



## Legislation Text

---

**File #:** Res 0309-2024, **Version:** \*

---

### Res. No. 309

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation that would amend pretrial detention to include all hate crime charges.

By Council Members Holden, Yeger, Ariola and Marmorato

Whereas, On January 1, 2020, The New York State legislature implemented sweeping reforms to the state's system of pretrial detention, which prohibited judges from setting bail or other forms of pretrial detention for many charges; and

Whereas, By April 2020, the State legislature amended these laws to allow for pretrial detention for expanded types of charges, including two categories of hate crimes: assault as a hate crime in the third degree and arson as a hate crime in the third degree; and

Whereas, A December 2021 CBS News report indicated there was a 100% increase in hate crimes in New York City in 2021 compared to 2020; and

Whereas, Reports indicate dramatic increases in anti-Asian, anti-Semitic and hate crimes regarding sexual orientation; and

Whereas, Permitting pretrial detention provides judges with the option to more meaningfully address hate crimes; and

Whereas, The 2020 amendments to the bail reform laws do not include the types of hate crimes prevalent throughout the city; and

Whereas, New York City is incredibly diverse with over 3 million foreign-born residents, many different faiths, and more than 200 languages spoken; and

Whereas, There can be no tolerance for hate crimes in New York City; and

Whereas, Expanding bail eligibility to all hate crimes underlines the seriousness with which the City takes these types of attacks; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York State Legislature to pass, and the Governor to sign, legislation that would amend pretrial detention to include all hate crime charges.

Session 13  
LS #6087  
01/17/2024

Session 12  
KMD  
LS #6087  
3/8/2022