

**TESTIMONY OF STATE SENATOR DANIEL SQUADRON AT THE PUBLIC FORUM
ON NEW YORK STATE'S HATE CRIMES LAW
June 14, 2013**

My name is Daniel Squadron and I represent the 26th District in the New York State Senate. My district includes the Brooklyn neighborhoods of Greenpoint, Williamsburg, Vinegar Hill, DUMBO, Fulton Ferry, Brooklyn Heights, Cobble Hill, Carroll Gardens and Gowanus, and the Manhattan neighborhoods of Tribeca, Battery Park City, the Lower East Side, Chinatown, the Financial District, Little Italy, SoHo and the East Village. Thank you for the opportunity to testify at this forum.

The recent series of bias-motivated assaults in New York City has added real urgency to the need to assess local and state hate crimes statutes, and I commend Senator Hoylman for convening this important forum today. There is much to say about the need to create a safe and tolerant New York and improve current regulations and government practices, but I would like to use this testimony to highlight one major gap in the state's hate crimes law: the absence of gender identity or expression within the list of offenses subject to treatment as hate crimes.

The bill that I carry along with Assemblymember Dick Gottfried, the Gender Expression Non-Discrimination Act (GENDA), would prohibit discrimination against transgender New Yorkers when it comes to housing, employment, education, credit, and public accommodations, while expanding New York's hate crime laws to include crimes against transgender and gender non-conforming individuals. It is unacceptable that it is still legal in New York for a person to lose their job, be denied health care, or be evicted from their home because of their gender identity. In addition, and of direct relevance today, the inclusion of gender identity and expression as a protected class in the state's hate crimes statute is long overdue.

New York City and other municipalities including the cities of Buffalo, Rochester, Albany, Syracuse, Ithaca, and Binghamton, as well as Westchester, Suffolk, Tompkins, and, as of Monday, Albany counties have had local gender identity and expression protections in place – many of them for a number of years. But New York State's hate crimes statutes, even if they are better enforced, will exclude many victims until we pass GENDA.

Fundamental civil rights should not be geographically arbitrary. The treatment of bias-motivated crimes should not be subject to which side of a city or county line they occur.

The need to pass GENDA becomes doubly important when we consider how often transgender and gender non-confirming individuals are victimized by bias attacks. In October of 2012, Assemblymember Gottfried and I convened a forum on GENDA, where the chiefs of police for the cities of Albany and Rochester testified that gender identity and expression protections have improved their ability to provide for the health and safety of their citizens. As legislators, it is

imperative that we provide law enforcement with the tools to foster a safe environment and send the message that discrimination based on gender identity and expression will not be tolerated.

Of course, while passing GENDA will close the gap, we should remain aware, as you point out, that the entire LGBT community is still a target and more must be done to prevent bias-motivated crimes such as those we have seen in recent weeks. If we are truly a state that embraces equality and promotes tolerance, we must work together to foster respect in our society, defeat bigotry wherever it occurs, and provide any policy and administrative solutions that will prevent attacks in the future.

Thank you again for your leadership and the opportunity to testify.

