

STATE OF NEW YORK

8070

2019-2020 Regular Sessions

IN ASSEMBLY

May 31, 2019

Introduced by M. of A. REYES -- read once and referred to the Committee on Codes

AN ACT to amend the executive law, in relation to enacting the "hate crimes analysis and review act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "hate
2 crimes analysis and review act".

3 § 2. Subdivision 4-c of section 837 of the executive law, as added by
4 chapter 107 of the laws of 2000, is amended to read as follows:

5 4-c. (a) In cooperation with the chief administrator of the courts as
6 well as any other public or private agency, including law enforcement
7 agencies, collect ~~and~~, maintain, analyze and make public statistical
8 and all other information and data with respect to the number of hate
9 crimes reported to or investigated by the division of state police, and
10 all other county and municipal police or peace officers, the number of
11 persons arrested for the commission of such crimes, the offense for
12 which the person was arrested, the demographic data of the victim or
13 victims of such crimes including, but not limited to, gender identity or
14 expression, sexual orientation, race, color, religion, ancestry, age,
15 disability and national origin, the demographic data of the person or
16 persons arrested for the commission of such crimes including, but not
17 limited to, gender identity or expression, sexual orientation, race,
18 color, religion, ancestry, age, disability and national origin, the
19 county within which the arrest was made and the accusatory instrument
20 filed, the disposition of the accusatory instrument filed, including,
21 but not limited to, as the case may be, dismissal, acquittal, the
22 offense to which the defendant pled guilty, the offense the defendant
23 was convicted of after trial, and the sentence imposed. Data collected
24 shall be used for research or statistical purposes and shall not contain
25 information that may reveal the identity of an individual crime victim.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 The division shall include the statistics and other information required
2 by this subdivision in [~~the~~] an annual report submitted to the governor,
3 the attorney general, the joint committees on public safety and criminal
4 justice, the judiciary and legislature [~~pursuant to subdivision twelve~~
5 ~~of this section~~]. Such annual reports shall be a public record.

6 (b) As used in this section, the term "gender identity or expression"
7 means a person's actual or perceived gender-related identity, appear-
8 ance, behavior, expression, or other gender-related characteristic
9 regardless of the sex assigned to such person at birth, including, but
10 not limited to, the status of being transgender.

11 § 3. This act shall take effect on the ninetieth day after it shall
12 have become a law.