
25

1
2 to obtaining this data and we hope to see that
3 continue. Thank you.

4 CHAIRPERSON EUGENE: Thank you very much.

5 SAPREET KAUR?: My name is Sapreet Kaur,
6 and I'm also with the Sikh Coalition just here to
7 happily answer any questions you all may have.

8 CHAIRPERSON EUGENE: Thank you very much.
9 Thank you to all of you for your testimony. Anyone
10 from the panel can answer you know, to my questions.
11 So, is there any collaboration between your
12 organizations or any type of partnership between your
13 organization and the Commission? Are you working
14 together? Have you been working together? What have
15 you been doing together to address, or to tackle the
16 issues of discrimination and harassment that affected
17 the people in New York City.

18 SAPREET KAUR: The quick response is yes.
19 In fact, the Commission office is convening a network
20 of referral organizations that have pledged to work
21 in partnership with the Commissioner as well as each
22 other so that the services can be coordinated,
23 collaborated, for all of us to work together,
24 collaborate with one another and address the needs of
25

1
2 the populations that are coming to us for help and
3 assistance.

4 ALBERT FOX CAHN: Chair Eugene, it would
5 be hard to overstate just how closely we work with
6 the Commission. It really impacts every facet of our
7 operations. Our advocacy team will stand side-by-
8 side with Commission staffers when we hold rallies
9 against the Muslim Ban and other federal attacks on
10 marginalized communities. Our legal team will pursue
11 cases that are heard by the Commission when people
12 are fired for practicing their faith on their job.
13 Our staff will refer enforcement matters to
14 enforcement personal at the Commission who will also
15 pursue those cases. Really, its hard to think of a
16 week where we aren't working you know, incredibly
17 closely with one or more members of the team at the
18 Commission to address the sorts of issues around
19 discrimination, harassment that have been described
20 here today and you know, with the new initiatives
21 that have been described, that role will probably
22 only grow.

23 CHAIRPERSON EUGENE: Thank you.

24 SAPREET KAUR: Likewise, the Sikh
25 Coalition also collaborates with the Commission quite

1 a bit especially if there are any Sikh specific cases
2 that the Commission receives, but if it falls out of
3 their jurisdiction then they refer that case to us,
4 or if we need their assistance with some of the
5 concern's community members might have, we reach out
6 to them just to get clarifications. In addition,
7 like Giselle had mentioned, we did collaborate and
8 host the first Vaisakhi program earlier this spring
9 and we're excited to attend the referral meeting
10 that's going to be kicked off next year. I mean,
11 next week.

13 CHAIRPERSON EUGENE: Thank you very much.
14 What is your response to the survey? What do you
15 think about the survey? Do you think that everything
16 is included or is there something missing? Any other
17 thing you want to see included in the survey that was
18 supposed to be included in the survey?

19 ALBERT FOX CAHN: No survey is going to
20 be perfect. I think we have to take it as a starting
21 point that there are significant barriers to reaching
22 the totality of the people impacted by the events
23 that are described but when I look back at the
24 survey, I really am astounded by the participation
25 rate. The numbers of people who are captured in this

1 survey who you know, have not been found in any
2 previous outreach attempts. So, I think that really
3 - well, I can't claim that it is perfect, I can't see
4 any way it could have been systematically improved
5 absent unlimited funding to reach every single New
6 Yorker impacted by hate. I really think it's a
7 stunning achievement to have reached as many people
8 as the Commission did.

10 SAPREET KAUR: I want to echo that as
11 well. It was the purpose of sampling in which the
12 Commissions office reached out to two members of the
13 community, community stakeholders, asking us to reach
14 out to community members assure them that their
15 responses will remain confidential. All that effort
16 was absolutely resulted in as many people as possible
17 participating in this survey. So, we are very, very
18 grateful to have been included and for us to have
19 been instrumental in reaching out to our community
20 members to assure them that their responses will
21 remain confidential. As you could imagine, during
22 this environment, there is tremendous fear as to why
23 are they asking me these questions? Whats going to
24 happen to my responses? Are the responses going to
25 be linked back to me? Would there be any

1
2 retaliations against me? So, I think overall, the
3 Commission has done a great job under the current
4 circumstances.

5 CHAIRPERSON EUGENE: Thank you very much.

6 GISELLE KLAPPER: Yeah, I will also echo
7 that. You know, I think that as I was saying earlier
8 during my testimony, at least in the Sikh community
9 and the experience of hate and bias incidents, we
10 lack accurate data. It's a real problem, we don't
11 have enough data, we don't have comprehensive
12 statistics, and that kind of report, this is what we
13 need. This is what helps us do the work that we do
14 better, and you know, know where the need is and kind
15 of just assess what is actually going on. So, we are
16 extremely grateful for the work of the Commission and
17 you know, as Albert said, it can't be perfect, but
18 it's a great first step, I think.

19 CHAIRPERSON EUGENE: Thank you very much.

20 Alright, so we all agree that there is no perfect
21 solution of course but it seems that the survey has
22 increased awareness and we need to get more people to
23 get involved in front of the Commission, in front of
24 the team, to talk of the issues of discrimination and
25 harassment but you indicated also that the cases have

1
2 I don't know a single city anywhere in the United
3 States that is taking on this sort of intentional
4 multifaceted comprehensive campaign that we see here
5 in New York.

6 CHAIRPERSON EUGENE: Okay, thank you very
7 much.

8 SAPREET KAUR: I could give you an
9 example. In the instance in which one of our
10 employees whose car was spray painted with hateful
11 words, he called the police and the response was, did
12 you have a fight with your girlfriend? So, he felt
13 he was victimized twice. This is something that's
14 ongoing, it took the effort of us reaching out to
15 individuals from the police department who are
16 culturally competent, who are from the community for
17 the incident to be taken more seriously.

18 CHAIRPERSON EUGENE: Thank you, thank you
19 very much.

20 GISELLE KLAPPER: I think in our work,
21 the issue of under reporting that's definitely a
22 problem and there are different reasons.

23 (PHONE RINGING)

24

25

1
2 CHAIRPERSON EUGENE: I'm sorry, for that
3 to do that. Okay, let me turn it off. Thank you,
4 I'm sorry about that.

5 GISELLE KLAPPER: So, I think there is
6 different reasons. There's you know, as Albert
7 mentioned, there is just this general lack of trust
8 in law enforcement. Unfortunately, there is also,
9 what we see in the community is the fact that people
10 sometimes just don't know what their rights are and
11 that's something we work a lot on is you know, having
12 Know Your Rights presentations for the community to
13 tell them, you know, this is a crime. That's not
14 okay. This is something that you have the right to
15 report and they just don't know because no one ever
16 told them that, and I think something else is the
17 normalization of this type of behavior where you
18 know, we see kids in school who are bullied, and they
19 think, oh well, it's not a big deal. It happens to
20 me all the time. You know, they don't know that no,
21 it shouldn't be normalized and it's something that
22 you have to report. So, yeah, I think there's
23 different reasons why and it's definitely something
24 that we work a lot on to try to you know, have less -
25 it said in the report that I think the members of the

1
2 Sikh community were the least likely to report those
3 incidents, so we're definitely trying to change that.

4 SAPREET KAUR: And one of the other
5 reasons for example, if a community member has been
6 experiencing something over a long period of time but
7 they feel like they've had it and they still might
8 not report it because every time they have raised
9 their concerns in the past, they weren't taken
10 seriously or law enforcement just kind of brushed the
11 issues under the rug. So, to kind of mitigate that,
12 we start them young, we start telling the youth what
13 their rights are when they are at school. The moment
14 they got on the school buses. In the cafeteria, the
15 playground, so that even as they are growing up, as
16 they enter the workforce, they know what their legal
17 rights are and what you know, is and isn't acceptable
18 in the workplace.

19 CHAIRPERSON EUGENE: Thank you very much.
20 Let's talk a little bit about very briefly, about the
21 services provided to the people who have been facing
22 discrimination or harassment. Can you tell us what
23 type of services that your organization provides to
24 people who come to you for assistance when they are
25 faced with discrimination and harassment? And you

1
2 can mention also some of the things that you know
3 about services provided by the Commission. If there
4 are any other services you believe that should be
5 provided that are not provided in order to help those
6 people overcome this very, very, ugly and difficult
7 situation.

8 ALBERT FOX CAHN: So, I work for a
9 statewide organization. We represent clients from
10 the tip of Long Island all the way up to Buffalo and
11 everywhere in between and I have to say practicing
12 this sort of law in New York City, it's night and day
13 from the rest of the state. When there is an array
14 of services available when a client of mine is
15 targeted in the five boroughs, that simply don't
16 exist in the rest of the state. For example, there
17 was a mediation we conducted before the Commission
18 and the mediation program at the Commission is
19 relatively new, just in the last few years but
20 through that program, prior to any litigation, we
21 were able to get a significant settlement for someone
22 who had been fired. Fired on their third day of work
23 because of their religion and we were able to get a
24 settlement that was much larger than anything we
25 could've secured elsewhere in the state because of

1 the laws we have in New York but also because of the
2 Commission's mediation services. We've worked with
3 them to flag individuals who we believe are
4 committing harassment or discrimination. For
5 example, we've referred individual who have an out
6 right blogger who boasted about firing taxi drivers
7 because of their perceived religion. That
8 enforcement capability doesn't exist to the same
9 extent elsewhere in the state. We have numerous
10 matters that we have either referred to the
11 Commission, other capacities, or where we have looked
12 at litigation before the Commission. The Commission
13 in addition to having broader coverage in terms of
14 the protected classes of individuals who are
15 protected under New York City Law. There's also more
16 aggressive enforcement and penalties are available,
17 testing available to actually verify allegations of
18 you know, discrimination and really as a litigator,
19 it is my preferred venue whenever I have the option.

21 CHAIRPERSON EUGENE: Thank you very much.

22 SAPREET KAUR: So, our services are being
23 offered on multiple fronts. First, they're being
24 offered at the policy level as well as the training
25 level for other community service providers, as well

1 as law enforcement and judiciary representative. We
2 offer cultural competency trainings and we are tapped
3 on a regular basis by other non-profit organizations
4 and law enforcement as well the judiciary. We are at
5 the Family Justice Center, we are in all five
6 boroughs of the Family Justice Center, so we offer
7 trainings on cultural competency on a regular basis
8 to the service providers that are working in the same
9 arena. We have staff that speak 15 languages, so we
10 are tapped into on a regular basis for the various
11 languages that our staff speak, as well as the
12 various dialect that our staff speak. The Arabic
13 language, there is classical Arabic, but there is a
14 total of 128 different Arabic dialects that are
15 spoken, and the majority of the dialects are spoken
16 by our staff members. So, we're tapped into on a
17 regular basis. We have an arm of our organization
18 that's offering legal services. We work with others
19 that are in the arena that are providing legal
20 services to our constituents. Our primary goal under
21 our legal services is to make sure that our
22 constituents are not taken advantage of, those
23 attorneys that may take advantage of them or charge
24 them too much money. So, we're offering our legal
25

1 services for free and if there are issues that have
2 to do with discrimination, we direct them to other
3 organizations that can handle such situations in
4 addition to providing trainings to our constituents
5 about Know Your Rights. We have our youth services,
6 as you could imagine, this is impacting our children
7 in youth in severe ways. Many of our youth, for
8 example, one of them said to me he feels that in many
9 situations he need not to apply for jobs because of
10 his name. His name is Usama. Another one he said, I
11 will have unfulfilled dreams – my dream has always
12 been to become a pilot and unfortunately, I could
13 never become a pilot because I will always be
14 questioned why I am enrolling in school to become a
15 pilot. We also provide mental health services as you
16 could imagine, our mental health professionals that
17 are there to provide counseling to individuals that
18 have been discriminated against, the trauma will last
19 with them for a long, long time. Unfortunately, we
20 get tapped very, very quickly and we have a waiting
21 list for counseling, to provide counseling to our
22 constituents. So, in situations like that we are
23 working with various hospitals, but again, even the
24 hospitals, they're looking to us for answers and
25

1 we're working with many hospitals that are working in
2 the community to provide mental health counseling to
3 our constituents. Unfortunately, we don't have
4 therapists who are trained as culturally competent
5 individuals, we're working to expand that network of
6 trained professionals.
7

8 CHAIRPERSON EUGENE: Thank you, thank you
9 very much.

10 GISELLE KLAPPER: The Sikh Coalition also
11 provides free legal support to people who have been
12 impacted by crimes rooted in bias and in addition, we
13 also use those opportunities to them going and be
14 able to train the police officers investigating the case.
15 Perhaps the prosecutor didn't have all of the
16 resources they need to understand the background and
17 history of where this bias and the crime may have
18 been coming from. One of the you know, very New York
19 specific examples that we always engage in is we go
20 in and train the teachers at the pathways to
21 graduation programs. We recently just did two of the
22 trainings this year and every time they have you
23 know, even if it's a resource for the kids, you know,
24 we're sure that we're present there, so even the
25 children know all of the Sikh kids at the schools,

1 know what rights they have. What resources are
2 accessible to them and anytime there is an
3 opportunity to be present at any of the professional
4 development fairs or opportunities, we go in and we
5 train the teachers. As she also mentioned, the Sikh
6 Coalition also runs a youth program where it is a
7 youth led, youth-based program. So, the youth are
8 then able to go in and teach their fellow peers about
9 what rights they have. Lead the bullying workshops
10 and do everything so everyone is able to resonate
11 with one another and learn what their rights are in a
12 non-like lecture type way. So, all of our programs
13 that are external facing are very engaging. Just in
14 late August, right as the school year was about to
15 begin, we really sent educators guides that include
16 all of the basic information teachers need to know,
17 so that when they are teaching about US immigration,
18 or religions, they know exactly what information they
19 need and they have all of the resources they need to
20 be able to teach their classes. So, its important
21 that all of our agencies, all of our different types
22 of departments have accurate information to then be
23 able to be able to do their jobs properly.
24

1
2 CHAIRPERSON EUGENE: Thank you very much
3 but I want to thank each one and all of you and
4 commend you for the services that you are providing
5 for our brothers and sisters because we are brothers
6 and sisters regardless of our ethnicities, the
7 countries that we came from, it doesn't matter. We
8 are all human beings and I think it moral as human
9 beings to do everything that we can do to better the
10 place where we are living together. I'm talking
11 about New York City, United States of America and
12 when human beings are facing challenges, it is tough.
13 Physical challenges are very, very tough but moral
14 challenges, psychology challenges, can be more
15 devastating, because that can destroy people and that
16 can have in impact not only in the human being, in
17 the person, but in the family, in all society also.
18 So, means by helping those people, what we are doing,
19 we are making our communities better and I commend
20 you for that. Thank you very much for what you are
21 doing every single day for our brothers and sisters
22 and we in this community we are committed to work
23 together with you because we are part of team. It is
24 our responsibility to make New York City a better
25 place. Thank you very much. Have a wonderful day.

1
2 GISELLE KLAPPER: Thank you for having
3 us.

4 SAPREET KAUR: Thank you.

5 CHAIRPERSON EUGENE: Thank you. Rabbi
6 Cohen left, left so okay, I won't think about Rabbi
7 Cohen anyway. He's from Crown Heights Jewish
8 Community Council, he left already. Rama Issa
9 Ibrahim, thank you very much from Arab-American
10 Association of New York, Aniqah Nawabi, I hope that I
11 pronounce it properly from Muslim Community Network.
12 Thank you very much. You may start your statement.

13 RAMA ISSA IBRAHIM: Yes, good morning. My
14 name is Rama Issa and I am the Executive Director of
15 the Arab-American Association of New York. We are a
16 direct service and advocacy organization serving the
17 Arab and Muslim populations in New York City and we
18 are located in Bay Ridge Brooklyn, to be exact. I
19 just want to say how proud we are to see that the
20 City has invested in studying the rights of hate
21 speech and crime against Muslim, Arab, South Asian,
22 Jewish, and Sikh communities. As an alumni of the
23 city Commission on Human Rights, I am incredibly
24 proud to see that this report has come to **[inaudible**
25 **2:45:50]**. It wasn't long ago when I worked with the

1 Commissioner and others of the Commission to get this
2 project kicked off the ground. Although its findings
3 are not totally surprising to us, it is important for
4 community-based organizations like ours to have
5 numbers that validate the reality that we see
6 everyday on the ground. The data is striking, for
7 instance, the 38.7 percent of survey respondents
8 reported experiencing verbal harassment. We have
9 heard from several of our members stories firsthand
10 who have been harassed on the streets or in the
11 subways, or in schools. We've always operated with
12 the knowledge that community unfortunately does not
13 always trust many government agencies or law
14 enforcement and the survey results showed the
15 difficulties of those relationships with findings
16 showing that at least 71 percent of Muslims, Arabs,
17 South Asians, Jewish, and Sikh communities in the
18 city do not report discrimination when it happens.
19 That proves once again that folks in our communities
20 don't trust the system or don't feel like the system
21 takes them seriously. Just last Friday, one of our
22 organizers told us about a family who is being
23 harassed by their landlord because their Muslim. The
24 landlord has raised the rent three times in the last
25

1 year alone. This isn't an isolated event, we're
2 speaking about two families at least just this month
3 with similar stories, similar situations. One of the
4 families, a Sikh family, another one a Hemani family.
5 These are the most vulnerable amongst our communities
6 today given the Muslim ban and they are the ones who
7 are being targeted. One of the family members of
8 this Hemani family that I just mentioned actually
9 called the police and after the landlord changed the
10 locks and the police told our member to go get a
11 private investor, private bodyguard when she inquired
12 if the police could protect her. These
13 discriminatory actions are putting more pressure and
14 adding to the already existing anxiety and feelings
15 of hopelessness and isolation amongst our
16 communities. The report also shows that one in four
17 Muslim women who wear the hijab reported being
18 intentionally pushed or shoved off a subway platform.
19 This finding is shilling, we're talking about New
20 York City, 27 percent of our hijab sisters have
21 experienced some form of physical assault and
22 harassment while on the subway. I just want everyone
23 to take a second to let that sink in. Just last
24 summer, one of my own staffers had a bag flung at her
25

1 face by a white woman on broad daylight in Bay Ridge.

2 We also know that one and six of our people

3 experience some form of discrimination, racial,

4 ethnic, or religious in their place of employment.

5 We hear these stories from clients and members every

6 single day about how folks in our community feel

7 unsafe in their place of employment. Just recently,

8 we saw a young hijabie woman in our community, a

9 single mother, who took off her hijab because she

10 felt like employers were not considering her for jobs

11 because of her head scarf. We're working with the

12 Commission to create a community network for those

13 who experience any acts of hate. Being able to refer

14 cases to organizations such as ours who support the

15 Arab and Muslim communities in Brooklyn, to seek

16 resources that address legal and mental health

17 support. We know that over half of those who

18 experience being unfairly fired and over a third of

19 those who experience physical assault screen positive

20 for probable depression. This shows how important it

21 is to have access to mental health services,

22 especially when our communities are constantly living

23 under attack. After the election of 45, the Arab-

24 American Association created the accompanied project

25

1 where more than 8,000 allies have signed up for
2 trainings across the city to become up-standards and
3 we hope to continue to work with the New York City
4 Commission on Human Rights in their efforts to train
5 city employees who work directly with the public in
6 order to deescalate bias incidents. Again, I just
7 want to thank the hardworking people at the New York
8 City Commission on Human Rights and the Commissioner,
9 Commissioner Malalis who founded me to present this
10 in the form of data so more people can understand the
11 severity of what our folks have been experiencing
12 just this last year alone. Thank you.

14 CHAIRPERSON EUGENE: Thank you very much
15 for your testimony, thank you.

16 RAMA ISSA IBRAHIM: Thank you.

17 CHAIRPERSON EUGENE: And I would like to
18 take the opportunity to thank all the advocates, all
19 those organizations are working together to make New
20 York City a better place for all and one thing that I
21 want to say, all of us, we have the right to equally
22 benefit from all the assets, the resources, that this
23 good country offers to all of us. In other words, we
24 have the right to receive or to get a piece of the
25 American dream and also the right **[inaudible]**

1
2 **2:52:44]**. We have the moral obligation for all of us
3 to walk together to ensure that we respect each
4 other. To ensure that we participate in the in front
5 together to make New York City or United States a
6 better place and all of us will benefit and that's
7 another reason why I commend all of you for what you
8 are doing because every single day this is part of
9 our right and our moral responsibility to do
10 everything that we can do as human beings. It
11 doesn't matter where we came from, what is your
12 religion, your faith or your **[inaudible 2:53:42]**. If
13 we work together to help our brothers and sisters who
14 are facing discrimination and harassment, we will
15 make New York City a better place and we will give
16 them also the tools that they need to overcome those
17 very tough issues and guess what? It's going to be a
18 win, win situation. Thank you very much for what you
19 are doing every single day and thank you for your
20 testimony also and I want to thank also the staff of
21 the City Council. Those people who make it possible
22 for us to conduct those important hearings and thank
23 you also to the staff on the Committee, thank you and
24 may God Bless You. Thank you very much. The meeting
25 is adjourned. [Gavel].

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 1, 2018