

STATE OF NEW YORK

393--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. ZEBROWSKI, GRIFFIN -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing an interagency task force on hate crimes and domestic terrorism; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. The executive law is amended by adding a new section 839-a
2 to read as follows:

3 § 839-a. Establishment of interagency task force on hate crimes and
4 domestic terrorism. 1. There is established an interagency task force on
5 hate crimes and domestic terrorism, which shall consist of the following
6 members or their designees: (a) the superintendent of state police; (b)
7 the commissioner of the division of criminal justice services; (c) the
8 commissioner of the division of homeland security and emergency
9 services; (d) the director of the office of victim services; (e) the
10 director of the division of human rights; (f) two members, who shall be
11 appointed by the governor; (g) one member, who shall be appointed by the
12 temporary president of the senate; (h) one member, who shall be
13 appointed by the speaker of the assembly; (i) one member, who shall be
14 appointed on the recommendation of the president of the New York state
15 district attorneys association; and (j) one member, who shall be
16 appointed on the recommendation of the president of the New York state
17 association of chiefs of police. The task force will be co-chaired by
18 the commissioner of the division of criminal justice services and the
19 superintendent of state police, or their designees. It shall meet as
20 often as is necessary, but no less than once per year, and under circum-
21 stances as are appropriate to fulfilling its duties under this section.

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

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1 All members shall be provided with written notice reasonably in advance
2 of each meeting with the date, time and location of such meeting. The
3 members of the commission shall serve without compensation but shall be
4 entitled to reimbursement for all necessary expenses incurred in the
5 performance of their duties.

6 2. The task force is authorized to: (a) collect and organize data on
7 the nature and extent of hate crimes and domestic terrorism in the
8 state; (b) identify available federal, state and local programs that
9 provide services to victims of hate crimes and acts of domestic terror-
10 ism; (c) coordinate when necessary with the bureau of criminal investi-
11 gations task force defined in subdivision two of section two hundred
12 sixteen of this article; (d) identify available federal, state and local
13 programs that provide services to prevent acts of hate crimes and domes-
14 tic terrorism; (e) consult with governmental and non-governmental organ-
15 izations to develop recommendations to strengthen state and local
16 efforts to prevent hate crimes and acts of domestic terrorism; (f)
17 explore the feasibility of establishing interagency protocols and
18 collaboration between federal, state, and local law enforcement, state
19 and governmental agencies, and non-governmental organizations; (g) eval-
20 uate techniques to increase public awareness about hate crimes and
21 domestic terrorism and make recommendations on how to improve such tech-
22 niques if necessary; and (h) evaluate the effectiveness of training
23 programs on hate crimes and domestic terrorism that have been designed
24 for law enforcement personnel, prosecutors, other governmental employ-
25 ees, and non-governmental organizations, and make recommendations for
26 improving the quality and effectiveness of such programs.

27 3. The task force shall report to the governor, the speaker of the
28 assembly, the minority leader of the assembly, the temporary president
29 of the senate and the minority leader of the senate no less than annual-
30 ly. Such report shall include data gathered by the task force on the
31 nature, extent, and incidence of hate crimes and domestic terrorism in
32 the state and a summary of any recommendations developed to strengthen
33 state and local prevention efforts and any other information deemed
34 necessary. The task force shall issue reports and recommendations as it
35 deems necessary to carry out its duties and responsibilities. Such
36 reports shall not disclose any personally identifiable information on
37 any victim of a hate crime or domestic terrorism and shall not contain
38 any information regarding any ongoing criminal investigations.

39 4. For the purposes of this section, "domestic terrorism" shall mean
40 the commission, or possible commission, of acts covered under article
41 four hundred ninety of the penal law, in which the perpetrator is or
42 would be a resident of the United States or an organization that oper-
43 ates exclusively or primarily within the United States.

44 5. All appointments shall be made no later than ninety days after the
45 effective date of this act. All vacancies shall be filled by the
46 appointing authority in a timely manner.

47 § 2. This act shall take effect immediately and shall expire and be
48 deemed repealed December 31, 2025.