



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

# Hoylman Passes Bill To Expand New York Hate Crimes Law to Include Gang Assaults

Brad Hoylman

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*Legislation to Close “Gang Assault Loophole” Comes After Ringleader in Vicious Anti-Gay Gang Assault Evades Hate Crime Charges*

*Hoylman: “Hate crimes are on the rise in New York. We need to do everything in our power to combat them and ensure those who commit these heinous crimes bear the full weight of justice under the law”*

ALBANY – Today, State Senator Brad Hoylman (D-Manhattan) praised the vote on his legislation (S.497) that would close a loophole in the law to include gang assault in the first and second degrees as prerequisite offenses that could be charged as hate

crimes. The bill passed the Senate on a 58-2 vote.

Senator Hoylman (D-Manhattan) said: "I'm pleased that the Senate has once again taken action to pass my legislation to include gang assault in the first and second degree in New York's hate crimes law.

"Hate crimes are on the rise in New York – as much as 30% against some minority groups, including religious and ethnic minorities and LGBT people. We need to do everything in our power to combat these pernicious crimes and ensure those who commit these heinous crimes bear the full weight of justice under the law.

"Idelfonso Mendez, the ringleader of one of the most vicious anti-gay assaults in our state's history, was able to walk free because gang assault currently doesn't qualify for enhanced criminal penalties under the hate crimes law. I hope the New York State Assembly will close the gang assault loophole and pass this legislation for Governor Cuomo's consideration."

In February 2014, Bronx District Attorney Robert Johnson was unable to charge Mendez with a hate crime despite the fact that Mendez pleaded guilty to gang assault in the first degree and admitted to leading eight other men in beating, burning, torturing and sodomizing victims they believed to be gay.

Senator Hoylman held a public forum on New York's Hate Crimes Law in August 2013 and published an assessment of the law, including a recommendation for an audit, which New York State Comptroller Thomas Di Napoli undertook last year.

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