

**HATE CRIMES TASK FORCE**  
**Of the Suffolk County Legislature**  
**Public Hearing**

A Public Hearing of the Hate Crimes Task Force was held at the Wyandanch Senior Nutrition Center, 28 Wyandanch Avenue, Wyandanch, New York, on August 25, 2009, at 5:30 PM.

**Members Present:**

*Legislator DuWayne Gregory - Chairman/Legislative District #15*  
Det. Sgt. Robert Reecks - Commanding Officer/Hate Crimes-SCPD  
Roderick Pearson - President of the Islip Town NAACP  
Inspector Aristedes Mojica - Commanding Officer/5th Precinct-SCPD  
Reynolds Hawkins - Social Worker/Amityville High School  
Laura Ahearn - Executive Director/Crime Victims Center  
David Kilmnick - Chief Exec Officer/LI Gay & Lesbian Youth Center  
Reverend JoAnn Barrett - Co-Chair/Interfaith Anti-Bias Task Force of SC  
Renee Ortiz - Chief Deputy Clerk/Suffolk County Legislature  
Co-Chair of the Latino Jewish Council  
Rabbi Stephen Moss - Chair/SC Human Rights Commission  
Co-Chair/Anti-Bias Task Force of Suffolk County  
Director/Stop Bias

**Also In Attendance:**

*Legislator John Kennedy - District #*  
*Legislator Wayne Horsley - District #14*  
*Assemblyman Phil Ramos - New York State Assembly/District #6*  
Maxvel Rose - Aide to Legislator Gregory  
Brian Galgano - Aide to Legislator Gregory  
Kimberly Jean-Pierre - Aide to Legislator Gregory  
Inspector Jan Rios - Commanding Officer/3rd Precinct-SCPD  
James Mosby - Bias Crimes Bureau/Suffolk County Police Department  
Jill Porter - Suffolk County Probation Department  
Colleen Ancinelli - Criminal Justice Coordinating Council  
Dr. Luis Valenzuela - Exec Director/Long Island Immigration Alliance  
Nadia Marin-Molina - The Workplace Project  
Richard Oresto - Crime Victims Center  
Robert O'Brien - Crime Victims Center  
April Winningham - Vice-President/Bias HELP  
Father Bill Brisotti - Pastor/Our Lady of the Miraculous Medal Church  
Juliene Green - Resident of Wyandanch  
Maryann Slutsky - Campaign Director/Long Island WINS  
Christina Iturralde - Attorney Representing Latino Justice PRLDEF  
Greg Maney - Associate Professor of Sociology at Hofstra University  
Chair-Elect/Peace, War & Social Conflict Section of the American Sociological Association  
Minister Thomas Humphrey - Vice-President/Long Island Men's Center  
Richard Ashby - Supervisor of Operations/Wyandanch Public Library  
Andrea Callan - Director/New York Civil Liberties Union-SC Chapter  
Cesar Malaga - President/Hispanic American Association  
Alice T. Cone - President/Belmont Lake Civic Association

Nathaniel Hyland - Minister/Bread of Life Fellowship  
Lillian Torres - Resident of West Babylon  
Jerrold Bryant- Wyandanch School District  
Jean Crichlow - Resident of Belmont Villas, Wyandanch  
Eileen Watson - Resident of West Babylon  
Enrique Licea - Resident of Brentwood  
Phyllis Henry - Resident of Wyandanch  
Henry Terry - Resident of Patchogue  
James R. Garcia - Resident of Brentwood  
All Other Interested Parties

**Verbatim Transcript Taken By:**

Alison Mahoney - Court Reporter

***(\*The hearing was called to order at 5:51 PM\*)***

**CHAIRMAN GREGORY:**

Good evening, everyone. I want to thank everyone for coming out tonight. Just so that you can understand how the process is going to work, we're going to have -- first we're going to have a presentation by Detective Sergeant Reecks who is in charge of the Hate Crimes Bureau. He's going to outline for us, as a task force and for your general information, what a hate crime actually is so that we understand the definition. Then after that, we're going to have Inspector Rios from the 3rd Precinct, he's going to give a statement on behalf of the County Executive. And at that point we suspect it will be around 6:30, we're going to ask the public to come forward, those of you in attendance in the audience, to make a public statement about this important issue of hate crimes, and each person will have five minutes to speak. We're asking, if you want to speak to go out to the front desk, fill out one of those green cards and we'll have one of my staff bring the cards to us and we'll call you up as we receive them. Okay?

So at this point, I'm going to ask Detective Sergeant Reecks to -- ah, yes, housekeeping. We have two Spanish-speaking personnel in the back, right, in the corner. For Crime Victim advocates, we have an advocate as well. We also have -- just a little recognition of some of the organizations that are here. We have Dr. Valenzuela from the Long Island Immigration Alliance; we have Robyn Levy from the Anti-Defamation League of New York; Sonia Spar, Hispanic Relations Anti-Defamation League; we have Ms. Gwendolyn Brown, Central Long Island -- President of the Central Long Island NAACP Branch. Other members of the community, we have Reverend Constance Carter Davis, retired, former Commissioner of the Town of Babylon Human Services, and we have others out in the audience, we have Mr. Ashby from the local library. So thank you all for coming out tonight for this important -- not event, but issue, because this topic is near and dear to all of us.

So we ask that -- we beg your patience. And if you need to use the facilities, there are two restrooms outside this room, emergency exits are located here and outside in case of emergency. So at this point, I'm going to ask Detective Sergeant Reecks to begin his presentation.

**DETECTIVE SERGEANT REECKS:**

Thank you, and good evening.

***"Good evening" said in unison by Audience Members***

On behalf of the Suffolk County Police Department, Police Commissioner Dormer, I was asked to give a quick overview of what a hate crime is so we all know what

we're talking about tonight. Everyone has their own idea what a hate crime is and that is one of the problems that we are facing. So in a short, very short, condensed version, I'm going to try to help everyone tonight understand what the Police Department has to face when we're investigating a hate crime.

As Legislator Gregory indicated, I am Detective Sergeant Reecks. I have 29 years with the Suffolk County Police Department and the last eleven years I've been the Commanding Officer of the Hate Crimes Unit, so we've been around for a while. The history of this unit, it started out in 1980, so we are almost 30 years old. This is not something that just started. We're not knee-jerk reacting to something that has just happened in the last couple of months, we have been doing this for 30 years. We increased it to a Bias Crimes Bureau in 1989, that was so that we could become a Detective Unit and actually investigate hate crimes; that was important to the County at that time and is still important to us today. And we did a name change in 2005 just to match up what we're doing. When you call Homicide, you know who you're calling and what you're calling for; when you call Arson, they don't say "slightly singed building", they say arson; so when we're calling my office Hate Crimes, you're calling for hate crimes.

Let's define the easy way of defining a hate crime for everybody here tonight. First of all, I need to have a criminal offense; that is pretty self-explanatory. I need a crime of some sort in order for me -- I'm baking a cake right now, if you can imagine that. I have to have a crime of some sort. Along with that crime, this is where it gets a little dicey as far as what a hate crime is concerned. Most crimes it's who, what, when, where, and in hate crime situations it's why. A burglar is very simple -- a burglary is very simple; the guy enters a building, he takes something, he leaves. A motor vehicle accident; two cars collide, it's a motor vehicle accident. A hate crime, I need the reason why that person did what he did in order to classify it as a hate crime. So I need the motivation in order to deem it, classify it, investigate it as a hate crime. If I do not have both of those elements in the investigation that I'm doing, that does not mean that I'm going say, "Sorry, you have nothing, Mr. Smith. Have a nice night." We're still the Police Department, we're going to investigate what we can investigate, but we don't necessarily call it a hate crime.

I think one of our prime examples is what happened in Nassau County where the individual was in front of the store, everyone -- half the group was screaming that it was a hate crime, the other group was saying it wasn't a hate crime; the good news for me is that it was in Nassau County and it wasn't in Suffolk County. I didn't have to deal with it.

*(\*Laughter From Audience\*)*

But I knew what they were facing because public opinion is one thing, what I have to put together in order to get a successful prosecution in court, I have to have all the evidence. Most people here, if your house were broken into tonight, you would call the Police Department and say, "My house was robbed;" that's pretty much a common phrase. I catch the person running down the street with your television set, do I charge him with robbery or do I charge him with burglary?

**UNKNOWN AUDIENCE MEMBER:**

Burglary.

**DETECTIVE SERGEANT REECKS:**

I charge him with burglary. But you told me your house was robbed, so if I charged him with your house being robbed, I would lose the case in court. So

please understand, we're doing the same thing, just let us call it what it is. If both elements don't fit, you might hear us say it's a bias incident versus a bias crime.

Motivation. I pulled this definition out of the FBI to help us with the motivation. It's very difficult for some people to understand that if a black guy hits a white guy it's not automatically a hate crime. If a person commits criminal mischief to a house, it's not necessarily a hate crime because the person is Jewish. We have to do an investigation, and that's what we do and I think we do it very well here in Suffolk County. But again, we have to have it reported to us, and I think that's what we're here tonight to talk about. Because a lot of -- and I listen to the radio and I listen to the news, like everyone else does; the common theme is that we're not investigating unreported hate crimes. Well, let's think about that. I'm not investigating unreported motor vehicle accidents either, I'm not reporting -- I'm not investigating unreported house fires, because the key word here is *unreported*. If we don't know about it, we're at a disadvantage, we can't investigate it. So hopefully we'll get that out tonight when people come up. So that's the definition of motivation.

Moving on, who commits hate crimes. What do you think? Blacks against whites, only white guys against black guys? In Patchogue, only Hispanics get attacked? Well, we don't have that -- it's not that easy for us. But clearly, those two do not commit hate crimes.

**(\*Detective Sergeant Reecks pointed out photograph of two infants\*)**

It's not in your DNA. You're not born with hatred, it has to be taught. Somewhere along the line, from when they're at that stage of their life to when we get them where we are getting them, something has happened. And where does that come from? Home, school, the Internet; go on the Internet and just type hate, any hate, you would be surprised how many sites you get. And now these kids are walking around with these phones, they're getting around faster than we can ever imagine.

So the offenders are from all races, religions and ethnic backgrounds. However, the group that we are dealing with, and tell me if this doesn't ring true for Suffolk County right now, the group we're dealing with is between the ages of 13 and 19, that's the group that's out there committing the acts of hatred. That doesn't mean that after you turn 19 you no longer hate people. I feel very comfortable here saying that everyone in this room has some type of bias towards somebody, some time in their life. It's how you act out on that and what you say about that and how you say it around kids. Indian giver, you're an indian giver; how many years ago did we hear that? There are a lot of sayings that the kids start repeating and, wow, the next thing you know we have a problem.

So the official definition for hate crimes in New York State are hate crimes are those violations of law committed against individuals or property based on the belief or perception regarding. Now, if you've got a brochure, I believe I made it a condensed version of the following categories, and they are race, color, national origin, gender, religion, we also have religious practice, age, disability and sexual orientation.

This law is only nine years old. New York State was one of the eleven states that did not have a hate crime legislation. We just got this hate crime legislation, and in law enforcement, nine years is a newborn. Because -- why is that? Because we have to get cases in front of the court. We have to get cases, we have to have court precedence set on what is a hate crime and what is not a hate crime. And how do we do that? We have to put the case together properly and it takes time

and it takes patience. With everyone yelling and screaming, we still have to make sure that we put all -- dot all the I's, cross all the T's in order to make it what it is.

New York State also was very generous when they put down, "Regardless of whether the believed perception is correct." And what did that do for me in the Hate Crimes Unit or my office or the Police Department as a whole? Years ago, if someone were to sketch a swastika on my car, I am not Jewish, I would go to the Police Department and say, "Listen, I have -- someone put a swastika on my car, I think I'm being attacked because, you know, it's a hate crime." "Well, Mr. Reecks, we're sorry. You're not Jewish, a swastika is offending a Jewish person, so therefore it's not a hate crime." I happen to be a nut about my cars, so I would consider that justifiable homicide, but that's another presentation.

***(\*Laughter From Audience\*)***

However, now the person who puts a swastika on my car thinks they're offending me or attacking me because they think I might be Jewish is committing a hate crime. And that's part of my investigation; I have to find out why that person did what we he did, and what was the motivation. It goes back to a couple of slides ago, what was the motivation of that swastika? And we don't believe in the word prank, nothing is a prank to me. You constantly hear that, "Oh, it was just kids, they really don't know what they're doing." Well, if they really don't know what they're doing, then draw a stick figure or draw a happy face. When you draw a swastika or when you put a noose on somebody's car or you use the "N" word, you know what you do. And please, for clarification, the "N" word is not acceptable in any group or surrounding. I have school districts that are telling me that blacks can call blacks the "N" word, but don't let a white guy call a black guy the "N" word. I don't know what rule books he's listening to, but if the "N" word is used and a riot breaks out because of it, that's part of my motivation, that's part of me building that cake.

So when we say a hate crime, please understand that what that does is that elevates the severity of the crime. So it's kind of like robbery. If I were to snatch a chain off your neck, that's one degree of robbery. If I take my gun out and put it in your face and snatch that same chain off your neck, it is a higher degree of robbery, more severe, more time in jail. So if I punch you in the face because you're fooling around with my girlfriend, that's one degree of assault. If I punch you in the face because I don't like the color of your skin or you're wearing a tie that I don't like, that elevates it to the hate crime element. Does everybody understand that? So when we're talking hate crime, we already have the crime, it's a matter of the motivation and it elevates it up.

So what do we need the public to do? Three simple numbers, you need to call us, 9-1-1. And why am I saying it so easy? Remember, I told you we're in business for 30 years, we have procedures already set up. This is not something new, we didn't just come up with this a couple of months ago.

When the unit responds, as they do for a homicide or an arson, uniform is required to call us immediately, 24/7. My wife wants to throw this Blackberry in the ocean, because it rings and it rings and it rings. We get calls from everybody, don't we, Reverend? We get calls from everybody, but if it has to do with any of these categories, Hate Crimes is called. It's mandated. If you go to the lower left hand corner if you can't see it, it's in our rules and procedures. It's not something that, "Oh, let me give it -- maybe I'll call Sergeant Reecks and his unit and see what

happens"; no, they are mandated to call. When they call us, I have a staffing of myself as the Commanding Officer and I have seven full-time Detectives working 365 days a year. And what do we do those 365 days a year? We only do hate crimes. We don't do burglaries, we don't do arsons. Unfortunately, in Suffolk County, there's enough workload for us to staff it with seven full-time Detectives, and we are mandated to respond. And the only time we're not the primary investigative unit is when it's a homicide, and then we're right behind them. Obviously Homicide has special training for various evidence collecting, but we're right behind them, as we did back in November. Again, in our rules and procedures, we will respond.

So New York State Penal Law, again, is outlined in the -- did everyone get a booklet when they came in? No one got a booklet when they came in?

**MS. AHEARN:**

Are you talking about this?

**DETECTIVE SERGEANT REECKS:**

Yes.

**MS. AHEARN:**

It's on the back table.

**DETECTIVE SERGEANT REECKS:**

Oh, it's on the back table. It's outlined on the back table for you, but the New York State Penal Law, while we have a hate crimes legislation, there's a lot of work that still needs to be done.

Back in 2000 I would have told you we need a hate crime legislation, so we are making progress.

There are specified offenses that are addressed in the hate crimes legislation. And I know some of the people in the back can't see, but one of the things I would like to see added, maybe this committee and maybe the State can put in gang assault as a hate crime, because gang assault is not listed right now as a hate crime. So if I have a gang assault, I can't make it a hate crime. These are the only categories that I can make a hate crime, there's 24 of them, and then there's subdivisions of such. There's 24 categories. There's a lot more that can be added, hopefully we will work with the various powers that be and get more into the hate crime legislation.

Another one that we use a lot is aggravated harassment. That is addressing the hate crime element in harass -- in the charge of harassment. If I were to slap Legislator Gregory right now, it's one degree of harassment. So if he gets -- somebody decides to hit him, we could probably charge harassment. If they call him a name, and we all know the names we're talking about, because of his race, color, national origin, we've bumped it up to the aggravated harassment. Harassment in and of itself is a violation, aggravated harassment is a misdemeanor. So when I say aggravated harassment, I can't say as a hate crime because I'm duplicating the words; it's aggravated harassment which is already addressing harassment. So please understand that when you hear aggravated harassment and everyone is screaming, "Where's the hate crime?" I've already said that when I said aggravated harassment.

A couple of new laws that came into effect with the help of people fighting, and I'm sure some of the people in the audience have fought for this. We have aggravated harassment in the 1st degree. We used to have this damaging a religious service,

more than \$50; that was the only thing in aggravated harassment, 1st degree, E-Felony. In 2006, we added, or it was added to, a swastika is now an E-Felony, if someone were to place a swastika on my car like we talked about before, E-Felony. That was a big fight that kept going and going, in 2006 we finally got it. I'm going to tell you right now, it's unenforceable the way the law is written, and we can talk about that at another setting. It's unenforceable right now. The ADL will tell you it's unenforceable. It hasn't been prosecuted at all in New York State because it's unenforceable, because we still have to prove with the intent to annoy/arrest, threaten or harm someone. So the law was intended for, if you walked in here and found a swastika on the wall it's an E-felony, we have to back up now. So at the beginning of the law it says I have to show the person intended to arrest/annoy someone. So instead of improving that particular law, in 2008 they added the noose. Doesn't look familiar other than the word *noose* versus *swastika*. They satisfied the fact that we now have *noose* as an E-felony, but again, I still have to prove the intent of why that noose was placed there. A noose hanging by itself, without any other indications, is a noose hanging in the woods, as we had out in Southampton. You have to show me, you have to show to me that there's a reason why that would annoy or alarm someone.

So the bottom line is all you need to do is call me, or call the Police Department. I'll be more than happy to explain more if you have another group setting. For time purposes, this is a public forum, so we're really saving the time for the public forum. But anyone that wants me to come and talk to a group, I would be more than happy to do that; it's a much larger presentation and we have a little bit more interaction. I thank you for your time, and we'll move along.

### ***Applause***

#### **CHAIRMAN GREGORY:**

Thank you, Detective Sergeant Reecks. I think at this time I think it's appropriate that you all get to meet the task force members themselves. You already met Detective Sergeant Reeks, you met myself -- I was going to say Lieutenant Gregory, I'm going back to my Army days -- Legislator DuWayne Gregory, I'm your Chair. And I'm going to ask Inspector Mojica.

#### **INSPECTOR MOJICA:**

Inspector Aristedes Mojica, I'm the Commanding Officer of the 5th Precinct which covers, in part, part of the 5th Precinct includes the Village of Patchogue.

#### **MR. PEARSON:**

Reverend Roderick Pearson, President of the Islip Town NAACP.

#### **MS. AHEARN:**

Laura Ahearn, I'm the Executive Director of the Crime Victims Center. We have offices both in Patchogue and Stony Brook and the agency provides crime victim support services and assistance for any victim of a violent crime.

#### **MR. HAWKINS:**

Hi. I'm Reynold Hawkins, I'm a Social Worker at Amityville School District, but mainly in the high school, Amityville High School.

#### **MR. KILMNICK:**

Good evening. I'm David Kilmnick, Chief Executive Officer of the Long Island Gay & Lesbian Youth. We operate a community center based in Bay Shore, but we provide services all across Long Island.

**CHAIRMAN GREGORY:**

I'm running out of room.

**REVEREND BARRETT:**

Good evening. I am Reverend JoAnn Barrett, the Co-Chair of the Interfaith/Anti-Bias Task Force of Suffolk County.

**RABBI MOSS:**

So, good evening. I'm Rabbi Steve Moss, Chair of the Suffolk County Human Rights Commission, also Co-Chair of the Anti-Bias Task Force of the County and Director of Stop Bias which is the only educational program for bias crimes offenders in the County, both for juveniles and adults. And during the 17 years of this program, we have had over 500 defendants come through the program.

**MS. ORTIZ:**

Renee Ortiz, Chief Deputy Clerk of the Suffolk County Legislature, and also Co-Chair of the Latino Jewish Council.

**CHAIRMAN GREGORY:**

Okay, thank you. At this point, we're going to ask Inspector Rios to come forward. But I just wanted to make a quick note, and I forgot to and I apologize, to recognize Assemblyman Phil Ramos, he's in the back in attendance. This is a very important issue to him. We're going to ask him, after the Inspector makes a statement, to have him come forward, I believe he wants to make some remarks.

**INSPECTOR RIOS:**

Chairman Gregory, thank you for the opportunity to make a few opening remarks on behalf of the Suffolk County Police Department. We're hopeful that this task force represents a chance for real change in the way hate crimes are defined and prosecuted in New York State and that we all emerge with a clear understanding of the investigation and prosecution of hate crimes here in Suffolk County.

Over the course of the last year, we have seen confusion over the statutory definition of a hate crime and over the difference between what constitutes a hateful act and a hate crime. The definition of what is and what is not a hate crime is determined by New York State Law, not by the local Police authority. There are two very important elements the narrow State Statute requires to classify what may be a hateful incident as a hate crime. A certain motive plus a specified crime such as harassment, aggravated assault or stalking. In order to be classified as a hate crime, New York State Law requires that the motive be that of intentionally targeting a specific individual or a group of individuals based in whole or in part on their race, color, national origin, gender, etcetera, for any one of a number of specified offenses within the law. As an example, drawing a swastika on a stop sign, while a reprehensible and hateful act, is not considered a hate crime under statute because the act is not targeted at an individual or a group of individuals. On the other hand, painting a swastika on the property of a Jewish family or on a synagogue or, as Sergeant Reecks mentioned, someone that the person believes to be Jewish, that does target a specific individual and may be classified as a hate crime.

Three examples which occurred within the last year and which received considerable media attention help illustrate the distinction between a hateful act and a hate crime. In February of this year, staff of the Long Island Gay & Lesbian Youth Center discovered damage to the agency's van parked outside of its Bay Shore headquarters. Because of the agency's mission and visibility as advocates,

the incident was investigated by our Hate Crimes Unit and as a possible hate crime. The investigation eventually led to the arrest of several individuals who caused the damage; however, their motives were determined not to be anti-gay but rather based upon the fact that one of the suspects was recently terminated from the agency.

Earlier this year in Nassau County, an African-American man was assaulted by four Hispanic men outside the deli. Here again, while initially investigated as a hate crime, it was determined by Nassau officials that the dispute arose not out of the man's race but because of a personal dispute about his loitering on the premises.

And finally, last fall, shortly after the election of the nation's first African-American President, a group of teenagers in Mastic randomly wrote sexually and racially offensive comments on a number of cars parked along a street in Mastic. While this act included hateful speech, the hate could not be prosecuted as a hate crime under State law because it did not target specific individuals.

Suffolk County, under the direction of County Executive Levy and Police Commissioner Dormer, has led the charge with strengthening the State's hate crime laws. In 2006, an African-American Town of Southampton employee was harassed by his coworkers who placed a doll in a noose and left it for him to find. Despite the strong historic symbolism in this reprehensible act, there was no authority for the DA, under State law, to prosecute as a hate crime.

After that incident, the County Executive, working with his Anti-Bias Task Force, an African-American Advisory Board lobbied intensely for a change in State law to include the display of a noose as a symbol of hate against African-Americans and that change was signed into law last year.

We in the Police Department recognize the seriousness of any hateful act and any hate crime and we look forward to working this task force to promote stronger hate crime legislation. We also look forward to working on dispelling some common myths and misconceptions about hate crimes in Suffolk County.

Because of the intricate nature of discerning hateful acts from hate crimes, it's important to note how Suffolk County compares to the surrounding region in terms of hate crimes. From 2005 to 2007, both Suffolk and Nassau Counties have had the same number of hate crimes reported against Hispanics, 13. While some have questioned the authenticity of Suffolk having just one hate crime against Hispanics reported in 2007, it is significant to know that Westchester, a similar suburban County, also had just one. Additionally, hate crimes in New York City against Hispanics in 2008 also totaled one.

Another misconception, one that we hope the task force will help us ultimately dispel, is that Suffolk County inquires about the documented status of a crime victim, or that a victim has any reason to fear reporting an incident to the Police. Despite media stories and comments by some of the contrary, it is not and has not been the policy of the Suffolk County Police Department to ask about the documented status of a crime victim. I'd like to repeat that because it's essential to forging a relationship based upon trust between our department and all the communities we serve; it is not and has not been the policy of the Suffolk County Police Department to ask about the documented status of a crime victim. In fact, Police Officers are explicitly prohibited from inquiring as to the documented status of any crime victim or a complainant. To make a such an inquiry can expose a Police Officer to departmental charge.

Nobody can point to a single incident where a victim of a crime was in any way subsequently reported to Federal authorities regarding their documented status. The controversy arose in February of this year and was fostered through media reports which gave the false impression that a question about a victim's documented status is contained on our incident form, PDCS-1099. This form takes critical information from a victim of a reported crime. Included on this form is a series of check-off boxes determining the residency of the victim which includes options such as resident, commuter, tourist, student, military, homeless or temporary residence/foreign national. Residency is an entirely different matter than whether you are here legally or illegally.

The purpose of detailing residency, which is not the same as citizenship, is twofold. First, it allows the department to track trends of crimes that may be occurring against particular populations such as commuters or the homeless. And second, it allows the department to maintain contact with the victim as the investigation and prosecution of the case continues. Form 1099 was developed more than ten years ago, the guidelines and specifications provided by the New York State Department of Criminal Justice.

Despite the insinuation that the presence of this item on victim forms has had a chilling effect on the reporting of crimes, the department has not received a single complaint over the last ten years about this box. In fact, media stories on the issue were not pegged around any individual who complained about such data collection.

We must also address the misconception that some have put forward that the Police Department has been indifferent in investigating and handling complaints filed by Hispanics. In the most egregious example, a newspaper article on January 30th, 2009, suggested that the case of an Hispanic man who was beaten in Farmingville languish in the department without an aggressive investigation. The truth of the matter is that Detectives interviewed the man in the hospital, twice, seeking a description of the assailants. They also solicited surveillance video from the surrounding businesses. In fact, the department even reached out to that newspaper to generate another article which appeared in March of 2009 asking for witnesses to this January crime to come forward and contact the Police.

Notwithstanding the fact that we have never asked the victim's documented status, we are aware that there continues to exist a reluctance in some communities to come forward and report a crime. It's encouraging to know that the victim of a recent assault and robbery in Patchogue did come forward to Police and that we were able to make an arrest in the case within a week of the attack.

The Suffolk County Police Department has made continual efforts to strengthen ties between law enforcement and all members of our community. In the last year, the department has appointed two officers of Hispanic descent to be Commanding Officers of precincts; Inspector Ty Mojica, who's serving on this panel, in the 5th precinct; and myself in the 3rd Precinct. It has named a special advisor to the Police Commissioner for Hispanic Affairs, Police Officer Lola Quesada, an Ecuadorian immigrant. It has established Hispanic Clergy liaisons for each of our seven precincts who meet regularly with precinct Commanders. It has continued outreach and dialogue with various demographic communities within our precincts, specifically focused on reaffirming the message that the Police Department does not inquire about the documented status of a crime victim. And it has distributed fliers throughout the community, via precincts, in both English and Spanish, assuring crime victims of our policy to not inquire about citizenship.

Finally. The department has been proactive in working with the County Executive's Office, the Office of Minority Affairs and the Anti-Bias Task Force to develop outreach programs and enhance and promote tolerance. This includes distribution of a monologue segment from a play, *Broken Identifies*, to high schools across the County. The brief dialogue is presented with humor and sincerity by a Suffolk County high school senior detailing her assimilation from Puerto Rico into Long Island culture; a production of a 30-second Public Service Announcement encouraging all to speak out against hate and intolerance; and finally, participation in the County's first Student Congress for Justice which encourages the students to develop their own strategies to combating intolerance.

I want to thank you for your time this evening. The department looks forward to working with this task force to build stronger bridges to all the communities we serve.

*Applause*

**CHAIRMAN GREGORY:**

Okay, thank you. I also want to recognize one of my colleagues in the Legislature who is here tonight, County Legislator Wayne Horsley. I just want to -- you can clap for Wayne.

*Applause*

Before we get started in the public portion, before we start calling up names, I thought I would give Assemblyman Ramos the opportunity to say a few comments.

**ASSEMBLYMAN RAMOS:**

Yes. First I would like to thank Legislator DuWayne Gregory for bringing this to the public forum. Sunlight is always the best disinfectant and I believe that bringing this out into a dialogue in a public forum with the press here is something -- the situation where we could really bring out all aspects of the issue. So I truly want to thank you for taking charge of this issue and bringing this here.

Sergeant Reecks, thank you for your good work. I had the pleasure of working with you on the day labor beating that happened in Farmingville and I know the professional work that you do.

I also know, from being a Police Officer for 20 years, the pressures that Commanding Officers are under, the Police Officers are under, from political pressures from outside of the Police Department. We have experienced in the past several years a lot of inflammatory feelings when it comes to race, when it comes to bias crimes and a lot of it involving elected officials. Historically, elected officials, elected leaders historically have framed public sentiment, and when we have a situation where elected officials are saying, "Illegal, illegal, illegal, illegal," it comes to a point where that -- those people are not human in the eyes of many. And historically, historically this has led to atrocities, throughout history. We could point that what happened in Germany, we could see it in many places where this has happened, where public officials have framed public sentiment and this is what we see happening here. And there is no difference between the issues that we're talking about of terrorism, because that outrages us all.

**UNKNOWN AUDIENCE MEMBER:**

That's right.

### **ASSEMBLYMAN RAMOS:**

But the idea of somebody in the Middle East lobbying a grenade into a bus because they want to send a signal to get the United States out of their country, there's no difference between that and somebody lobbying a fire bomb into a family -- of a Mexican family's house because they want the Hispanics to leave Farmingville. There is absolutely no difference. That is -- that is terrorism.

And we have to put it in its perspective and we have to understand how public sentiment is affected by leadership. And I think we've made a lot of progress over the course of the past couple of years in this rough and tumble battle on the issue of race that I've been in the middle of. I've worked with many of the Legislators and I've seen some -- and I've seen how that dialogue has toned down on the part of many of the Legislators some of the rhetoric. Some understanding has been, you know, reached, I think, by that dialogue, and I think that in the community of color, we also have to find a way to promote healing. And many times we are angry and we prevent that healing because we put those who might be predisposed to help us on the defensive, and I think that that's something we need to do to have our house in order. But the issue of public sentiment is something integral to what's happened here.

Now, I just want to break down what the issue is with bias crimes and enforcement. If you have elected officials who are in charge of a Police Department who want -- have a desire to keep the numbers down in bias crime because of the political consequences, this is what happens; and I'm going to tell you because I was a Police Officer and I've seen it happen from the inside. I'll give you an example of what used to happen when I was a narcotics undercover officer. I ended up -- for a while I was the only Hispanic there, I ended up landing into people who were involved in cartel from Columbia and there was an investigation I needed to do with it, it involved a lot of money but I would have to purchase several kilos in order to get a big shipment of several hundred; I would have to purchase that first, and the department would not let the money go down the tubes. And this is what I was told, I was told, "You know," -- I couldn't understand why they would not want to do a case against a major trafficker here on Long Island, and I was told, "You know, you're going to spend about \$75,000 on that case and we're going to arrest two or three people. We could buy 50 {jungs} on the corner for \$20 each and arrest 50 people." And to the elected official, he gets points for getting the guy off the corner, not for getting the big trafficker who's bringing the people in. This is how --

### ***Applause***

This is how politics affects law enforcement. In the end, I had to work magic as an undercover officer to get somebody to trust me to be able to come up with a large amount of cocaine so that we could do the case. Now, when it comes to bias crimes, this is a typical scenario. You have the scenario where you have political pressure on the Police Department to keep the numbers down. Commanding Officers like Mr. Reecks, Detectives like Mosby are out there and want to do their job but they're under these criteria of the department.

Now, as Mr. Rios said, the law says that the crime has to be based, on whole or in part, on an issue of bias. Okay, but what we find is that if somebody is robbed and racial epithets are said to them, why do we err on the side of, "Well, it's not bias"? Nowhere in the law does it say you can't have two motives; the law doesn't say that. And if I might make some recommendations to the Legislature is to address the policy of the department. The same way we have a pro-arrest policy on domestic violence, on this issue here, I believe that we have to understand that there could be several motives; because there is another one, it doesn't cancel out

the bias.

**UNKNOWN AUDIENCE MEMBER:**

That's right.

**ASSEMBLYMAN RAMOS:**

The other thing is that, you know, yes, I understand that as a Police Officer, you might not charge them with one crime, burglary to robbery; you know, we're still doing our job. But it's a disservice when a bias crime is a higher degree of crime, a higher sentence and you decide it's not a bias crime when it obviously was, so you're charging somebody with a lesser charge and you're doing that citizen, that victim, a disservice. So it's not the same as doing the same job, you're charging them just with another classification of crime. These are some of the problems that we experienced within the Police Department, and I believe that a pro-arrest policy would be good.

Another -- one last point, and I don't want to go and I know we have other speakers, there's many things I would like to detail on this. But one of the things that we have to look at, and I hope that you understand and the public should understand and the media, is the outrage, the outrage that a community feels when a swastika is painted inside a mosque and we're told, "Well, we're not sure if it's a bias crime," you know, "That's normally against Jews and this was against Muslims." Or if somebody is robbed and they're told, "Get out of the country. You're Mexican, we don't want you here," and we're told, "Well, we're not sure if it's a bias crime. If we find that it is, we will classify it."

Another recommendation I would make as far as policy is that anything that seems to be violent related to be investigated as a bias crime, and if evidence is found that it is not then it can be downgraded. But if you come out of the gate to the public of something that's so obvious of a bias crime to the public, I think you would avoid some of the public outrage that the Police Department gets. You know, because the feeling is that when crimes are committed by communities of color or, you know, the benefit of the doubt has to do with the community of color, it's -- you know, there's a hair trigger when it comes to that. We had immigration rates done on Long Island, 60% of which were inn error and went into homes of U.S. citizens and it was framed as doing their job; the benefit of doubt was given there, not to the community of color. Now, when the communities of color say, "This is a bias crime," the benefit of doubt is given on the other side that it's not.

So I think that we just need to promote the dialogue so that we understand, we need to not pulverize each other. I feel the same outrage that everybody does, and I know that sometimes that outrage adds to the polarization because it's difficult to speak to each other. So I think we need, on all sides of this, to speak, including elected officials who are participating in this who I am more than willing at any time to sit down and speak to to try and promote some understanding, to change some of these policies and at least try and promote an understanding of why that reaction comes from our community. What is it that's being done? The explanation, the spin, you know, my father used to say, "If you have to explain to me things too many times, you're doing something wrong."

*(\*Laughter From Audience\*)*

So it doesn't matter how many explanations or how many times you're being misunderstood. Look at what you're doing if you're constantly facing outrage, you know. And this goes -- you know, this is a recommendation to all my colleagues as elected officials. Those are the recommendations I give you. And let's remember

that when a crime is committed against burglary or to rob somebody's money, it's a crime against money, it's a crime against property. But when a bias crime occurs, it's a crime against somebody's very existence that deserves a much higher degree, and certainly it's a crime against society.

**UNKNOWN AUDIENCE MEMBER:**

Yes.

**ASSEMBLYMAN RAMOS:**

I hope that, you know, you would take note. I would be glad to work with you and the Police Department and all the elected officials here to try and come up with some ways to better deal with this in Suffolk County. Thank you.

*Applause*

**CHAIRMAN GREGORY:**

Okay. Thank you, Assemblyman Phil Ramos. Before I move any further, I just want to take the opportunity to thank the Town of Babylon, Town of Babylon supervisor Steve Ballone and the Town Board, for allowing us to meet here in this venue. The Town of Babylon is always a good partner in government to work with, and particularly the work and the efforts of the Commissioner of Human Service, Madelyn {Bakely} who is here -- I think she is still here -- for making sure everything came together. Thank you.

*Applause*

And just one other quick announcement. We have Colleen Ancinelli who is working -- who is from the Criminal Justice Coordinating Council, she is an integral part of this whole process because her organization is going to be helping to put our report together once we collect all the information from our public hearings and from our meetings. So she's here, I see her, and she's actually a constituent of mine.

Okay, we have all the cards. I just want to make a quick statement. Today's hearing is an important day for Suffolk County, as you all know because you're here. Today we take an important step forward in improving the relations with our various communities and start to address the horrific acts of hate crimes here in Suffolk County. The rest of New York State, the country, and even the world, will now know that Suffolk County is serious about addressing hate crimes.

Myself and the members of the task force understand that this is an emotional issue for many people and we ask that you believe us when we say we are here to help you and listen to your concerns. We just ask that in order to have a respectful and orderly hearing, that respect goes both ways, and we ask that you show the same respect that you ask of us to show you. Many of us have dealt with hate crimes in the work that we do as an advocate or in law enforcement or from knowing someone who has been a victim of a hate crime, or like myself who I have been personally a victim of a hate crime as a young boy. But in order to address this issue, we have to and should receive input from the community as we gather information for our report. So thank you for coming out tonight and being a part of the process.

Just be -- I just ask that you be respectful of -- particularly of our law enforcement members who are on the task force; we don't want to indict them as not doing their jobs. Sergeant Reecks gave I think a wonderful presentation as to the limitations that exist because of the law as it is written; and as you can probably tell, that may

be one of our recommendations in the report. We have some fine Police Officers. Sure, there are emotions and opinions that Assemblyman Ramos alluded to, some of the political rhetoric, we want to try and stay away from that. We want to be positive. We need your input, we need your advice, if you will, on how we can address this important issue so we can come to some positive solution and bring about positive changes in hate crimes as it relates our County.

So we have cards, we're going to start calling. So that everyone understands, everyone that has filled out a green card, if you haven't and you want to speak, there are some cards out on the desk. Everyone is going to be given five minutes, we're going to stick to that. So we ask that the audience, we ask that you not chime in, just listen so that we can process and take in the information that has been given to us. So I'm going to ask Dr. Luis Valenzuela to come up.

**DR. VALENZUELA:**

Hi. My name is Luis Valenzuela, I'm the Executive Director of the Long Island Immigrant Alliance. Good evening, distinguished members of the panel and distinguished residents of Long Island and New York. And I guess you can't hear me back there, right?

*(\*Laughter From Audience\*)*

I have some observations to make and some recommendations. One of the things that I want to do real quick is to piggy-back on something that Assemblyman Ramos said on the issue of terrorism, right. "Latinos go home or die," may not be a hate crime, but it engenders fear and terror in the Latino community. And someone once said that the most sophisticated form of terrorism is racism, so that noose just hanging at me not meaning anything, but to the people who were hung, cooked, beaten and killed, it sends the message of terror. So I want to get that off, and I certainly appreciate the fine job that Detective Sergeant Reecks did in describing the law -- the definition, the legal definition of a hate crime.

Now, the problem that we have is that hate crimes arise at a social context. And it's no accident that that statistic of 65% of the offenders are children or youngsters, right? Because they may not have the sophistication of language and behavior that we adults have. Whenever I've been told to go back to my country, it's been an adult who told me that. But remember that hate crimes arise in a social context. So the fact that we in Suffolk County have lived for the last several years in a County where anti-Latino laws were introduced after anti-Latino laws being introduced is certainly relevant to the commission of this task force, because if you're going to look into the source of the racial tension, that's the place that you're going to have to go. Wherever those sources and wherever testimony leads you, you certainly have to consider that. So I would hope that we do not invalidate what folks are saying, because whatever our folks here tell us is precious to us, and hopefully we can get a level of understanding of the social context that has a community terrorized.

So one of the things that I wanted to mention was precisely that fact, that it's not only that we're looking at the victims of hate crimes, right? It's not only that we want to hear from them about, you know, the fear that they feel and the reason why they're not reporting hate crimes. Another illustration, you know, out there on the streets, Latinos are seen as walking ATM's, right? They're not going to the Police and saying, you know, "I just got robbed." They're being robbed week after week after week, the same houses often get robbed; that's the reality and it happens. But we want to look at those sources, right? What is the situation that creates this climate that gives young folks the sense that it's okay to go out and

hurt Latinos? That's what we want to get at. So it's not only that we want to bring the folks who have been victimized, but what is creating those conditions that makes it okay for folks to be picked on, right? So that's one issue.

Yesterday I had the opportunity to sit with the Honorable Legislator DuWayne Gregory on Long Island Talks and the observation was made, or the statement was made that folks who testify will not be asked what their immigration status is, and that's terrific, right? It was put out there in the light of day on television and it's commendable because it's something that, believe it or not, is a real concern. That doesn't mean that every Latino is undocumented, despite the fact that some would have us believe that we're all undocumented, we're not. You know, the majority are not, right? In fact, the majority are citizens. So that's another point that I wanted to make.

The next point that I wanted to make has to do with outreach. And I know that there's been some effort at outreach, I know that this is a monumental task, and I know that the effort has to be broadened, widened and deepened. You know, the organization that I represent has over 40 different organizations and we've wanted to do act as a resource to you and hopefully some of our recommendations have been taken. And so outreach is critically important, but remember, it's not just the victims that we want to look at, right? We want to look at what creates this environment where it's okay. It's not only in our youth. All right? If we have politicians who are claiming that the flames of hate have benefitted from that, we need to speak about it.

**CHAIRMAN GREGORY:**

Okay. Dr. V? I'm sorry, to cut you off. Your time has expired.

**DR. VALENZUELA:**

All right. Thank you very much.

**CHAIRMAN GREGORY:**

All right, thank you.

*Applause*

Next we'll have Maryann Slutsky.

**MS. SLUTSKY:**

Good evening, and thank you very much for giving me this opportunity to speak. I'm Maryann Sinclair Slutsky, Campaign Director for Long Island Wins and also a Suffolk County resident.

Long Island WINS is a communications campaign that focuses on immigration issues. Part of what we do is policy analysis through cooling and focus groups. For years politicians on Long Island have been flaming -- fanning the flames of hatred against immigrants, blaming immigrants for all kinds of problems that the politicians themselves have failed to fix. Our research has showed that when government leaders like County Executive Steve Levy permit anti-immigrant discourse and use it themselves, it creates a toxic environment where a hate crime is likely to flourish. As recently as last month, Steve Levy commented at a Bay Shore roast about deporting the very kitchen workers who were preparing the meals for him and his supporters. His remarks were typical of his disregard for even the most basic civil treatment of Latinos.

Predictably, this type of dialogue has made hate groups on Long Island stronger and has made anti-immigrant and racist sentiments even more acceptable in too much of our public discourse. As a result, there have been sad and inevitable consequences.

Organizations like Long Island Wins have long been pushing politicians in Suffolk and Nassau to take hate crimes seriously and to take responsibility for their overheated rhetoric. The overall response to these crimes from Suffolk County Executive Steve Levy, one of Long Island's chief anti-immigrant politicians, has been predictably tepid, sending a message to Suffolk County residents that immigrants are less valiant, especially Latinos.

A report recently released by the Immigration Justice Clinic of the Benjamin Cardozo School of Law detailed widespread misconduct by immigration agents during raids on Long Island and in New Jersey.

In the raid, Latinos were disproportionately likely to get arrested without the agents articulating a reason. Men, women and children were traumatized in the middle of the night by ICE agents hunting them down because of their skin color and the language they speak. Suffolk County Executive Steve Levy never publicly opposed the operations.

He didn't issue an apology or commiserate with those who were innocently subjected to the raid; he sided with the agents.

The FBI reports that hate crimes against Latinos grew 40% over the last four years. Demonization of Mexican and other Latino immigrants is fueling hate crimes and violence against them, and it's time for our leaders and the media to put a stop to it. Using words like "anchor babies" instead of US Citizens is only example of hateful rhetoric. There is a direct correlation between hateful language and hate crimes. This task force must identify the sources of hate and make recommendations to remedy them. Hate crimes violate the very equality we value as Americans, a concept that is held as one of our basic human rights. Thank you very much.

*Applause*

**CHAIRMAN GREGORY:**

Thank you. Before we go any further, I would like to recognize another colleague of mine, Senator -- Senator, oh my Gosh. I promoted myself. Legislator John Kennedy is here, I saw him and his wife enter in the back.

*Applause*

Also, before the next person comes up, if someone has a written statement and they would like to submit it, you may not have time to give the whole statement, but you can submit it to us and we'll make sure that it becomes a part of the record, okay? We have Kara or some of my staff in the back will gladly take it from you and make a copy of it. Okay? Next we're going to have -- don't get mad at me when I mess up your name -- Christina is good -- uh --

**MS. ITURRALDE:**

Iturralde.

**CHAIRMAN GREGORY:**

Iturralde? Okay.

**MS. ITURRALDE:**

Thank you. My name is Christine Iturralde, I'm an attorney here on behalf of Latino Justice PRLDEF. Latino Justice PRLDEF has been in contact with survivors of hate crimes and bias attacks as well as community advocates and lawyers working to address the increasing number of these incidents in the community. Before addressing a few points, and given the limited time for public comment, we would first like to state that we recognize the challenges that face this task force and the County as it seeks to engage these issues in an effective and wholistic fashion. We applaud these hearings as a necessary first step in preventing future incidents and hope that these hearings will help stem the tide of hate in the community, which I think we all can agree upon.

As a legal organization, we are very sensitive to the difficulties of handling investigations of these incidents after they occur. We recognize the complicated nature of collecting and ascertaining evidence to classify these incidents as hate crimes under State Law. Currently, under State law, a person commits a hate crime not only when he or she commits a specified offense and either intentionally selects the person against whom the offense is committed, on all those reasons that I don't have to go through now that Sergeant Reecks so eloquently went over. But also, when he or she intentionally commits the acts, in whole or in part, because of a perception. So I don't think it's right to say that they must target a person because the law actually says that you can either target a person or you intentionally commit that act on that basis.

However, recognizing the difficulty of proving motives, there seems to be a reluctance to investigating the attacks as possible bias incidents. A number of individuals have told us that when the Police have encountered minors as the attackers in their situations, the Police have chosen not to treat the crime as a serious hate incident. Again, I emphasize that this is how victims and advocates have described these incidents to us, so all of this is hearsay upon hearsay, as we would like to say, so I'm only reporting to you what I have heard from victims.

It's our position that when there is some indication that bias may have been a motive, law enforcement investigators should act under a presumption that the incident may involve bias. So that as they are investigating these incidents, they can do so fully and adequately with the aim of ruling out a hate or bias incident as motive. Without working from this presumption, evidence can easily be overlooked; as we all know, if you're not looking for it, you're not going to find it.

The number one concern that we have as an organization is the treatment of victims who have uncertain immigration status. We understand that many victims are actually targeted because of the perceived vulnerability. Often attackers are aware that their targets are workers who carry cash with them or explicitly target individuals they believe will not turn to law enforcement and thereby escape responsibility. Going back to the comments by Sergeant Reecks, people are not reporting these incidents because they fear coming forward.

Some victims we have spoken with have expressed a fear of report to go police and due to fear of turning to the Police and local law enforcement officials due to fear that the Police might ask them about their immigration status. Now, whether or not that, in fact, is the policy or is true, that is the fear that they have. Their fears are not easy to dismiss when it's clear that the County Police Department has regularly cooperated with immigration agencies, reporting persons to Immigration after routine traffic stops, which I've encountered that that situation, and in operations that are currently being challenged by our organization as unlawful in Federal Court, the raids that Assemblyman Ramos alluded to earlier.

As the report in Newsday earlier this year made clear, the crime victim's form did, in fact, have a question about legal residency. Now that question, as I think one of the Police Officers here earlier said, can be interpreted in multiple ways. Is every officer getting the training to know that legal residency doesn't always mean immigration status? And I hope that that's something that this task force can look into.

As a critical step in addressing this issue, we recommend that the task force do conduct a review of police policies and its treatment of victims to report such incidents. We also would encourage this task force to encourage guidelines as to how to properly conduct such investigations, and I think that you're going to have excellent input from officers who have been doing this for many years. It hurts the community as a whole if persons who may have important information about crimes are silent and pushed into the shadows. Even national law enforcement associations have encouraged communities to see the benefits of ensuring that all members of society are equally involved in preventing and protected from criminal activity by having clear immigration related policies among their local law enforcement policies.

Given that it can only help further the goal of a safe community, the Police should consider engaging in a public and active campaign to win back the trust of the Latino community, including establishing clear guidelines that won't -- will explicitly say that they will not ask victims or witnesses about their status; I think that you already undertaking that very campaign. It may also wish to reconsider policies requiring that they not ask anyone, except for crime perpetrators, about this information, because we recognize that under Federal Law sometimes it's required to be asked in those situations.

I have a number of other remarks, but I'm going to go ahead and submit. But I would also like to say that we as an organization are more than willing to sit down and talk to the task force separately about certain critical, you know, recommendations that we might have that may be separate and apart from other organizations, and we look forward to that opportunity. Thank you.

### *Applause*

**CHAIRMAN GREGORY:**

Thank you. Before we go any further, I think it's worth bearing repeating that we do have advocates in the back. If there is a person who has been a victim of a hate crime, we ask that they reach out to the two gentlemen standing by the door right there, they would be glad to go in the back rooms and talk about your case with you and take whatever information is necessary.

**MS. AHEARN:**

Could we have them stand?

**CHAIRMAN GREGORY:**

Sure, the advocates, if you could just please stand up?

**MS. AHEARN:**

Stand up.

**CHAIRMAN GREGORY:**

Crime victim advocates.

**CHAIRMAN GREGORY:**

Oh, okay. Oh, I'm looking at the wrong people. That's very good.

All right. I'm going to take a little privilege as the Chair to call a person out of order who filled out a card. Father Bill, would you please come forward? Father bill has --

### *Applause*

He has to be at the church very shortly, and we certainly want to have your input.

#### **FATHER BRISOTTI:**

Thank you. I don't think I'll take the whole time. I just wanted to mention, you know, a couple of things I'm supporting. So much really good stuff has been said, but it's a need -- you know, in fire fighting you fight the fire, when the fire is out it's got fuel and air feeding it, but you've got to kind of -- to prevent fires, you have to cut off the source. And some of the rhetoric that comes from political leaders I think has fanned, has been the hot air that has fed some of the fire of hatred. And maybe it wasn't intended, but still, when people are public people, they really have to take seriously that responsibility.

What I'd like to emphasize is, you know, prior to the crime, you know, something gets -- rises to the level of major violence, that there's the need with the children in certain school districts where there are, you know, minorities and different groups of minorities, and I say specifically Wyandanch district and others like this, there are cases that have come to me of children who have been traumatized by -- this is at the middle school level. They may not be that aggressive themselves and they don't want to go to school and the -- there's a need to challenge and also to support the school districts in this effort to deal with these issues that are of conflicts between and among the children of different racial groups. As it is, it's -- you know, I've had several where they come and, "Can we get out of" -- "Can I get into a different school district?" Because they can't, you know. "Can I get into a Catholic school?" You know, that's escaping from it, you know? And plus, it's like where is the money going to come from? And that's avoiding the problem. The problem is that the children should all be able to go to the school and be able to go without being harassed.

And it was an interesting fact in terms of age 13 to 19. Probably the majority in that lower level that might not rise to the level of a major crime, but the attitudes that they're picking up like sponges from the society, you know, we're working on that in terms of churches, we're going to be, you know, running ecumenical programs in the course of this later part of this year to try to help remove some of that fuel that feeds the fire, to educate and raise the level of understanding in this whole ramped ignorance on the whole question of immigration and immigrants and illegal aliens. That language that law uses, an illegal alien, there's just something very wrong about that kind of a language that's used, even in law, and the way that's perceived by people. Words are very important and I would even encourage people to use less, you know, divisive kinds of a language in referring to people who are undocumented, that's something that -- anyway, that's basically -- I think the -- I applaud this effort and I hope that we get a lot of people coming and then the people who are not able to be here will submit.

I announced it at my church, you know, several hundred Latino people. You know, they don't really believe that -- you know, there's a major perception that's got to be counted that gain their trust, whether they will actually come and speak, they

really want to stay on the side lines, unfortunately. Anyway, thank you.

### ***Applause***

#### **CHAIRMAN GREGORY:**

Thank you, Father Bill. And I think that's one of my main goals, understanding. We've talked -- you know, we've talked to people, several speakers have spoken about it, the rhetoric and demonstrative language and the message that was sent. And I think that's one of the main reasons why I came up with this task force, is because I think from a Legislative governmental point of view, it's important that we send a positive message that forget about what's happened in the past, now you're a government as a symbol, a task force, to ask people to come forward who are victims of hate crimes so that we can have them investigated diligently, have those perpetrators prosecuted. So we understand that it's a yeoman's task and that it's not going to be -- maybe the first effort may not be successful, but if we keep sending that message out, eventually someone will perceive it and it will go a long way in turning the perception that Father Bill alluded to. Greg Maney? Did I pronounce it right?

#### **MR. MANEY:**

Good evening. My name is Dr. Greg Maney, I'm an Associate Professor of Sociology at Hofstra University. I'm also Chair-Elect of the Peace, War & Social Conflict Section of the American Sociological Association. Closer to home, I'm a member of the Immigration Committee of the Irish American Society of Nassau, Suffolk and Queens.

Back in March of 2006, the Center for the Study of Labor and Democracy at Hofstra University publicly released the findings of a major survey of day laborers on Long Island. The report made it very clear that hate crimes against immigrant workers were widespread on Long Island, including in Suffolk County. Nearly a quarter of the respondents reported being physically assaulted while either looking for work or on the job. Workers reported having trash, eggs and bottles thrown at them by strangers. The majority of these respondents who were physically assaulted also reported that their assailants made negative comments based upon their nationality, ethnicity or race. Over all, 43% of the respondents reported being targeted for negative comments. As one respondent put it, "There's a lot of racism and at times people say offensive things to you." Another respondent was told, "We hate Hispanics here in the United States."

Statistical analysis of the surveyed data made it very clear that government policies were impacting levels of hate crime on Long Island. On the one hand, fines, threats and arrests of day laborers by the Police significantly increase the number of hate crimes that workers reported. The reason for this relationship is simple; workers who do not trust authorities are unlikely to report crimes committed against them. Others in the community take advantage of the situation knowing that there will be few, if any, negative consequences for their actions. On the other hand, some workers that we surveyed at official hiring sites reported significantly fewer hate crimes and other forms of human rights abuses. Again, the relationship for this is simple; official hiring sites encourage immigrant workers to report abuses committed against them, and others in the community know that there will be negative consequences for abusing them.

The ICE raids, the targeting of immigrants for housing evictions, the Police harassment of day laborers and a slew of legislation aimed at shutting down labor -- day labor markets all send out the message that immigrants are a population separate from the rest of the community without value to the

community and without rights which others in the community are bound to respect. When authorities point a damning finger at marginalized and vulnerable social groups, they encourage prejudicial discriminatory and even violent behaviors against these groups. If politicians are telling you that immigrants are criminals who threaten our safety, our jobs and our very nation, should we be surprised that some respond by trying to rid their community of the "criminals"?

A prominent scholar of hate crimes, Jack Levin, writes in his book, "The Violence of Hate", "The role played by strong leadership at home, in the community or at the national level in fostering or reducing hate and prejudice can hardly be exaggerated." Responsible leadership requires prioritizing human rights and emphasizing the values of inclusion, equality and acceptance. Specifically, I urge the task force to make the following five recommendations. First, that County officials refrain from introducing or considering legislation that scapegoats immigrants for problems created by the powerful. Second, that the County officials refrain from participation in efforts to remove undocumented immigrants from the County. Such participation erodes the trust that encourages immigrants, both documented and undocumented, to come forward to report crimes committed against them. Third, that County officials pass legislation funding official hiring sites in communities with active day labor markets, as such sites have been shown to reduce hate crimes. Fourth, that the County fund and publicize community centers and projects that provide opportunities for those who are born in the U.S. to work with immigrants as equals in the pursuit of shared objectives. Research shows that such shared spaces and projects are indispensable in creating a culture of acceptance. Fifth and finally, that the County create a social justice curriculum for its schools. The curriculum can provide opportunities for youth to engage in candid dialogue about their cultural and socioeconomic differences, to identify sources of intergroup conflict and to develop skills for nonviolently resolving these conflicts.

Making and implementing these recommendations will send a strong message to the County -- a strong message that the County stands for inclusion, equality and acceptance. Along with other colleagues at Hofstra and other universities throughout Long Island, I am ready and eager to assist this committee in any way possible. Thank you for your time.

*Applause*

**CHAIRMAN GREGORY:**

Next we have Minister Thomas Humphrey.

**MINISTER HUMPHREY:**

I want to thank Legislator Gregory for holding this forum today. I am the Vice-President of the Long Island Men's Center. We meet in Huntington on Park Avenue, at 790 Park Avenue, Huntington Station.

In the 21st Century, (inaudible) are transition and the relationship at the home and in the workplace and in the community. Many negative images of fathers and mens exist in our society. Fathers and mens (sic) are often depicted in the media as over bearing, selfish, prone to do harm to youth, women and other mens. Ninety-four percent of men in prison were abused as children and gave witnessed violence and abuse. Men have a vast majority of criminal activities in organized crime, drug sales, weapon trafficking, violence, robbery, other evidence, or commit -- school shootings.

Mens are trained to be strong, tough competitive, which may lead to domestic violence, being a committed by mens not trained to control their emotions and

behavior and resolve conflict peacefully. Many men are -- many men have a hard time developing and staying in healthy relationships, long-term relationships in marriage due to the lack of communication, social skills, economic pressure, addiction to drugs and also the lack of job opportunity. Men may feel ashamed when not earning enough money in terms of less ethical behavior to make ends meet and keep up the powerful image. The workplace has changed, requiring men to be more cooperative with other men and women and teams, yet their economic climate is more competitive than ever. Men need to learn to stop isolating and going it alone and be more collaborative.

I stand before you -- I have been fighting on a lot of fronts, NAACP. We stood before Suffolk County with Mr. Ed -- Mr. White when he was brutally attacked, they came to his house and they threatened to kill him and it ended up there was a lot of violence going on and he ended up making a wrong decision, but we still got -- that was a hate situation. Those men came to his house threatening to kill him, to do harm to him, he ended up having to defend himself and, you know, the outcome wasn't what we wanted. Also, we stood with (inaudible) when he was brutally beaten by those boys out east here and we saw Levy make statements that was insensitive to the Hispanic community, that hurt us as a community. We lend our support in this group because they need to have other people supporting them, they can't do it alone. The media swift boat the situation which was wrong. This may have lost his life. He would never come back here again, you only got one body. But the media swift coated this. But I thank Gregory for taking this fight on because it's well needed, that's why we respect him as our Legislator.

Now, over in Nassau County, we have a situation where four Hispanic men beat up a young black man coming out of a deli. And we went to the church and we went to the synagogue, we went to all the different organizations trying to fight on this man's behalf and we ended up with nothing to see. Those four men were not charged with any hate crime and they used the N word and told him to get out of the country. But see, we want you, the Legislature, when you go back and get all these stories together, please write in your legislation so you would be able to protect people like this gentlemen in Uniondale, Nassau County. Because he was really hurt when they came back and said there would be no justice for him.

So I charge you, the nine and our leader, the magnificent nine, I charge you to stay in the fight. You're doing a wonderful job. The Long Island Men's Center, you have our support, I gave each one of you our album, a brochure, you know where I'm at. We are looking to work with you. We're going to respect you and we're going to cooperate with you, that's what we're all about. Thank you very much.

### *Applause*

#### **CHAIRMAN GREGORY:**

Thank you. Mr. Ashby, Richard Ashby?

#### **MR. ASHBY:**

Thank you, Legislator Gregory. Good evening, everybody. Good evening to the panel. I'm Richard Ashby, I'm the Supervisor of Operations at the Wyandanch Public Library, and I see firsthand the enormous task this task force is taking on.

It is my hope that this task force realizes that in Suffolk County the ground is very fertile for racism. It's a fertile ground and it's been -- it's not by accident, it's by design. And I want the panel to know that I give you all my best wishes, but I'm realistic. This -- I don't believe this panel is going to be able to solve the problem of bias crimes, hate crimes over night, and not in a year. I believe that this task

force should take on the job of chilling the soil, so to speak, so that loose seeds can be planted, and these loose seeds have to be planted in our youth. The people here, the people at home, minds are already made up. But we have to plant seeds of respect, pride, tolerance in our youth. So it's my hope that this panel reach out to the youth of Suffolk County and try to change their mindset, try to install some pride in the Latinos, the Haitians, the black American children in this community and open up their eyes and let them see that they're all the same, they're all in the same boat; no matter where you come from, you're all in the same boat, and that the Wyandanch public library is more than willing to help. What's needed is not rhetoric but information; not misinformation, not disinformation, but information, information that they could take and plant in their hearts and in their minds and build a future on.

So the Wyandanch Public Library's doors are open. We need some more pamphlets down there, we need some more outreach in this community. We're open, we have, room if you want to set up a meeting to reach out to the Hispanic community, you're more than welcome. I would like to say that in Wyandanch we have a beautiful new post office and in front of the post office, every morning we have ten to 12 Hispanic men out there. What are they doing out there? They're looking for jobs, they're waiting to be picked up. Down the road, less than a quarter of a mile, you have a Hispanic store owned by Hispanics. What do you have out there? Young black men smoking weed, selling drugs, prostitution, white women walking up and down Straight Path; that's what he have.

So it's not -- this hate crime is not just from the outside, it's from the inside. We're hating ourselves. Our young people are hating themselves, that's why they're out selling drugs, that's why they're out prostituting. So this is not always something outside being done to us, it's something inside and we have to clean-up the inside of our young people and clean up their minds and clean up their hope and that's what this task force -- the next task force, because this task force is not going to do it; you're only going to plant the seed, you're only going to pave the road like D. King did for Barack O'Bama, President O'Bama. That's your job right now is to plan, to get everything ready, and the next task force and the next Legislator Gregory.

**CHAIRMAN GREGORY:**  
Okay.

**MR. ASHBY:**  
Down the road someplace, deep in the future -- you'll probably be President by then, Bro.

*(\*Laughter From Audience\*)*

Deep in the future we'll have all this solved, but we're not going to solve it now but we can start now. Thank you for your time.

*Applause*

**CHAIRMAN GREGORY:**  
Enrique Licea.

**MR. LICEA:**  
Good evening, everybody. My name is Enrique Licea and the reason I'm here is because I've just got enough of the word "illegal". That word really hurts because I was illegal for 17 years, but no human being is illegal, we are legal.

## *Applause*

And nobody has the right to call names to nobody because of the skin of the color or where you come from.

### **UNKNOWN AUDIENCE MEMBER:**

Amen.

### **MR. LICEA:**

We are human beings and God created everybody, all colors, the same. Why we don't get along. Why? Because we don't teach the young people how to behave, with all the people. This country is built by immigrants; maybe somebody forget, like Mr. Levy.

*(\*Laughter From Audience\*)*

This country is beautiful. Immigrants, you can see my boots right here; to the media, right here.

*(\*Laughter From Audience\*)*

Because sometimes they disturb the news, you know? They call us criminals, they call all kinds of names. You can see, we are hard working people and we're working to build this country and we are the ones buying houses around here. We are the ones moving this economy on Long Island. Why they point the fingers at us? Why the politicians all the time, when they need -- the rates go up for them, they use us but they don't complain when we paint their houses, when we mow the lawn, when we take care of the water in the hospitals and the nursery homes, then they don't complain. But when they want to make a name for themselves, they go in a nice restaurant, they complain. Why are those illegal immigrants making the food? You be grateful that you eating, right there.

*(\*Laughter From Audience\*)*

If you can't take the heat, stay out of the kitchen, Mr. Levy. Because we are hard working people. We're viewed in this country -- and by the way, it's 40 million people over here, Spanish, before anybody, and we come from all different backgrounds. Part of this country, it was our country. Forget it? That part -- half of this country was Mexican before? I guess they don't -- even in California, it's like a hundred years, to have the first Mayor, Spanish, the media too. All the time when they -- when they arrest a Spanish person, gay men, they don't talk about the two Mexican-Americans that are going to space tomorrow, and I'm proud to be a Mexican. They're going into space tomorrow. We're lawyers, we're doctors, we are not only illegal immigrants and we don't take nobody's job. We work here and we build this country and I'm proud of this country. And I become legal resident when Ronald Reagan was President and I'm proud of this country and proud of my country, too, because I'm born in Mexico but I live 35 years in this country, I'm 20 years legal resident. And in the future I'm looking to become a citizen of this country and then we're just looking for work and we work hard, you know? And it really upsets me when somebody makes jokes at our cost, when somebody wants to move the race for their own agenda and politics is when they pick the illegal aliens. Nobody is an illegal alien, we're human beings, too, you know? And everybody in this country, the only real Americans are the American Indians; what do they do for them? They are the real Americans.

## *Applause*

They take the land and they put it in the reservation, you know? Everybody comes from work. Remember your grandparents, where they come from, or any politician up there. And that's why I come to this country because I needed freedom of speech. When I was in Mexico, they don't let me do this. Fortunately, here I can do this, this is America, this is a free country and I can speak to you. And I don't have something against nobody. We have to teach the young people how to behave because all the young people between 12 years to 20, these are people who have to learn to get along. They have to understand, they have to teach these kids that we are all different colors, different races. But the common goal is here, here in this common country, and especially New York, you find people from every corner of the world right here. That's why they call "The Big Apple" New York State. Thank you very much.

### **CHAIRMAN GREGORY:**

Okay. Thank you very much.

## *Applause*

Thank you. Andrea Callan.

### **MS. CALLAN:**

Good evening. I'm Andrea Callan, Director of the New York Civil Liberties Union's Suffolk County Chapter. I am here tonight on behalf of the nearly 5,000 NYCLU members in Suffolk County, and just as important as a Suffolk County resident who lives in Huntington Station, a town with a large and very vibrant immigrant community.

One of the things I appreciate most about my community is its cultural diversity. However, it really pains me to think that my neighborhood's diversity is not always celebrated the way that it should be. It upsets me to hear my neighbors say that they believe that Suffolk County is an unfriendly and unwelcoming place for not just immigrants but for all Latinos; Latinos specifically. I applaud Legislator Gregory and the Suffolk County Legislature for creating this task force, but time will tell whether or not this task force will ask the tough questions of the County officials and agencies, whether it is going to gather the insight from the community members on the dark and disturbing examples of hate throughout this County, whether it will be entirely forthcoming in all of its findings, regardless of political pressure.

This task force was formed to, and I quote from the statute, "Examine sources of racial tension in the County, to study and analyze mechanisms used to report hate crimes in the County and provide recommendations on current hate crime legislation." While it is certainly important for the task force to collect stories from individuals who believe that they have been victims of hate or bias, this cannot be the only avenue to which the task force seeks to, quote, "examine sources" of racial tension in the County. In fact, hearing stories of bias and hate doesn't do much of anything to explain sources of racial tension, but rather reinforces what we already know, that racial tension exists here in Suffolk. These -- I'm sorry. In fact, hearing the stories are certainly necessary because we need to understand the magnitude of the racial tension here in Suffolk, but different questions are necessary to identify the sources of that tension.

As you listen to tonight's testimony, I ask you that you question what it is about our

communities, our culture and our politics that generate this kind of pervasive bias and hate. Additionally, outside of this hearing process, this task force must examine how the County Police report, classify and investigate hate crimes, something we've all discussed before, and also how Police Officers interact with alleged victims of hate crimes or hate incidents. The public has a right to know about Suffolk County Police Department's rules, procedures, directives, guidelines, policies on hate crimes, how they distinguish hate crime from hate incidents, which Sergeant Reecks did inform us a little bit about today, how Suffolk County PD manages reports of hate crimes and under what circumstances do we refer an alleged hate crime to the Federal authorities for investigation and possible Federal charges?

But furthermore, this task force must exercise its independence its commitment to its charge by asking some tough questions of and about the County administration and our Executive, Mr. Steve Levy. It should consider how the Levy Administration's anti-immigrant rhetoric and policies have contributed to the County's racial tensions. This past Sunday, Mr. Levy told Newsday that he hoped that the task force can, "Be a catalyst to help get State law changed to make it easier to prosecute hate crimes." By this comment, Mr. Levy appears to think that broadening and strengthening the State's hate crime statute is the sole solution to the County's problems. While Levy should really be more concerned with the fact that the task force first charges to identify the sources of racial tension in the community. Instead of finding ways to heal the County's racial divisions, promote diversity and respect for all and make Suffolk a more welcoming place, Mr. Levy wants to pass the buck to the State Legislature moving the focus away from the County he governs. The truth is that broadening the State Hate Crime Statute won't prevent hate crimes from occurring at all.

In closing, I want to assure all of you that my organization, the New York Civil Liberties Union, and along with many others and many of my colleagues that belong to the Long Island Immigrant Alliance are here to help the task force with anything that you need from us. We want to help you meet the charge in a manner that generally improves and strengthens this community, our community. To succeed, the task force must go beyond public hearings, use its authority to examine how the County's agencies and administrations, and administrators have contributed to existing racial divisions. We all live here, these are our communities, we are the stakeholders. Thank you.

*Applause*

**CHAIRMAN GREGORY:**

Thank you. Cesar Malaga?

**MR. MALAGA:**

Good evening, task force. My name is Cesar Malaga, I'm the President of the Hispanic-American Association. I'm glad, you know, we have this task force, I hope it's productive. Now, one thing I hope you underline the words what Father Bill said, education and traumatize.

People in this community, they do not -- they don't know what immigrant is. They were not immigrants, they don't know. Many of them, you know, they criticize us, they call us "aliens". Yeah, we come from Mars; that's what aliens are, we are from Mars. But we are like any of you, we are citizens, hard working people.

Now, Father bill mentioned about traumatize. Many of you don't hear. How many young people get traumatized? I do not know whether you remember, in East

Hampton three kids tried kill a Latino with a chain saw, and there are many others, but you do not read the papers. Kids are traumatized. Now, let me just say, it's not only kids, we, adults, are also traumatized. I myself was traumatized, not by a gun or, you know, killed, I was traumatized by the school board, traumatized by the school board. I'm forbidden to go to the school board meetings, to public meetings, I'm forbidden to speak at the school board meetings. Why? Because I ask about the school expenses, I tell them how to reduce school taxes or I ask, "What happened to the minutes of the meeting." That should be -- it's a public meeting, you're supposed to have minutes of the meeting like the transcriber here. You know, if we -- we as a people can do anything. You know, this country is going to go down. When we talk about traumatization, education, we need to educate parents. Many parents do not know what immigrants are, they do not know what they are here for. They do not know. The previous speakers are from Mexico, they are -- they work here. American natives are the true Americans. I myself, I am part American Indian, which I'm proud of it, and perhaps more American than any of you here.

So the thing is this, we have to work together. We cannot just continue the way it is. You cannot continue -- you know, we cannot have meetings like this or take notes and not do anything. We have to be active, we have to change things. Our country, as I mentioned earlier, it's going down, down and down. We are the future, all of us who can do something, we are doing something, but we need the generation of the new people we've got coming up. And I know the thing that -- politicians, they use us, Latinos, so they can get the ratings up. Once election time comes, all Latino, this, that, illegal immigrants. No one is illegal in this country. You might not have documents, but you are not legal. Any of you who go to church, you remember about the good samaritan, right? Immigrants work throughout many years, so you cannot insult people. They are here for one thing, many of the people here. Back in their country, they used to be farmers. Today, because many of you know that United States subsidize the products that sent to Mexico. The Mexican farmer can (inaudible), because the U.S. products are much cheaper. So what do they do to feed their families? They have to go where there's work. It might be here, it might be Switzerland, it might be Spain, they're all over the place. I went to Europe, I met Mexicans, I met many people from different parts of the world in France, Italy, Brussels, many places out there, we are all over the place. So the thing is this for America, we are the future. If we do not work together, our country is going to go down. So let's work together, let's not criticize each other. We are here to work and the economy and immigrants are part of the economy of this country, part of Long Island. Thank you very much.

*Applause*

**CHAIRMAN GREGORY:**  
Thank you. Phyllis Henry?

**MS. HENRY:**  
Good evening. Thank you for giving me this opportunity to speak. As long as segregated communities are allowed, hate crimes will continue. And a lack of equal and proper education on Long Island contributes to this problem, our children aren't able to compete which further divides our communities. And as a personal note, I'm discriminated against because I live in Wyandanch.

*Applause*

**CHAIRMAN GREGORY:**  
Alice Cone.

**MS. CONE:**

Good evening, everyone on the panel. My name is Alice Cone, I'm President of the Belmont Lake Civic Association which represents twelve hundred homes and about 4,000 voters, give or take a few.

I've been a member of Suffolk County Human Rights for 13 years. I've served on the Anti-Bias Task Force under the direction of Rabbi Moss and I did a few of those news cases out at the CI Courts. I commend you for having this public hearing, but my concern, as I was going through the advisory board, is the lifespan of the advisory board.

You have agencies here in Suffolk County, like the Suffolk County Human Rights Commission which I had the pleasure of serving for 13 years, you have the minority task force, the Latino, the African-American, and I'm really questioning the lifespan and the intent of this advisory board.

I know that we have -- there's bias, there's racism. I've been in the trenches for 46 years and I served on the {Intercultural} council back in the 70's to bring about better race relationships in school districts, in Western BOCES. I was the founding member of North Babylon School District Human Rights to bring about a better racial understanding between the staff, the families and the children in North Babylon. So I'm questioning on four meetings a year, is that going to really touch the surface of this?

Mr. Gregory, you represent me in the Legislature. You're also a member or you are a resident of the Town of Babylon. I would advise you to go back to our County -- to our Supervisor in the Town of Babylon and tell him to reactivate the Anti-Bias Task Force. We don't have one in Babylon. We did have one that I served on, that needs to be done because it addressed the high schools, the school children, seven districts in the Town of Babylon, and I can name them. In the past, I have been Educational Chairperson of the NAACP, I was also Educational Chairperson of Suffolk County Human Rights, so I can speak to you on that. And I think that I'm very concerned about the treatment that our Hispanic brothers and sisters are receiving, be it from schools to the community, to the stores, etcetera.

So I'm charging you to go back, talk to Steve Ballone, tell him to start the Anti-Bias Task Force. Go to your BOCES, you've got Eastern BOCES and Western BOCES, and see about revitalizing the cultural, the multi-cultural task force that addressed racism in this County. We added 71 -- I'm dating myself, '71, '72, '73, '74, I put six kids through this district, and my oldest is 54 so you know how many years ago that we were sitting on this task force. So let's not reinvent the wheel, let's use what we have and let us go back. So I charge you not only to meet four times a year, use your Suffolk County Human Rights Commission and they can be honest and objective because they're officers of the law and the County Exec cannot remove your Suffolk County Human Rights Commissioners. Okay? A task force, he could remove you; I mean, he did it in the past. So if this committee or if this advisory board is to do what it intends to do, what it's supposed to be created to do, then I recommend that you look at the past. If you don't learn from history, history will repeat itself. So go back and look at what was done. I know you're a young man and some of this is over your head --

**CHAIRMAN GREGORY:**

I'm not so young anymore.

**MS. CONE:**

But I'm advising you, as a member of the community, as a community leader who

represents 4,000 voters, go back and do what you're supposed to do. Thank you.

***Applause***

**CHAIRMAN GREGORY:**

Just to clarify, this task force is a making of the Legislature. The County Executive has no authority to remove any one of us. He had the opportunity to make a couple of appointments, but we're all set for a term of a year. I certainly wouldn't allow him to remove me because he's my equal, and my members, my colleagues on the task force are my equals, so he has no jurisdiction to remove us. And it's important that you understand that, that as far as the overall -- the end result of this task force won't be influenced by the County Executive's Office, it will be the product of this body. But your point, nevertheless, goes well received, Ms. Cone, that there are things that we could be doing now, that we should be doing now and I presume that we will be doing. And that any influence is -- I'm certainly sure that people are concerned about that. So our next speaker is Shirley Washington. Is Ms. Washington here?

**UNKNOWN AUDIENCE MEMBER:**

She was here.

**CHAIRMAN GREGORY:**

Okay, we'll skip her and we'll go to Nathaniel Hyland.

**MR. HYLAND:**

Hi. How is everybody doing?

**UNKNOWN AUDIENCE MEMBER:**

Okay.

**MR. HYLAND:**

Maybe if you're pretty good, you might hear from the voice that I have an accent, right? That must mean that I came from another country. So here I am, I'm a black American man that came from Trinidad, and one of the things that I just wanted to -- I heard somebody say, "There goes a young man." One of the things I wanted to, first of all, say is thank you, sir, for having this forum. Thank you, guys, for breaking the ice. I am new to Suffolk County because I attend the church next door, Bread of Life Fellowship, I'm actually a Minister at the church, and one of the things I wanted to -- actually, it's kind of personal for me because of coming into this country and having to work my way up. I've never necessarily experienced the hate or, you know, what this whole thing is all about. I wasn't violently, you know, thrown in a ditch or anything of that nature, but one thing that I definitely recognize is that it was definitely a hard process. Working from the bottom up, standing in the cold, 20 Federal Plaza, five o'clock in the morning waiting for the doors to open, and when you get in there, by the time it's like twelve o'clock, all you have in your hand is a form and you've got to fill it out and come back the next day, you know. So I've been through that.

The other guy, he was talking about, "Hey, I've got boots." I've got boots, too. You see my boots? I'm now working for the Long Island Railroad; hallelujah.

***(\*Laughter From Audience\*)***

You know, so that's a good testimony. So here I am, I've worked my way up. And I just wanted to speak from the immigration perspective. You know, one of the things that I wrote down here is that jobs are not taken, but they are awarded. And I cannot fault the guys for standing out there and waiting and running up to

cars -- they are also in Queens, I live in Queens -- running up to cars and saying, "Brother, do you have a job? Do you have a job? I can work for you. I will work for one day, day laborers." I mean, I'm just going to be frank because I didn't have a script and I might be a little bit edgy. So you have the other -- like the brother just said, you have the other level where you have the guys are standing on the corner, and I walk past these guys on the corner every day and I say, "You know what? All I need is your Social Security number, that's all I need," and I will elevate myself to a level and prove to everybody that I can make something of myself. And I'm thankful that I've gone through everything that has been -- I've gone from illegal to legal, and I'm thankful for that.

And I just want to say this, that this country is free and dreams are free and people come here with dreams. People come here with dreams. And you know when it boils down to? It's all about family. It's all about family. It's all about coming out here and working and going back home safely and taking care of that little one that you're now raising up and trying to instill love into them and trying to teach them. And here they are, they go out into the world and they experience hate.

And so I'm coming from the immigration perspective and I'm realizing, one of the things that I wanted to interject is this, that this is a very good start, but I've realized something about politics and about a lot of things. Sometimes things are put out there so that the government can say, "You know what? You could never say that we didn't put something out here. You could never say that we didn't bring it up." But then after everything is said and done, nothing was really accomplished. And so my question is can we develop something of a great feedback system whereby people feel comfortable, whereby maybe it could be a website, maybe it's something like President O'Bama has done, this website thing, and he, you know, has tapped into a realm whereby you know what? We could text you, we could send an e-mail and let you guys know, "Hey, this is real time. This is what's happening right here. This is real time what's going on," that way you would be able to get -- to curtail and tailor your program that will be very effective. That was one of the main things that I wanted to interject. Because I look around here, I see the gray-haired mommy right here, I see Daddy over here with the little pimp hat right here, right?

*(\*Laughter From Audience\*)*

I see a lot of older people, but the thing about it is it's to get young people out there in. It's to get young people up in here. Because you know what happens? We are going to be phased out one by one, one by one, one by one. But if we do not bridge the gap and get the young people up in here, then everything that we have started is not going to continue. You understand what I'm saying? And if there's any way that you can do that, then I have done a great job by just standing up here and saying these words.

**CHAIRMAN GREGORY:**

My. Hyland, your time has expired.

**MR. HYLAND:**

Thank you very much.

**CHAIRMAN GREGORY:**

I ask you to just wrap up.

**MR. HYLAND:**

It's done.

**CHAIRMAN GREGORY:**

Okay.

**MR. HYLAND:**

All right. Thank you.

**CHAIRMAN GREGORY:**

Thank you.

*Applause*

You did say you were a minister, right?

**MR. HYLAND:**

Yes, sir.

**CHAIRMAN GREGORY:**

I couldn't tell at all.

*(\*Laughter From Audience\*)*

Ms. Washington, did she step in the room?

**UNKNOWN AUDIENCE MEMBER:**

She had to leave, but she wrote a question on the back of a card. So, I don't know if you want to address it in whole personally or in a group, but she said she left the question on one of the back of the cards.

**CHAIRMAN GREGORY:**

Okay. We'll -- I'll pass it out to the members and we'll advise.

Okay, Henry, last name "R" or Terry, R. Terry? I'm a product of the public school system, so. And our public schools are great, I'm just making a joke; it may be an inappropriate one.

**MR. TERRY:**

I'm here to talk about the fake Police forces that are in Suffolk County, principally the Village of Patchogue State Police Force.

*(\*Handed Paper to Panel\*)*

That's an inner-letter from the Division of Criminal Justice Services which regulates the power of Police forces in New York State to the Commissioner of Investigation. It kind of is like a certification that, in fact, the Village of Patchogue ran a fake Police force, they ran it for -- since 1994. The purpose of the fake Police force was to attack the immigrants and minorities in the town. It's a pretty sad thing, just about \$8.5 million worth of tickets that are owed the residents for -- tickets that were already won over the Village of Patchogue, impersonating Police Officers. Most of those tickets, though, I believe we've asked for them in FOIL, we haven't gotten them. Most of those tickets, a disproportionate amount of them certainly were against minorities and immigrants. The Village of Patchogue didn't have any training or any -- I mean, the illegal, fake Village of Patchogue's Police force did not have any minority or ethnic training which is a Federal requirement. I believe that

Suffolk County Police knew about it, I believe the District Attorney's Office knew about it. I would like you to look into the matter. You will see my card here. We have probably about five years worth of documentation to prove every one of these allegations.

*Applause*

**CHAIRMAN GREGORY:**

Okay, thank you. Betty Palmer? She left, okay.

All right, that concludes all the cards that we have. Is there anyone that would like to speak that hasn't filled out a card? We'll ask you to stand up now. There are some cards in the back. Mr. Young is coming forward.

**MR. YOUNG:**

I had actually planned on speaking at another hearing, but I just wanted to clear something up. My name is Patrick Young, I'm a Special Professor of Immigration Law at Hofstra Law School, and I'm also an attorney with the Central American Refugee Center in Brentwood. And after Inspector Rios spoke, I asked him when Suffolk County developed a written policy guaranteeing that officers would not ask crime victims their immigration status, and he said it was -- the writing was developed in response to the murder of Marcelo Lucero.

*Applause*

**CHAIRMAN GREGORY:**

Okay. That concludes our public hearing.

**RABBI MOSS:**

One more.

**CHAIRMAN GREGORY:**

Yes?

**MR. GARCIA:**

Hello, I just got here. I am Ecuadorian, like Marcelo Lucero. Last year, November, 2008, around November, 2008, my mother called me and said she was very worried because Marcelo died in November and less than a month later another Ecuadorian died. So she asked me what's going on? I said, you know, "I don't know, I never have any experience." I live in Brentwood, I never have any racist -- racism experience, to be honest. So I told her I'm going to find out what's going on. So I went on-line and I started reading about, you know, the incidents and I said I have to do something about it, this is personal. So I wrote a movie with a friend of mine, I wrote like three short films in the past, three short films, and I said I would do a screen play about this, and I wrote a story. I send it to my friend who is American-Puerto Rican, he made it a lot better than I wrote it and he came out with a screenplay.

He's been crazy since that day because I went to this festival in Belgium, they called it the Long Island International Festival Expo.

I went to see the movie of a friend from NALIP, I belong to NALIP, National Association of Latino Independent Producers, so I went to talk to these guys. Actually, I went to see his movie and talk to him about my story because I had told him about my friend some month ago. I met some wonderful people that say, "Oh, this is great." It was the first time I was feeling like a Director, everybody was

coming to me, all these directors, so it was really a nice experience. I say I have to come back here.

The next day I went home, I started looking at the information from the festival and I found in this folder right here -- I'm sorry. Okay, I found in this book right here information about an actor. I said this boy would be perfect for my movie, and this boy is from The Sopranos, his name Brandon Hannan. I told my wife, "Oh, my God, this boy would be perfect for my movie." So looking at this information, I said I have to go to the festival again, because the next day there was a screening of the movie, you know, where this guy was in. So I went the next day and I was waiting for him. I came up from this lounge in Belmore, in Belmore Station, Belmore Train Station, I came out from the lounge, you know, there he was with his mother, and it was really unbelievable. Because I approached him, you know, I have to make Director, I host movies and I wrote this screenplay about hate crimes in America and about what happened with Marcelo and Jose (inaudible), the guys that died. And the lady was really nice to me, her name was Helen and three days later the lady called me and she said, "You know what? I read your screenplay, I want my son to be in your movie. But, you know what, I'm also an actor, I want to be in your movie, too." So I wasn't expecting that.

It was like a target point for my project because for somebody like me, an immigrant, with no movies, with no movie rights coming from a country like Ecuador, with no film industry, okay, I was talking to a boy who was in The Sopranos. This boy is from The Sopranos, he's an Emmy-nominated actor. So I think to make the story short, it's unbelievable. I was -- somebody invited me to this meeting from La Casa in Farmingdale, I think that's the place we'll audition the movie. This friend of mine from my job told me, "Jim, you should show your movie in Farmingdale because you'll have all the location right there." So today I was at home. Today, today, today, I was at home I wanted to come to this meeting. It was around -- I don't know what time it is right now. I was at home around 6:30 and thank God I got a call. The guy told me, "Hey, how are you doing, James? This is the Mayor of Farmingdale." The mayor of Farmingdale was calling me. So it was unbelievable. I started talking to the guy, I just talked to him maybe one hour ago and I guess I'm here and now I'm talking to you so.

What is happening with this project is unbelievable because I think it is a personal burden to me, it is a very important subject matter. And doing this movie, you know, it's a short film and I'm doing this movie, you know that short films, they don't make -- they don't make money. They are only to show the movies in festivals. So I'm doing this movie. I feel it's personal now because I told my boss the other day, I'm pushing myself. I'm not going to wait until somebody that I love gets hurt, I don't have to wait. Why do I have to wait until somebody that I love and some friends, some relative or even myself gets hurt? So that's why, you know, I want to say something about hate crimes and I not only here in America, because my opinion is that this is happening now because of the tough economy situation everywhere. The movie that I want to shoot tomorrow, starting tomorrow, I can do the same movie here or in Europe, in my country, everywhere because of the economy. The economy has created tension because between, you know, human beings, that's why this is happening right now. So my movie is about healing, about teaching tolerance to our children because we want -- our goal is to help stopping hate crimes.

**CHAIRMAN GREGORY:**

Okay. Thank you, and good luck.

**MR. GARCIA:**

Thank you very much.

***Applause***

**CHAIRMAN GREGORY:**

That looks like it's going to be the conclusion of our public hearing tonight. There should be some fliers out at the table that announces our next three public hearings. I believe the next one is September 10th? I'm putting you on the spot, but if you check the table out front, it has the next three dates. We have one in Patchogue, we have one in Riverhead and another one in Brentwood, I believe. So thank you for coming out tonight. Thank you for being part of the process. We have -- just so that you know, Tuesday -- actually, Tuesday, September 10th in Patchogue, at the Briarcliff College, the same time we'll be there; Tuesday, September 22nd in Riverhead, at the Culinary Arts and Hospitality Center in Riverhead; and Tuesday, October 6th at the Brentwood Campus, I think it's the Grant Campus of the Suffolk Community College, we'll be there; these will all be at 5:30. We hope to see you then and thank you for coming out tonight and giving us your valuable testimony.

***(\*The Public Hearing was Adjourned at 8:02 P.M. \*)***

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