



Legislation Details (With Text)

**File #:** Res 1716-2021      **Version:** \*      **Name:** Amend pretrial detention to include all hate crime charges.

**Type:** Resolution      **Status:** Committee

**In control:** Committee on Public Safety

**On agenda:** 7/29/2021

**Enactment date:**      **Enactment #:**

**Title:** 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.

**Sponsors:** Robert F. Holden, Kalman Yeger

**Indexes:**

**Attachments:** 1. Res. No. 1716, 2. July 29, 2021 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Stated Meeting 7-29-21, 4. Minutes of the Stated Meeting - July 29, 2021

Date	Ver.	Action By	Action	Result
7/29/2021	*	City Council	Introduced by Council	
7/29/2021	*	City Council	Referred to Comm by Council	

Res. No. 1716

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 and Yeger

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 wider number 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, New York City has experienced a significant rise in hate crimes when comparing first quarter data from 2021 to first quarter data from 2020; and

Whereas, The bulk of these hate crimes have been anti-Semitic or anti-Asian; 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, With over 3 million foreign-born residents, New York City is incredibly diverse: New Yorkers practice a number of different faiths and speak more than 200 languages; and

Whereas, There can be no tolerance for hate crimes perpetrated against any New Yorker; 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.

LS 17755  
6.29.2021