

NYC Against Hate Coalition Policy Framework: Investing in a Restorative Community-based Approach

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A climate of hate creates fear. Many communities are struggling to feel safe going about their day to day lives, while policy makers are searching for solutions to assuage those fears, make clear that hate is not tolerated in our communities, and put a stop to the violence. NYC Against Hate's policy framework highlights investments we need to make to address root causes of hate violence, community-based solutions that include transformative justice practices, as well as critique of and resistance to increased policing and surveillance - which are not effective at deterring hate violence. Investing in community solutions is key to sustainable change.

NYC Against Hate is a coalition of nine community-based organizations working across identities to make New York safer for our communities. Jewish, Arab-American, Muslim, LGBTQ, immigrant, and Black and Brown New Yorkers are uniting to create community safety for our communities and build a stronger New York City. We believe that the only effective solutions for ending hate violence and bias incidents will be shaped by those communities most impacted by hate violence and rely on communities coming together to address the underlying biases and forms of oppression that build fear and hate.

Hate violence includes but isn't limited to physical violence. Hate violence can take the form of assaults, sexual violence, slurs, threats, intimidation, verbal harassment, graffiti, other property damage, bullying, and fatal violence directed towards an individual or group because they belong to or are believed to belong to a marginalized group. Hate violence occurs on the street, on public transit, in homes, at workplaces, online, at religious or cultural institutions.

The category of "hate crime" is a limited legal designation to define offenses that can be prosecuted by law. Many nonviolent acts of hate violence are not considered hate crimes. NYC Against Hate uses "hate violence" to indicate the wide scope of bias-related violence and its impacts on survivors and victims.



Support Restorative Approaches to Violence

The following are proactive steps that can be taken to address and prevent hate violence in New York City and State.



- **Rapid Incident Response:** Finding ways to call attention to, and increase awareness about hate violence in the immediate aftermath of incidents of violence is an important part of hate violence response and prevention. It can be important for impacted and allied communities, as well as city agencies and elected officials to respond with a unified voice against violence. Rapid incident response may include community alerts, town hall meetings, neighborhood safety events, and school-based and neighborhood education across multiple identities.



- **Data and Reporting:** Data and information about the hate violence occurring in our communities is a critical tool for identifying strategies to end violence. Marginalized communities feel safest reporting incidents to community-based organizations, which can help them to make a safety plan and determine whether or not they would like to report to law enforcement or another city agency. Groups must be funded to do this data collection work. This includes support for training and access to data collection software, as well as support for community-specific hotlines to receive reports. New York State must pass the Hate Crimes Analysis and Review Act (A08070/S06066-B) and both the city and state must create funding for community-based data collection options.



- **Community Education:** Many incidents of hate violence occur in public spaces and go unchallenged by witnesses. Bystander/upstander intervention training empowers community members to safely ally themselves with individuals targeted victims when an incident of hate or harassment is underway in public.



- **Restorative Justice Programs:** Much of the current effort at stopping hate violence is focused on criminalizing acts of hate, while the root causes of hate violence remain unaddressed and the violence remains unchecked. Restorative justice (RJ) is a means of giving all who are stake holders in an incident—survivors, people who have done harm, and the communities to which they belong—a voice in how harm can be repaired and future harm prevented. RJ can give survivors more of a voice and provide opportunities for healing while holding those who cause harm accountable for their actions. NYC Against Hate supports the creation of a RJ pilot program focused on incidents of hate violence committed by minors which do not meet the hate crimes standard to provide opportunities for education, accountability, healing and reform.

Policing, Surveillance, Prosecution Don't Increase Safety

Increased policing, heightened surveillance, and aggressive prosecution cannot address the root causes of the violence that's happening in our communities. They are ineffective responses and ultimately, will disproportionality harm many of the communities of color and low income communities they are supposed to protect.



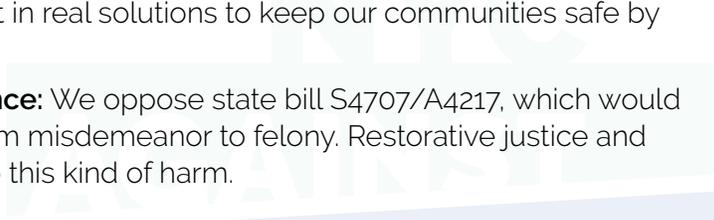
- **Divest from Funding Surveillance and Policing, Invest in Community Solutions:** We oppose Governor Cuomo's Executive Budget proposals to add \$25 million of funding for surveillance technology for groups vulnerable to hate crimes, the Hate Crime Anti-Terrorism Act, and increases in funding for the State Police Hate Crimes Task Force.



- **Protect Bail Reform:** Bail reform is not responsible for hate violence, and accused people being out on bail does not increase hate violence. If we are serious about ending the violence, we must oppose fear-mongering, and invest in real solutions to keep our communities safe by upholding bail reform.



- **Increased Penalties Don't Stop Hate Violence:** We oppose state bill S4707/A4217, which would increase penalties on bias-related graffiti from misdemeanor to felony. Restorative justice and education is a more appropriate response to this kind of harm.



Invest in the Social Safety Net

Acknowledging the impact of state violence and institutionalized discrimination are an important part of the discussion about addressing hate violence. Many of the marginalized communities most affected by hate violence are also regularly harmed by discrimination and acts of violence enacted by government entities. The intersectional effect of being targets of hate violence and state violence puts communities at greater risk for violence and with fewer resources to heal and recover from hate violence.

Our current system does not include a model for educating or reforming those who cause harm, regardless of their circumstances. People who have done harm, or have the potential to do so, need a social safety net as well. Many of the alleged perpetrators of recent acts of hate violence have been individuals struggling with mental illness and drug addiction. And yet, we treat these examples in the same way, or worse, than those incidents that spring from organized hate groups, like Neo-Nazis and white supremacists. The following are policies that would build safer, stronger communities by investing in those communities most impacted by violence as well as investing in supporting people who may do harm.



- **Housing and Shelter:** At the State level, pass Good Cause Eviction (S2892A/A5030A) to prevent steep rent hikes, finance and develop 20,000 Units of Supportive Housing, and pass Home Stability Support (HSS) (S2375/A1620) to create a statewide rent subsidy. At the City level: work with the Department of Homeless Services to ensure that the health and safety needs of trans, gender non-conforming, and other marginalized community members are met.



- **Mental Health Services:** Fund and scale community-based organizations to deliver culturally competent counseling, support, and mental health services both in New York City and across the state. Increase funding and capacity in ACT (Assertive Community Treatment) teams in each county. ACT is an evidence-based practice that improves outcomes for people with severe mental illness who are most at-risk of psychiatric crisis and hospitalization, as well as involvement in the criminal legal system. New York must fund Certified Community Behavioral Health Clinics (CCBHC) which operate in both rural and urban locations and are required to provide crisis response services, including 24-hour mobile crisis teams that must deliver services within three hours.



- **Effective Substance Use Treatment:** Expand Syringe Access (S875/A1634), establish Medication-Assisted Treatment in all State Jails and Prisons (S2161B/A833B), reject failed drug war tactics like increasing penalties for fentanyl (S1652A/A6757A) because increased criminalization does not reduce drug use, overdose, or drug-related crime. Additionally, New York must pass the Safer Consumption Services Act (S498/A60), and dedicate state funding for Naloxone.