



Criminal Justice Research Report

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Hate Crime in New York State 2010 Annual Report

by Brent Lovett

Introduction

This report meets the statutory reporting requirements of the Hate Crimes Act of 2000 and details the findings of a statistical analysis of hate crimes reported in New York State for 2010.

The report is organized into three sections. The first describes hate crime incidents reported by law enforcement in 2010. Hate crime incidents are analyzed by offense, bias motivation and demographic characteristics of known offenders. The second section reports on arrests made in 2010 for hate crime offenses and the disposition of these arrests through May 2011. The third section is an appendix comprised of a series of tables comparing hate crime incident data from 2009 and 2010.

Data sources analyzed in this report include: crime data drawn from hate crime incident reports submitted by local and state police; and arrest and disposition data derived from the Computerized Criminal History (CCH) system at the Division of Criminal Justice Services (DCJS).

Additional information about hate crime reporting and efforts to improve data quality may be accessed at the following link: <http://www.criminaljustice.state.ny.us/crimnet/ojsa/crimreporting/hatecrimedataquality.htm>.

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Major Findings

- ◆ A total of 699 hate crime incidents were reported in 2010 in New York State, an increase of 2% over 2009.
- ◆ New York City reported 350 hate crime incidents (up 27% from 2009) and 130 hate crime arrests; the rest of the state reported 337 incidents (down 14%) with 133 arrests.
- ◆ Hate crimes against persons (460) increased by 29% in 2010 while hate crimes against property (239) declined 26%.
- ◆ The most frequently reported bias motivations for hate crimes in 2010 were anti-Jewish (31%), anti-black (20%), anti-male homosexual (16%), and anti-Hispanic (8%).
- ◆ Most hate crime incidents involved destruction, damage, or vandalism of property (32%), simple assault (30%), or intimidation (23%).
- ◆ Of 97 offenders convicted from a hate crime arrest as of May 2011, 37% received a jail or prison sentence, and 9% were sentenced to probation.

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Reported Hate Crime Incidents

Hate crimes can be perpetrated against an individual, a group of individuals, or against public or private property. A person or group of persons, for instance, may be assaulted because of their race or religion or a synagogue could be defaced in a bias-motivated incident of property damage. Table 1 shows reported hate crime incidents in 2010 by the type of offense.

Table 1. Hate Crime Incidents by Offense Type, 2010

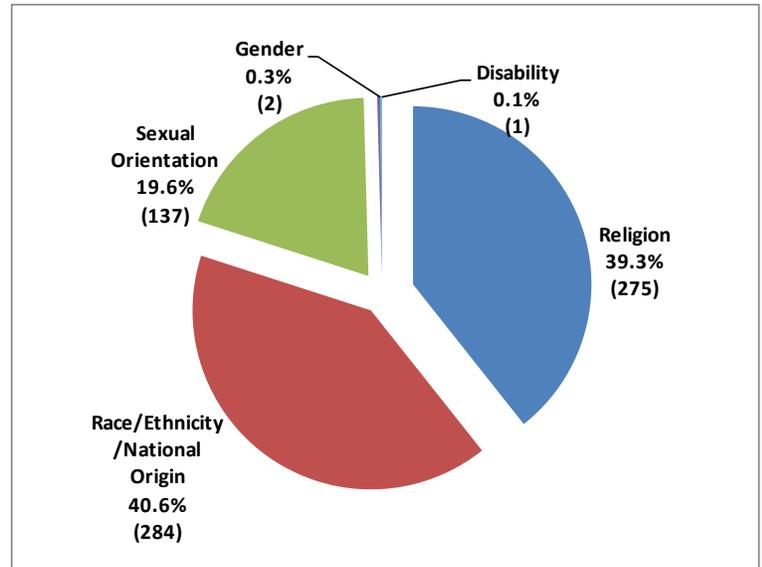
| Offense Type | Number | Percent |
|--------------------------------|------------|---------------|
| Total | 699 | 100.0% |
| Crimes Against Persons: | 460 | 65.8% |
| Robbery ¹ | 34 | 4.9% |
| Kidnapping | 1 | 0.1% |
| Aggravated Assault | 48 | 6.9% |
| Simple Assault | 212 | 30.3% |
| Intimidation | 165 | 23.6% |
| Property Crimes: | 239 | 34.2% |
| Arson | 2 | 0.3% |
| Burglary | 9 | 1.3% |
| Larceny-Theft | 7 | 1.0% |
| Destruction/Damage/Vandalism | 221 | 31.6% |

¹ Although the Uniform Crime Reporting (UCR) system categorizes robbery as a property crime, for purposes of this report it is categorized as a crime against persons.

- Of the 699 total hate crime incidents reported in 2010, 460 (65.8%) involved crimes against persons and 239 (34.2%) were property crimes.
- Simple assault and intimidation (377) accounted for 82% of crimes against persons and 53.9% of all hate crime incidents.
- Property destruction, damage, or vandalism (221) accounted for 92% of crimes against property and 31.6% of all hate crime incidents.
- The 699 offenses reported as hate crimes in 2010 represent a tiny fraction of all crimes reported to the police in New York State. In 2010, nearly 450,000 Index crimes—murder & non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny and motor vehicle theft— were reported. Also reported were thousands of lesser offenses that are not considered Index crimes, such as harassment and vandalism.
- In 2010, the most commonly reported types of bias motivation in hate crime incidents involved race/ethnicity (40.6%), religion (39.3%), and sexual orientation (19.6%).
- There were 275 hate crime incidents involving religion, a 7% decrease from 2009.
- Incidents with a race/ethnicity/national origin bias increased 11%, from 256 in 2009 to 284 in 2010.
- Incidents with a sexual orientation bias increased 15%, from 119 in 2009 to 137 in 2010.
- Additional details on the comparison between 2009 and 2010 can be found in the Appendix Tables.

Figure 1 shows the 2010 hate crime incidents reported by major bias type. Bias occurs when an offender either selects a victim or commits a crime based on the perceived race/ethnicity/national origin, gender, religion, age, disability, or sexual orientation of the victim. Bias motivations for hate crime incidents are identified by the investigating officer.

Figure 1. Hate Crime Incidents by Bias Type (UCR)



Of the 699 total hate crime incidents reported in 2010, Table 2 shows specific bias motivation for crimes against persons and property crimes.

- Anti-Jewish hate crimes accounted for 220 (80%) of 275 religious bias incident reports.
- Anti-black bias represented 138 (49%) of 284 reported racial/ethnic hate crimes.
- Of the 137 hate crimes based on sexual orientation, 114 (83%) targeted males.

Crimes Against Persons

- Bias against race/ethnicity/national origin was the motivating factor reported in 48% of crimes against persons (219 of 460), sexual orientation bias in 26% (120), and religious bias in 26% (119).
- Anti-male homosexual crimes (105), anti-black (95) and anti-Jewish (90) were the most frequently reported crimes.
- Within the religion category, anti-Jewish bias accounted for 90 out of 119 incidents (76%). Notably, in 2010, incidents motivated by anti-Islamic bias increased to 22, up from eight in the previous year¹.
- Within the race/ethnicity/national origin category, anti-black bias accounted for 43% (95 of 219) of reported hate crime incidents.
- Within the sexual orientation category of bias motivation, anti-male homosexual bias accounted for 105 of 120 incidents (85%).

Property Crimes

- Of the 239 reported hate crime incidents involving property crimes, 65% were motivated by an anti-religion bias.
- Anti-Jewish bias accounted for 130 of 156 reported hate crimes against religion.

Table 2. Bias Motivation by Offense Type, 2010

| Bias Motivation | Crimes Against Persons | | Property Crimes | | Total Crimes | |
|--|------------------------|---------------|-----------------|---------------|--------------|---------------|
| | # | % | # | % | # | % |
| Total | 460 | 100.0% | 239 | 100.0% | 699 | 100.0% |
| Gender: | 1 | 0.2% | 1 | 0.4% | 2 | 0.3% |
| Anti-Gender Identity Expression | 0 | 0.0% | 1 | 0.4% | 1 | 0.1% |
| Anti-Male | 1 | 0.2% | 0 | 0.0% | 1 | 0.1% |
| Religion: | 119 | 25.9% | 156 | 65.3% | 275 | 39.3% |
| Anti-Jewish | 90 | 19.6% | 130 | 54.4% | 220 | 31.5% |
| Anti-Islamic (Muslim) | 22 | 4.8% | 7 | 2.9% | 29 | 4.1% |
| Anti-Other Religion | 4 | 0.9% | 10 | 4.2% | 14 | 2.0% |
| Anti-Catholic | 2 | 0.4% | 6 | 2.5% | 8 | 1.1% |
| Anti-Protestant | 0 | 0.0% | 2 | 0.8% | 2 | 0.3% |
| Anti-Multi-Religious Groups | 1 | 0.2% | 1 | 0.4% | 2 | 0.3% |
| Race/Ethnicity/National Origin: | 219 | 47.6% | 65 | 27.2% | 284 | 40.6% |
| Anti-Black | 95 | 20.7% | 43 | 18.0% | 138 | 19.7% |
| Anti-Hispanic | 55 | 12.0% | 3 | 1.3% | 58 | 8.3% |
| Anti-White | 28 | 6.1% | 4 | 1.7% | 32 | 4.6% |
| Anti-Asian | 13 | 2.8% | 4 | 1.7% | 17 | 2.4% |
| Anti-Other Ethnicity/National Origin | 14 | 3.0% | 3 | 1.3% | 17 | 2.4% |
| Anti-Multi-Racial Groups | 5 | 1.1% | 8 | 3.3% | 13 | 1.9% |
| Anti-Arab | 6 | 1.3% | 0 | 0.0% | 6 | 0.9% |
| Anti-Asian/Pacific Islander | 3 | 0.7% | 0 | 0.0% | 3 | 0.4% |
| Sexual Orientation: | 120 | 26.1% | 17 | 7.1% | 137 | 19.6% |
| Anti-Male Homosexual | 105 | 22.8% | 9 | 3.8% | 114 | 16.3% |
| Anti-Female Homosexual | 11 | 2.4% | 2 | 0.8% | 13 | 1.9% |
| Anti-Homosexual (Male and Female) | 4 | 0.9% | 6 | 2.5% | 10 | 1.4% |
| Disability: | 1 | 0.2% | 0 | 0.0% | 1 | 0.1% |
| Anti-Mental Disability | 1 | 0.2% | 0 | 0.0% | 1 | 0.1% |

- Anti-black bias accounted for 18% (43) of property crimes among hate crime incidents reported in 2010.

¹ This 2009-2010 comparison can be found in Appendix Table 5.

Offenders as Reported by Their Victims

Offender demographic characteristics are provided either by the victim or another party, and are often not available or only partially reported. Despite incompleteness, data on offender gender, race/ethnicity, and age affords valuable insight into bias-motivated crime.

Demographic information was available for 500 offenders. Table 3 presents their gender, age, and race/ethnicity, as reported by the victim or other party.

Table 3. Gender, Age, and Race/Ethnicity of Known Offenders

| | Number | Percent |
|------------------------------------|------------|---------------|
| Total | 500 | 100.0% |
| Gender: | | |
| Male | 430 | 86.0% |
| Female | 69 | 13.8% |
| Unknown | 1 | 0.2% |
| Age¹: | | |
| 15 & under | 60 | 12.0% |
| 16 to 19 | 87 | 17.4% |
| 20 to 24 | 63 | 12.6% |
| 25 to 29 | 30 | 6.0% |
| 30 to 34 | 23 | 4.6% |
| 35 to 39 | 19 | 3.8% |
| 40 to 44 | 21 | 4.2% |
| 45 to 49 | 15 | 3.0% |
| 50 to 54 | 14 | 2.8% |
| 55 to 59 | 7 | 1.4% |
| 60 to 64 | 3 | 0.6% |
| 65 & older | 3 | 0.6% |
| Unknown | 155 | 31.0% |
| Race/Ethnicity²: | | |
| White | 196 | 39.2% |
| Black | 190 | 38.0% |
| Hispanic | 80 | 16.0% |
| Asian/Pacific Islander | 6 | 1.2% |
| Other | 1 | 0.2% |
| Unknown | 27 | 5.4% |

¹ Age was reported for 345 of the 500 offenders.

² Race/ethnicity was reported for 473 of the 500 offenders.

- Males comprised 86% of known offenders (430).
- Age was reported for 69% of offenders (345). Among offenders whose age was known, 210 (61%) were less than 25 years old.
- Among known offenders, 196 were white, 190 were black, and 80 were Hispanic.

Table 4. Number of Offenders per Incident

| # Offenders Involved | Incidents | | Total Offenders | |
|----------------------|------------|---------------|-----------------|---------------|
| | Number | Percent | Number | Percent |
| Total Number | 346 | 100.0% | 500 | 100.0% |
| One | 271 | 78.3% | 271 | 54.2% |
| Two | 36 | 10.4% | 72 | 14.4% |
| Three | 18 | 5.2% | 54 | 10.8% |
| Four | 10 | 2.9% | 40 | 8.0% |
| Five | 8 | 2.3% | 40 | 8.0% |
| Six | 1 | 0.3% | 6 | 1.2% |
| Eight | 1 | 0.3% | 8 | 1.6% |
| Nine | 1 | 0.3% | 9 | 1.8% |

Of the 699 total hate crime incidents reported in 2010, Table 4 shows the demographic information that was available for 500 offenders across 346 incidents.

Offender demographic information was most likely to be missing in crimes that did not involve direct contact between victim and perpetrator, which includes most property crimes. The majority of incidents (78.3%) involved only one offender, although as many as nine offenders were associated with a single reported hate crime incident.

- Lone offenders accounted for 54.2% of 500 offenders for whom demographic information was available.
- Two or more offenders were reported in 75 (22%) incidents; these 75 incidents involved a total of 229 offenders.
- Of the 699 total hate crime incidents, there were 353 with unknown offenders: 202 were destruction/damage/vandalism, 90 were intimidation, and 42 were simple assault.
- Fifty percent of incidents with unknown offenders were motivated by anti-Jewish bias.

County of Reported Hate Crime Incidents and Arrests, 2010

Table 5 shows, by county, the number of hate crime incidents and arrests in 2010 for 48 of the 62 counties in New York where incidents were reported and/or arrests for a hate crime offense were made. The remaining 14 counties are excluded from the table.¹

Five counties reported hate crime arrests in 2010 but no incidents; arrests can occur in a different year than the associated incident.²

- The five counties that comprise New York City—Bronx, Kings, New York, Queens, and Richmond—accounted for 50% of all reported hate crimes (350 of 699) and 49% of all hate crime arrests made (130 of 263) in 2010.
- Outside of New York City, 38 counties reported 337 of 699 hate crime incidents and 35 counties reported 133 of 263 arrests in 2010. Agencies covering multiple counties reported the remaining 12 hate crimes reported in 2010.
- Five counties accounted for 63% of all non-New York City hate crime incidents and 54% of arrests: Erie, Nassau, Rockland, Suffolk, and Westchester
- Incidents involving hate crimes in 40 counties resulted in 263 arrests in New York during 2010.
- Of the 263 hate crime arrests in 2010, 249 were for incidents occurring that year, while 13 arrests were for crimes that occurred in 2009, and one for a crime in 2008.

Table 5. Hate Crime Incidents and Arrests by County

| County | Incidents | Arrests |
|------------------------------------|------------|------------|
| Total | 699 | 263 |
| Non-New York City | 337 | 133 |
| Albany | 14 | 1 |
| Broome | 2 | 0 |
| Cayuga | 1 | 0 |
| Chautauqua | 1 | 1 |
| Chemung | 1 | 2 |
| Chenango | 3 | 1 |
| Clinton | 6 | 1 |
| Columbia | 2 | 5 |
| Cortland | 4 | 1 |
| Dutchess | 12 | 1 |
| Erie | 50 | 21 |
| Essex | 1 | 0 |
| Franklin | 1 | 0 |
| Greene | 0 | 1 |
| Herkimer | 1 | 0 |
| Monroe | 13 | 8 |
| Nassau | 62 | 15 |
| Niagara | 2 | 1 |
| Oneida | 0 | 1 |
| Onondaga | 3 | 3 |
| Ontario | 1 | 1 |
| Orange | 11 | 5 |
| Orleans | 1 | 1 |
| Oswego | 9 | 1 |
| Otsego | 2 | 0 |
| Rensselaer | 2 | 1 |
| Rockland | 24 | 11 |
| Saint Lawrence | 2 | 1 |
| Saratoga | 5 | 4 |
| Schenectady | 4 | 2 |
| Schoharie | 0 | 1 |
| Seneca | 2 | 0 |
| Steuben | 2 | 1 |
| Suffolk | 51 | 13 |
| Sullivan | 3 | 3 |
| Tioga | 1 | 1 |
| Tompkins | 5 | 5 |
| Ulster | 5 | 3 |
| Warren | 0 | 2 |
| Washington | 1 | 1 |
| Wayne | 3 | 0 |
| Westchester | 24 | 12 |
| Wyoming | 0 | 1 |
| New York City | 350 | 130 |
| Bronx ¹ | 28 | 38 |
| Kings | 135 | 31 |
| New York | 94 | 23 |
| Queens | 51 | 14 |
| Richmond | 42 | 24 |
| Multiple County² | 12 | 0 |
| MTA | 11 | 0 |
| Finger Lakes (NYS Parks) | 1 | 0 |

¹ One incident in Bronx County led to 11 individuals being arrested.

² The Metropolitan Transportation Authority (MTA) Police Department and the Finger Lakes (NYS Parks) cover multiple counties.

¹The following counties reported no hate crime incidents or arrests in 2010: Allegany, Cattaraugus, Delaware, Fulton, Genesee, Hamilton, Jefferson, Lewis, Livingston, Madison, Montgomery, Putnam, Schuyler, and Yates counties.

²The following counties reported hate crime arrests for 2010 but no incidents: Greene, Oneida, Schoharie, Warren, and Washington.

Hate Crime Arrests and Dispositions

Arrests

Table 6 shows the most serious Penal Law offense charged for 263 arrests made in 2010 for designated hate crime offenses. In 2010, felony arrests accounted for 64% (169) of all arrests for hate crime offenses, and misdemeanors, 36% (94). A hate crime offense was the most serious charge in 86% (227) of arrests.

Table 6. Arrests for Hate Crime by NYS Penal Law

| New York State Penal Law | Frequency | Percent |
|--|------------|---------------|
| Total | 263 | 100.0% |
| Sex Offenses: | | |
| Criminal Sexual Act-1st ¹ | 2 | 0.8% |
| Robbery: | | |
| Robbery-1st | 17 | 6.5% |
| Robbery-2nd | 15 | 5.7% |
| Robbery-3rd | 1 | 0.4% |
| Assault & Related Offenses: | | |
| Assault-1st ² | 1 | 0.4% |
| Assault-2nd | 29 | 11.0% |
| Assault-3rd | 34 | 12.9% |
| Menacing-1st | 2 | 0.8% |
| Menacing-2nd | 4 | 1.5% |
| Menacing-3rd | 2 | 0.8% |
| Reckless Endangerment-1st | 1 | 0.4% |
| Reckless Endangerment-2nd | 2 | 0.8% |
| Stalking-4th | 1 | 0.4% |
| Unlawful Imprisonment-1st | 1 | 0.4% |
| Larceny: | | |
| Grand Larceny-2nd | 2 | 0.8% |
| Grand Larceny-3rd | 1 | 0.4% |
| Grand Larceny-4th | 3 | 1.1% |
| Criminal Trespass-3rd | 2 | 0.8% |
| Criminal Mischief: | | |
| Criminal Mischief-2nd | 1 | 0.4% |
| Criminal Mischief-3rd | 3 | 1.1% |
| Criminal Mischief-4th | 7 | 2.7% |
| Offenses Against Public Order: | | |
| Harassment-1st | 8 | 3.0% |
| Aggravated Harassment-1st | 10 | 3.8% |
| Aggravated Harassment-2nd | 114 | 43.3% |

Note: Some arrests were for offenses that occurred in years prior to 2010.

1. An incident reported as Assault-2nd, later led to several arrests, including Criminal Sexual Act-1st

2. 2010 had one arrest for Murder-2nd, but it was for an incident reported as Assault-1st, and the murder charge was dropped at arraignment, so it is not reported here.

Nearly half of all arrests (47.1%) involved a charge of aggravated harassment in either the first or second degree.

Another 24% involved first-, second-, or third-degree assault (64).

Dispositions

Table 7. Adjudication Status of Hate Crime Arrests

| Disposition | Number | Percent |
|-------------------------------------|------------|----------|
| Total | 159 | — |
| Conviction (61% of total) | | |
| Conviction by Plea ¹ | 95 | 97.9% |
| Conviction by Verdict | 0 | 0.0% |
| Conviction, Unknown Type | 2 | 2.1% |
| No Conviction (39% of total) | | |
| Dismissal | 45 | 72.6% |
| Covered by Another Case | 10 | 16.1% |
| Prosecution Declined | 3 | 4.8% |
| Acquittal | 0 | 0.0% |
| No True Bill | 3 | 4.8% |
| Unknown Favorable Disposition | 1 | 1.6% |

¹ Conviction by plea also includes YO (Youthful Offender) adjudication by plea.

A final disposition was reported to DCJS for 159 hate crime arrests, representing 60% of the 263 arrests in 2010. Dispositions were not available for the remaining 40% (104) of hate crime arrests as of May 2011.

Of the 159 reported dispositions:

- A conviction was the outcome in 97 cases, with guilty pleas taken in 95.
- Of 62 cases with no conviction:
 - 45 were dismissals.
 - Dispositions of 10 arrests were covered by another case.
 - Prosecution was declined in three cases.
 - No true bills were handed up by grand juries in three cases.

Reported Hate Crime Convictions and Sentences

Convictions

Table 8 shows the most serious disposition charge for 97 convictions that were reported as of May 2011.

Table 8. Convictions from Hate Crime Arrests

| Top Disposition Charge | Number | Percent |
|--|-----------|---------------|
| Total | 97 | 100.0% |
| Conviction After Guilty Plea | | |
| Aggravated Harassment-1st | 2 | 2.1% |
| Aggravated Harassment-2nd | 12 | 12.4% |
| Aggravated Harassment-2nd /As Hate Crime | 1 | 1.0% |
| Assault-2nd /As Hate Crime | 1 | 1.0% |
| Assault-2nd | 4 | 4.1% |
| Assault-3rd | 12 | 12.4% |
| Assault-3rd /As Hate Crime | 1 | 1.0% |
| Criminal Contempt-2nd | 3 | 3.1% |
| Criminal Mischief-2nd | 1 | 1.0% |
| Criminal Mischief-3rd /As Hate Crime | 1 | 1.0% |
| Criminal Mischief-4th | 1 | 1.0% |
| Criminal Possession of a Weapon-2nd | 1 | 1.0% |
| Criminal Possession Stolen Property-4th | 1 | 1.0% |
| Criminal Trespass-2nd | 1 | 1.0% |
| Criminal Trespass-3rd | 1 | 1.0% |
| Disorderly Conduct | 18 | 18.6% |
| Grand Larceny-3rd | 1 | 1.0% |
| Harassment-1st /As Hate Crime | 1 | 1.0% |
| Harassment-2nd | 11 | 11.3% |
| Menacing-2nd | 3 | 3.1% |
| Menacing-2nd /As Hate Crime | 3 | 3.1% |
| Menacing-3rd | 1 | 1.0% |
| Obstructing Government Administration-2nd | 1 | 1.0% |
| Operating a Motor Vehicle Without a Safety Belt | 1 | 1.0% |
| Reckless Endangerment-2nd | 1 | 1.0% |
| Robbery-1st | 2 | 2.1% |
| Robbery-2nd | 4 | 4.1% |
| Robbery-3rd | 2 | 2.1% |
| Trespass | 1 | 1.0% |
| Unlawfully Fleeing a Police Officer in a Motor Vehicle | 1 | 1.0% |
| Witness Tampering-4th | 1 | 1.0% |
| Conviction, Unknown Type | | |
| Assault-2nd | 1 | 1.0% |
| Criminal Possession of a Weapon-2nd | 1 | 1.0% |

Note: Shading indicates conviction for a hate crime offense.

- Offenders were convicted of a designated hate crime offense in eight cases (shaded in Table 8).
- A felony conviction was obtained in 27 cases; 39 convictions were for misdemeanors, 30 for violations and one for an infraction.

Sentences

Sentences reported for convictions from hate crime arrests are shown in Table 9. Conditional discharge was the most common sentence imposed upon conviction, (30) followed by jail/time served (21), fine (12), prison (10), probation (9), and jail & probation (5).

Table 9. Sentences from Hate Crime Arrests

| Sentence | Number | Percent |
|------------------------------|-----------|---------------|
| Total | 97 | 100.0% |
| Prison | 10 | 10.3% |
| Jail/Time Served | 21 | 21.6% |
| Jail & Probation | 5 | 5.2% |
| Custody, Unknown Type | 1 | 1.0% |
| Probation | 9 | 9.3% |
| Fine | 12 | 12.4% |
| Conditional Discharge | 30 | 30.9% |
| Convicted - Sentence Pending | 9 | 9.3% |

- Of the 97 convictions reported to DCJS as of May 2011, 36 resulted in a sentence to prison, jail, or a combination of jail & probation, representing 37% of the total.
- Overall, a conditional discharge was the most common sentence (31%).
- Of those sentenced to probation, 10 were convicted of a felony and five of a misdemeanor.
- The remaining 17 felons were sentenced to prison (10), jail (3), or an unknown type of custody (1), while three still had a sentence pending.

Appendix Table 1: Bias Motivation for Hate Crime Incidents for 2009 and 2010

Appendix Table 1 shows the number of reported hate crime incidents by bias motivation category and specific bias type for 2009 and 2010. Reported hate crimes increased statewide by approximately 2% in this period, with the largest increases in the category of race/ethnicity/national origin, which rose by 28 incidents (11%).

| Bias Motivation | 2009 | 2010 |
|--|------------|------------|
| Total | 683 | 699 |
| Gender: | 9 | 2 |
| Anti-Gender Identity Expression | 5 | 1 |
| Anti-Female | 3 | 0 |
| Anti-Male | 1 | 1 |
| Religion: | 294 | 275 |
| Anti-Jewish | 251 | 220 |
| Anti-Islamic (Muslim) | 11 | 29 |
| Anti-Other Religion | 13 | 14 |
| Anti-Multi-Religious Groups | 11 | 2 |
| Anti-Catholic | 6 | 8 |
| Anti-Protestant | 2 | 2 |
| Race/Ethnicity/National Origin: | 256 | 284 |
| Anti-Black | 144 | 138 |
| Anti-Hispanic | 44 | 58 |
| Anti-White | 29 | 32 |
| Anti-Arab | 10 | 6 |
| Anti-Asian | 8 | 17 |
| Anti-Multi-Racial Groups | 11 | 13 |
| Anti-Other Ethnicity/National Origin | 10 | 17 |
| Anti-Asian/Pacific Islander | 0 | 3 |
| Sexual Orientation: | 119 | 137 |
| Anti-Male Homosexual | 82 | 114 |
| Anti-Female Homosexual | 25 | 13 |
| Anti-Homosexual (Male and Female) | 10 | 10 |
| Anti-Bisexual | 2 | 0 |
| Disability: | 3 | 1 |
| Anti-Physical Disability | 1 | 0 |
| Anti-Mental Disability | 2 | 1 |
| Anti-Age | 2 | 0 |

Appendix Table 2: Hate Crime Incidents by County for 2009 and 2010

Appendix Table 2 shows the number of reported hate crime incidents by county for 2009 and 2010. There were 51 counties that reported a hate crime incident in either 2009 or 2010, and 11 counties reported no incidents in either year¹.

| County | 2009 | 2010 | County | 2009 | 2010 |
|--------------------------|------------|------------|------------------------------------|------------|------------|
| Non-New York City | 394 | 337 | Putnam | 1 | 0 |
| Albany | 10 | 14 | Rensselaer | 2 | 2 |
| Allegany | 1 | 0 | Rockland | 16 | 24 |
| Broome | 11 | 2 | Saint Lawrence | 3 | 2 |
| Cattaraugus | 1 | 0 | Saratoga | 4 | 5 |
| Cayuga | 5 | 1 | Schenectady | 5 | 4 |
| Chautauqua | 0 | 1 | Seneca | 0 | 2 |
| Chemung | 1 | 1 | Steuben | 0 | 2 |
| Chenango | 1 | 3 | Suffolk | 80 | 51 |
| Clinton | 8 | 6 | Sullivan | 4 | 3 |
| Columbia | 1 | 2 | Tioga | 0 | 1 |
| Cortland | 2 | 4 | Tompkins | 10 | 5 |
| Dutchess | 8 | 12 | Ulster | 5 | 5 |
| Erie | 47 | 50 | Warren | 1 | 0 |
| Essex | 1 | 1 | Washington | 3 | 1 |
| Franklin | 0 | 1 | Wayne | 0 | 3 |
| Greene | 3 | 0 | Westchester | 23 | 24 |
| Herkimer | 0 | 1 | | | |
| Madison | 1 | 0 | New York City | 275 | 350 |
| Monroe | 16 | 13 | Bronx | 33 | 28 |
| Montgomery | 1 | 0 | Kings | 92 | 135 |
| Nassau | 82 | 62 | New York | 70 | 94 |
| Niagara | 7 | 2 | Queens | 61 | 51 |
| Oneida | 5 | 0 | Richmond | 19 | 42 |
| Onondaga | 2 | 3 | | | |
| Ontario | 1 | 1 | Multiple County² | 14 | 12 |
| Orange | 9 | 11 | MTA | 14 | 11 |
| Orleans | 0 | 1 | Finger Lakes (NYS Parks) | 0 | 1 |
| Oswego | 7 | 9 | | | |
| Otsego | 6 | 2 | Total | 683 | 699 |

¹ The following counties did not report hate crime incidents in either 2009 or 2010: Delaware, Fulton, Genesee, Hamilton, Jefferson, Lewis, Livingston, Schoharie, Schuyler, Wyoming, and Yates.

² The Metropolitan Transportation Authority (MTA) Police Department and the Finger Lakes (NYS Parks) cover multiple counties..

Appendix Table 3: Hate Crime Incidents by Penal Law Offense for 2009 and 2010

Appendix Table 3 lists all Penal Law offenses that can be prosecuted as a hate crime in New York State and shows the number of offenses reported for 2009 and 2010. Hate crime offenses totaled 683 in 2009 and 699 in 2010.

| PL | Description | 2009 | 2010 | PL | Description | 2009 | 2010 |
|--------|--|------|------|--------------|--|------------|------------|
| 120.00 | Assault 3rd | 52 | 79 | 140.30 | Burglary 1st | 0 | 1 |
| 120.05 | Assault 2nd | 28 | 39 | 145.00 | Criminal Mischief 4th | 177 | 127 |
| 120.10 | Assault 1st | 1 | 8 | 145.05 | Criminal Mischief 3rd | 24 | 23 |
| 120.12 | Aggravated Assault Person <11 | 0 | 0 | 145.10 | Criminal Mischief 2nd | 7 | 0 |
| 120.13 | Menacing 1st | 2 | 9 | 145.12 | Criminal Mischief 1st | 0 | 0 |
| 120.14 | Menacing 2nd | 13 | 9 | 150.05 | Arson 4th | 3 | 1 |
| 120.15 | Menacing 3rd | 5 | 1 | 150.10 | Arson 3rd | 1 | 1 |
| 120.20 | Reckless Endangerment 2nd | 4 | 3 | 150.15 | Arson 2nd | 0 | 0 |
| 120.25 | Reckless Endangerment 1st | 2 | 0 | 150.20 | Arson 1st | 0 | 0 |
| 120.45 | Stalking 4th | 5 | 0 | 155.25 | Petit Larceny | 6 | 5 |
| 120.50 | Stalking 3rd | 0 | 0 | 155.30 | Grand Larceny 4th | 2 | 2 |
| 120.55 | Stalking 2nd | 0 | 0 | 155.35 | Grand Larceny 3rd | 0 | 0 |
| 120.60 | Stalking 1st | 0 | 0 | 155.40 | Grand Larceny 2nd | 0 | 0 |
| 121.11 | Criminal Obstruction of Breathing or Circulation | 0 | 0 | 155.42 | Grand Larceny 1st | 0 | 0 |
| 121.12 | Strangulation 2nd | 0 | 0 | 160.05 | Robbery 3rd | 6 | 8 |
| 121.13 | Strangulation 1st | 0 | 0 | 160.10 | Robbery 2nd | 9 | 23 |
| 125.15 | Manslaughter 2nd* | 0 | 0 | 160.15 | Robbery 1st | 2 | 3 |
| 125.20 | Manslaughter 1st* | 0 | 0 | 240.25 | Harassment 1st | 12 | 23 |
| 125.25 | Murder 2nd | 0 | 0 | | | | |
| 130.35 | Rape 1st* | 0 | 0 | 240.30 | Aggravated Harassment 2nd | 217 | 254 |
| 130.50 | Criminal Sexual Act 1st* | 0 | 0 | Sub 00 | Unspecified | 43 | 27 |
| 130.65 | Sexual Abuse 1st* | 0 | 0 | Sub 01 | Communicate in Manner Likely to Cause Alarm | 88 | 116 |
| 130.67 | Aggravated Sexual Abuse 2nd* | 0 | 0 | Sub 02 | Telephone w/o Legitimate Communication | 3 | 5 |
| 130.70 | Aggravated Sexual Abuse 1st* | 0 | 0 | Sub 03 | Physical Contact Due to Race, Religion, etc. | 83 | 104 |
| 135.05 | Unlawful Imprisonment 2nd | 0 | 0 | Sub 04 | Commit Harassment 1st w/ Prior Conviction | 0 | 2 |
| 135.10 | Unlawful Imprisonment 1st | 0 | 1 | | | | |
| 135.20 | Kidnapping 2nd | 0 | 0 | 240.31 | Aggravated Harassment 1st | 96 | 71 |
| 135.25 | Kidnapping 1st | 0 | 0 | Sub 00 | Unspecified | 1 | 1 |
| 135.60 | Coercion 2nd | 0 | 0 | Sub 01 | Damage Religious Premises > \$50 | 50 | 18 |
| 135.65 | Coercion 1st | 0 | 0 | Sub 02 | Commit Agg. Harass. 2nd w/ Prior Conv. | 1 | 0 |
| 140.10 | Criminal Trespass 3rd | 1 | 0 | Sub 03 | Place a Swastika on Property | 39 | 50 |
| 140.15 | Criminal Trespass 2nd | 0 | 0 | Sub 04 | Set Cross on Fire in Public View | 0 | 0 |
| 140.17 | Criminal Trespass 1st | 0 | 0 | Sub 05 | Display a Noose on Property | 5 | 2 |
| 140.20 | Burglary 3rd | 3 | 4 | | | | |
| 140.25 | Burglary 2nd | 5 | 4 | Total | | 683 | 699 |

* Only certain subsections of these Penal Law offenses can be classified as hate crimes.

Note: Aggravated Harassment 1st and 2nd are presented separately and broken down by Penal Law subsection due to the relevant detail of the subsections.

- Incidents of assault as a hate crime increased 56%, from 81 in 2009 to 126 in 2010.
- Incidents of criminal mischief as a hate crime decreased 28%, from 208 in 2009 to 150 in 2010.

Appendix Table 4: Hate Crime Incidents by Offense Type for 2009 and 2010

Appendix Table 4 presents the number of hate crime incidents reported in 2009 and 2010 by offense type and offense. Overall, reported hate crimes increased by 2%. Crimes against persons increased 29% while crimes against property decreased 26%.

| Offense Type | 2009 | | 2010 | | Difference |
|--------------------------------|------------|---------------|------------|---------------|------------|
| | Number | Percent | Number | Percent | |
| Total | 683 | 100.0% | 699 | 100.0% | 16 |
| Crimes Against Persons: | 356 | 52.1% | 460 | 65.8% | 104 |
| Robbery ¹ | 17 | 2.5% | 34 | 4.9% | 17 |
| Kidnapping | 0 | 0.0% | 1 | 0.1% | 1 |
| Aggravated Assault | 32 | 4.7% | 48 | 6.9% | 16 |
| Simple Assault | 136 | 19.9% | 212 | 30.3% | 76 |
| Intimidation | 174 | 25.5% | 165 | 23.6% | -9 |
| Property Crimes: | 324 | 47.4% | 239 | 34.2% | -85 |
| Arson | 4 | 0.6% | 9 | 1.3% | 5 |
| Burglary | 8 | 1.2% | 7 | 1.0% | -1 |
| Larceny-Theft | 8 | 1.2% | 2 | 0.3% | -6 |
| Destruction/Damage/Vandalism | 303 | 44.4% | 221 | 31.6% | -82 |
| Trespassing | 1 | 0.1% | 0 | 0.0% | -1 |

¹Although the Uniform Crime Reporting (UCR) system categorizes robbery as a property crime, for purposes of this report it is categorized as a crime against persons.

Appendix Table 5: Offense Type by Bias Motivation for 2009 and 2010

Appendix Table 5 displays the number of reported hate crime incidents in 2009 and 2010 by bias motivation for crimes against persons and against property.

| Bias Motivation | Crimes Against Persons | | Crimes Against Property | |
|--|------------------------|------------|-------------------------|------------|
| | 2009 | 2010 | 2009 | 2010 |
| Total | 359 | 460 | 324 | 239 |
| Gender: | 5 | 1 | 4 | 1 |
| Anti-Gender Identity Expression | 3 | 0 | 2 | 1 |
| Anti-Female | 2 | 0 | 1 | 0 |
| Anti-Male | 0 | 1 | 1 | 1 |
| Religion: | 86 | 119 | 208 | 156 |
| Anti-Jewish | 72 | 90 | 179 | 130 |
| Anti-Islamic (Muslim) | 8 | 22 | 3 | 7 |
| Anti-Other Religion | 3 | 4 | 10 | 10 |
| Anti-Multi-Religious Groups | 2 | 1 | 9 | 1 |
| Anti-Catholic | 1 | 2 | 5 | 6 |
| Anti-Protestant | 0 | 0 | 2 | 2 |
| Race/Ethnicity/National Origin: | 165 | 219 | 91 | 65 |
| Anti-Black | 83 | 95 | 61 | 43 |
| Anti-Hispanic | 35 | 55 | 9 | 3 |
| Anti-White | 25 | 28 | 4 | 4 |
| Anti-Arab | 9 | 6 | 1 | 0 |
| Anti-Asian | 5 | 13 | 3 | 4 |
| Anti-Multi-Racial Groups | 4 | 5 | 7 | 8 |
| Anti-Other Ethnicity/National Origin | 4 | 14 | 6 | 3 |
| Anti-Asian/Pacific Islander | 0 | 3 | 0 | 0 |
| Sexual Orientation: | 98 | 120 | 21 | 17 |
| Anti-Male Homosexual | 71 | 105 | 11 | 9 |
| Anti-Female Homosexual | 19 | 11 | 6 | 2 |
| Anti-Homosexual (Male and Female) | 8 | 4 | 2 | 6 |
| Anti-Bisexual | 0 | 0 | 2 | 0 |
| Disability: | 3 | 1 | 0 | 0 |
| Anti-Physical Disability | 1 | 0 | 0 | 0 |
| Anti-Mental Disability | 2 | 1 | 0 | 0 |
| Anti-Age | 2 | 0 | 0 | 0 |

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