

Families Task Force BOL Meeting Minutes - Final



Task Force Co-Chairs: Nancy
Barr & Kathy Halas

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Nancy Barr & Kathy Halas

Tuesday, May 14, 2024

12:30 PM

Committee Room

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: this website also provides links to materials for all matters to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

Families Task Force Presents Lunch and Learn Presentation on Hate Crimes and Incidents

Presenters:

Tejash Sanchala, Executive Director, Westchester County Human Rights Commission
Catalina Blanco Buitrago, Senior Assistant DA Hate Crimes Unit, Westchester County District Attorney Office
Mayo Bartlett Esq., Civil Rights and Criminal Defense Attorney

The presentation began with each of the respective presenters introducing themselves, their offices and what they are responsible for.

Mr. Sanchala provided some foundational information relevant to the current conversation surrounding hate and discrimination including figures over the last few years that have shown a rise in hate crimes and hate incidents. He emphasized that all hate crimes include hate incidents not all hate incidents rise to the level of a hate crime.

Mr. Bartlett discussed the definitions of hate incidents and the examples that would fall under this definition.

Ms. Blanco-Buitrago explained the definition of a hate crime and the examples that would fall under this definition. There are currently 66 Hate Crimes specified for the State of New York.

Ms. Blanco Buitrago also talked about some of the blurry lines that surround hate crimes and incidents, such as first amendment rights. Using free speech as an example she went on to explain the thought process regarding how a conclusion is drawn on a particular situation suspected to be a hate incident/hate crime.

Mr. Bartlett and Ms. Blanco Buitrago discussed the alternatives of traditional prosecution available for people being accused/charged with Hate Crimes especially when acts are done out of ignorance rather than hate. Mr. Bartlett emphasized that the best way to prevent recidivism and to have the community benefit from bringing cases like these to justices is to provide education, community based rehabilitation and restorative justice to incidents such as these.

Ms. Blanco Buitrago continued the conversation by talking about the impediments to prosecuting hate crimes and she said it includes lack of evidence and lack of reporting.

The rest of the presentation discussed why there is underreporting including fear of law enforcement or consequences, lack of citizenship and not understanding the process and next steps. The presenters discussed why it is important for the victims to report and emphasized that there is no immigration status asked or relayed throughout the process.

Mr. Sanchala discussed Human Rights Law and discrimination that can be legally investigated under the powers of their office. He thoroughly discussed employment and educational discrimination.

Last but not least Mr. Sanchala shared some partnership information and classes his office does regarding enforcement to lay out the 5 D's of Bystander Invention which are Distract, Delegate, Document, Delay and Direct.

During Q&A, Co-Chair Legislator Barr and Legislator Jewel Williams Johnson asked about the alternative to prosecution program mentioned by Mr. Bartlett. He said it was a great program that ended prior to the current administration. He told some examples of the amazing outcomes of the program and how beneficial it was. Ms. Blanco Buitrago confirmed that particular program doesn't exist but there are diversion courts, that aren't hate specific but diversions that didn't exist before along with restorative just which have attempted to reduce the school to prison pipeline. Ms. Blanco Buitrago also mentioned that community interests is something that can drive the revival of that program.

Legislator Barr also stated that this type of conversation would be impactful on college campuses. Ms. Blanco Buitrago said the DA's office makes efforts to participate in proactive and reactive instances regarding schools and does what they can with the resources they have. They have not told a school who reached out, no. Mr. Sanchala added that typically the presentations are only at the request of the school.

II. OTHER BUSINESS

**III. RECEIVE & FILE
ADJOURNMENT**