



## **Long Island Immigrant Alliance**

### **Recommendations to the Suffolk County Hate Crimes Taskforce<sup>1</sup>**

#### **Introduction**

The mission of the Long Island Immigrant Alliance (LIIA) is to increase the effective self-organization, collaboration, voice, and civic participation of the immigrant population on Long Island (see Appendix A). LIIA also endeavors to increase among the non-immigrant population understanding, acceptance, respect, incorporation, and celebration of our immigrant population. LIIA brings together organizations that have worked on immigration issues for many years and have extensive contact with immigrant communities that form such an integral part of Long Island (for a list of affiliated organizations, see Appendix B).

LIIA has developed these recommendations for the Suffolk County Hate Crimes Taskforce and for the Suffolk County government in the belief that many of the problems in this County, as epitomized by the hate murder of Marcelo Lucero, can best be addressed if they are taken seriously and addressed head-on as part of an inclusive public-private partnership.

With the full backing of LIIA, Resolution 2227-2008 established the Suffolk County Special Taskforce on Hate Crimes in order “to examine the sources of racial tension in the County, to study and analyze the mechanisms used to report hate crimes in the County, and provide recommendations on current hate crime legislation.” The Taskforce convened in June of 2009. So far the Taskforce has held several meetings to organize and outline the hearing process, four public hearings in different parts of Suffolk County, and some additional meetings to seek recommendations from groups with expertise in the area of hate crimes. While some meetings were specifically billed as public hearings, it is important to note that all of the Taskforce’s

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<sup>1</sup> LIIA wishes to thank Hofstra University for providing Dr. Gregory M. Maney with a Faculty Diversity Research and Curriculum Development Grant to conduct research to assist with the development of our recommendations. We thank Dr. Maney and Ms. Charisse Wheby for their strong commitment to this community research partnership.

meetings are public since it is a public body. Representatives of the Long Island Immigrant Alliance have attended every one of these meetings and hearings. More than 30 individuals have spoken at these hearings; some as individuals and others on behalf of organizations. Many have provided concrete and substantive recommendations for how Suffolk County can improve its response to hate crimes, and can prevent them from occurring in the first place.

Nonetheless, there remains a great deal of work still to be done by the Taskforce. Many substantive questions remain unanswered:

- What are the specific reasons for successful arrests and prosecutions in some hate crimes cases but not in others?
- When was the County's memo regarding the questioning of immigration status put into effect? How was it distributed to the County police officers who are expected to implement it? Have any officers been disciplined for violating the policy and what would the penalties be if violations occurred? Who is in charge of enforcing the policy?
- What level of cooperation exists in between Suffolk County government agencies and U.S. Immigration and Customs Enforcement? Where and how does it take place? Where is the law or policy that enables and guides this cooperation? Is there an agreement between Suffolk County and U.S. Immigration and Customs Enforcement under section 287(g) of the Immigration and Nationality Act of 1996?

Because these important questions remain unanswered, the Long Island Immigrant Alliance has developed a series of recommendations. They are based upon exhaustive searches of academic research databases, media databases, the internet, and government document archives to:

(1) identify past recommendations for preventing and responding to hate crimes; and (2) evaluate the efficacy of hate crime prevention and reduction initiatives undertaken by a range of stakeholders. The recommendations also reflect the extensive experience of LIIA-affiliated organizations with the issue of hate crimes, in particular hate crimes against immigrants in Suffolk County. We believe that implementing our recommendations will not only reduce and remedy hate crimes against immigrants, but also reduce and remedy hate crimes against other targeted minority groups. Likewise, we believe that implementing substantive recommendations aimed at reducing hate crimes against other targeted minority groups will contribute to a reduction of hate crimes against immigrants. Many immigrants belong to ethnic/racial minority groups, religious minority groups, and the LGBT community (and vice-versa). Moreover,

successful efforts to reduce hate against certain targeted groups contribute to an overall ethos of respect and acceptance. Our recommendations are grouped into three areas by persons responsible for their implementation: Elected Public Officials, Law Enforcement Officers, and Educators.

## **Section I: Elected Public Officials**

In Suffolk County, the targeting of immigrants for housing evictions, code violations, and traffic stops have all been widely reported. Along with the police harassment of day laborers and the slew of legislation targeting immigrant workers, these actions have sent out the message that immigrants are a population separate from the community, of questionable value to the community, and a group without rights that others in the community are bound to respect.

When authorities point a damning finger at a marginalized and vulnerable social group, they encourage prejudicial, discriminatory, and even violent behaviors against that group. Criminalizing immigrants—along with the rhetoric used to support these policies—creates an atmosphere of disdain and hatred. If politicians are telling residents that immigrants are criminals who threaten their safety, their jobs, their neighborhoods, and their very nation, should we be surprised that some residents respond by harming these transgressors, thus ‘helping to defend’ their communities against the ‘illegals,’ the ‘criminals’?

A prominent scholar, Jack Levin, writes in his book *The Violence of Hate* (p.87): “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.”<sup>2</sup> Responsible leadership requires prioritizing human rights and emphasizing the values of inclusion, equality, and diversity. It requires appealing to the best side of our history and of our core principles. Immigration is an American experience. Acceptance is an American value. We call upon this Taskforce to make recommendations for government policies that promote responsible County leadership. To assist in this regard, we make the following specific recommendations:

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<sup>2</sup> Levin, Jack. 2002. *The Violence of Hate: Confronting Racism, Anti-Semitism, and Other Forms of Bigotry*. Boston, MA: Allyn & Bacon.

## 1.1 Legislation

- *Recommendation #1: Refrain from Introducing Anti-Immigrant Legislation*

County legislators should refrain from introducing or considering legislation that scapegoats immigrants for problems created by those with power (e.g., IR1105-2008; IR-1022-2007; and IR 2025-2006). Real, effective solutions to social and economic problems inherently require support for the human rights of all residents, regardless of their ethnicity or legal status. Future proposed legislation must accord all County residents equal protection under the law.

- *Recommendation #2: Pass a Welcoming Resolution with a Civility Statement*

To date, the Suffolk County Legislature has yet to pass any legislation that aids in the integration and acceptance of immigrants coming to the County. Nor have County legislators passed any proclamations recognizing the importance of immigrants to Suffolk County's future. Other legislative bodies have passed welcoming resolutions to make a clear public statement that they value immigrants and welcome them to their communities. The idea is to publicly announce that the Suffolk County government supports all of its residents, to reaffirm a commitment to respecting, protecting, and promoting human rights, and to express that the County values and embraces its diversity. Such resolutions have been passed in Albany, Boston, and many other municipalities (see Appendix C for a specific example). They are paramount for reducing fear and creating an atmosphere of inclusion.

As a part of the welcoming resolution, we recommend that Suffolk County adopt a civility statement. On March 8, 2009, in response to the murder of Marcelo Lucero, the Village of Patchogue Board of Trustees adopted a civility statement to ensure that town leaders show respect towards the many different ethnic groups that comprise the Village (see Appendix D).

- *Recommendation #3: Create Official Hiring Sites*

One flashpoint of conflict in Suffolk County has been street corner day labor sites, where workers have often been subjected to harassment, intimidation, and violence by contractors, merchants, the police, and other County residents.<sup>3</sup> When day laborers search for work in public

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<sup>3</sup> See Maney, Gregory M. Campisi, Elizabeth, Molina, Nadia Marin, and Canales, Carlos. 2007. "Protecting Human Rights in a Global Economy: The Impact of Government Responses to Day Labor Markets." *Regional Labor Review* Spring/Summer:12-24.

places in high-crime areas where there are strong anti-immigrant sentiments, the chances that violence will occur against them increase.<sup>4</sup> Official hiring sites are effective in reducing hate crimes against laborers and improving community relations.<sup>5</sup> Accordingly, we recommend that Suffolk County work in collaboration with day laborers and their organizations to pass legislation establishing official hiring sites in communities where such sites would be supported by the day laborers and other stakeholders.

- *Recommendation #4: Create a Permanent Suffolk County Hate Crimes Taskforce*

We want to thank the members of the Suffolk County Special Taskforce on Hates Crimes under its capable chairman. We recognize the magnitude of the work and resources required to fulfill the obligations detailed in the legislation establishing the Taskforce. Despite its dedicated leadership and the commitment of its talented members, the lack of resources and time allotted to the Taskforce to adequately investigate and to make recommendations are indicative of the mindset of denial of the extent of the problem of hate crimes in the County. Accordingly, we request that you join with us in calling upon the Suffolk County Legislature to create a permanent taskforce on hate crimes. In order to be effective, the permanent taskforce must have the authority, the tools, and the resources necessary to conduct research on underlying sources of hate crimes, to subpoena witnesses and documents, to issue binding recommendations, and to monitor the progress of County agencies in implementing recommendations. Permanent taskforces throughout the United States such as the California Attorney General's Civil Rights Commission on Hate Crimes typically involve representatives of law enforcement agencies and community organizations that represent targeted populations and are well known for advocating for their rights (for a list of these organizations on Long Island, see Appendix B). Accordingly, we call upon the Legislature to work closely with LIIA in specifying the composition of the permanent taskforce to ensure the adequate representation of key stakeholders, including LIIA affiliates.

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<sup>4</sup> Valenzuela, Abel. 2006. *New Immigrant and Day Labor: The Potential for Violence. Immigration and Crime: Race, Ethnicity, and Violence*. New York: NYU Press.

<sup>5</sup> Crotty Sean M., and Bosco Fernando J. 2008. "Racial Geographies and the Challenges of Day Labor Formalization: A Case Study from San Diego County. *Journal of Cultural Geography*. 25(3):223-244.

To ensure that members of the permanent taskforce are selected solely on the basis of their relevant knowledge, skills, and experiences, the permanent taskforce should implement an anti-nepotism policy (for draft language, see Appendix E). Once appointed, members of the permanent taskforce should approve and follow a conflict of interest policy to avoid self-interested practices that will impede its effectiveness and undermine its credibility in the eyes of the public (for draft language, see Appendix E). All members of the taskforce should sign a statement indicating that they have read and will abide by both policies. We also recommend that the permanent hate crimes taskforce work closely with a newly created Agency for Immigrant Integration (see Recommendation #6) as well as a newly created Hate Crimes Unit based in the District Attorney's Office (see Recommendation #9).

### 1.2 Community Engagement and Integration

The public takes its cue from the words and actions of our leaders and the media. The County needs to embark upon a serious effort to engage with and integrate the changing Long Island population and workforce. Coalition building is especially important in this effort.

One of the darkest days in Suffolk County history occurred on November 2, 2008 when Marcelo Lucero, a hardworking 37-year old Ecuadorian immigrant, was brutally murdered in Patchogue by a gang of youths. This tragic event reminds of the importance of being intentional in creating the type of community in which we live and work. This tragedy offers us a chance to get it right. More importantly, we recognize that in order to have a cohesive community that benefits all of its members, we must develop and implement a well thought-out plan not only to integrate our new immigrant neighbors into our community, but also to integrate our long-time residents with our new neighbors.

Immigrant integration has always required that both long time residents and new residents engage simultaneously as equal status partners in working together to build a vibrant, multicultural community. The U.S. experience with immigration is as old as the Republic. On the one hand, the history of immigration to the U.S. reflects a pattern of rejection of newcomers and the prevalence of anti-immigrant sentiments. On the other hand, the history presents a pattern of integration and acceptance into host communities. Integration is a two-way process, whereby newcomers learn the language, customs, and the practices of their new home, and long-time residents engage with and ultimately accept the newcomers as valuable, respected members of

the community. The operative word here is **community**. All stakeholders are deliberately engaged in community building.

Research suggests a multi-dimensional framework for community integration, involving:

1. Communitywide organizing and planning
2. Bilingual education
3. Health, well-being, and economic mobility
4. Equal treatment and opportunity
5. Social and cultural interaction
6. Civic participation and citizenship

It is important to convey a clear picture of the “community” as being wrapped around the individual residents and families. Communitywide ownership over organizing and planning are essential if we are to accomplish and benefit from the successful integration of newcomers. Accordingly, we make the following specific recommendations in alignment with these six dimensions of community integration..

- *Recommendation #5: Form Partnerships with Immigrant Organizations and Houses of Worship Supporting Immigrants*

The government of Suffolk County needs to increase its outreach and build stronger relationships with LIIA affiliates as well as other local organizations that provide services and advocate on behalf of the rights of immigrants (e.g., see Appendix B). Immigrants regularly connect with and trust these organizations. The County Executive as well as the heads of County departments and agencies should meet regularly with a broad spectrum of organizations representing immigrants.

As recently as October 2009, the County Executive used language to belittle and misrepresent organizations and community leaders that advocate for the rights of immigrants. Specifically, he has continually and erroneously called us “advocates for illegal immigration.” With this ongoing antagonism, it is difficult to forge alliances, to work together, and to move forward. The community will be best served if County officials respect and cooperate with community advocates and service providers. Alliance building will help Suffolk County become the County of inclusion and integration rather than the County of exclusion and segregation.

Like most County residents, immigrants attend houses of worship and regard them as safe spaces where they can worship and connect with their neighbors. Immigrants often meet after

services to discuss any problems that they or their children face in the community. Accordingly, County leaders should hold forums regularly at houses of worship where immigrants can relate their aspirations and concerns as well as obtain helpful information (please contact LIIA for a contact list for 280 houses of worship in Suffolk County). After listening carefully to their comments, County leaders should take action towards improving the quality of life of immigrants.

- *Recommendation #6: Create an Agency that Integrates Immigrants into County Affairs*

We recommend that Suffolk County establish a governmental agency specifically responsible for coordinating services for immigrants. The Agency will help educate, empower, and encourage immigrants to be active participants in the social, economic and civic life of the County. A primary purpose of the new agency will be to provide a means of communication and dissemination of vital information to the immigrants of Suffolk County in compliance with Federal language access requirements. The Agency will provide crucial support to ensure the appropriate, culturally competent provisions of services by departments to immigrants-- the fastest growing segment of our population. A comparable agency—the New York City Mayor’s Office of Immigrant Affairs ([www.nyc.gov/immigrants](http://www.nyc.gov/immigrants))— already exists. NYC-OIA has proven to be a vital resource widely used by immigrants.

The Agency will link the County government with the immigrant communities, organizations, and businesses. The Agency will assist the County government in making informed, culturally competent policies. It will serve as a liaison between immigrant communities and other government agencies, including but not limited to the Department of Social Services, the Department of Health, Economic Development, Public Safety, BOCES, public libraries, and the court system. It will assess the efficacy of services provided by other County agencies to help coordinate and identify needs in immigrant communities as they arise.

The Agency will also serve as a hub for referrals regarding Federal, State, and County resources that contribute to the education and general welfare of immigrants in the United States. It will also carry out certain limited direct service programs as deemed necessary and appropriate. For instance, to support Suffolk's workforce and businesses, the Agency can provide ESL/GED and basic computer literacy courses (with support from existing adult education programs). Other specific services that we recommend the new agency provide include economic



empowerment initiatives, housing assistance, naturalization services, advocacy and community outreach. These services will fill a major gap given that most services currently available are restricted to political refugees and asylum grantees. Funding for these services can be obtained through the Immigrant Opportunity Initiative and other sources (see Appendix F).

### 1.3 Media Relations

The County should embark upon a campaign to reach the public to build unity, understanding, and a greater appreciation of the economic, social, and cultural contributions of immigrants to Long Island. The campaign should make it clear that immigrants make Suffolk County stronger and ensure our future progress. Reaching beyond the immigrant community and connecting with the general public is essential to fostering the acceptance of all residents by all residents. Accordingly, we make the following specific recommendation.

- *Recommendation #7: Launch a Positive Relations Campaign*

The negative public perception of immigrants contributes considerably to inter-group tensions. The County has fostered this negative perception (see Southern Poverty Law Center. 2009. *Climate of Fear: Latino Immigrants in Suffolk County, New York*). We have come to a point where anyone who looks like they may be an immigrant is a considered illegal and an unwelcome part of the community.

In order to counter this negativity, we suggest the County utilize a positive media campaign to enhance the publics' understanding of the important contributions that immigrants make to our communities. Other communities have placed billboards and ads on the local public transportation system displaying multicultural images and unifying statements to improve community relations. A County-wide campaign should be multilingual and actively involve local governments, businesses, and residents.

Public Service Announcements should not only inform individuals on how to report hate crimes and hate incidents, but also should help to change the publics' perception of immigrants. In 2007 Long Island Wins ran two commercials on local cable television highlighting the cultural and economic contributions of immigrants. Polling numbers showed that after the commercials ran the public had a more positive view of immigrants on Long Island. A similar tactic should be

adopted by the County. Appendix G provides links to PSAs that can serve as models for the Counties own campaign.

The County should create a database of media contacts, including but not limited to media outlets with large immigrant audiences. There should be regular contact between the local media and different County agencies to update immigrant communities on new policies and service developments as well as to highlight the positive contributions that immigrants are making to the County. Local programs on public access TV have introduced audiences to the wider accomplishments and contributions of minority communities and have helped to reduce misconceptions and distrust. We recommend that such efforts be supported.

All County government documents should contain, as a footnote, a statement about hate crimes (e.g., “Suffolk County Is a Hate Free Zone”). This statement should also be posted as signage in public buildings and other strategic areas such as bus shelters, libraries, schools, health clinics, police stations, and LIRR stations.

## **Section II: Law Enforcement Officers**

The young men who participated in the killing of Marcelo Lucero had, either as individuals or in groups, been involved in at least eight attacks dating back to December 23, 2007. In some of these prior attacks, victims had reported the crimes to authorities. In others, the victims did not report the crimes. Many victims interviewed by the Southern Poverty Law Center and the media indicated that they had not reported the crimes because of their fear of the police.<sup>6</sup> The police were known to ask crime victims and witnesses about their immigration status. In addition, the police were believed by immigrants to not take seriously crimes committed against immigrants by young white people.

LIIA agrees with the leadership of most major police departments that immigrants and the police need to work together for the safety and protection of all. Police-community cooperation helps stop hate crimes and undermines the ability of all criminals to prey upon vulnerable people afraid to report crimes. Below, we offer proactive recommendations that will improve the reporting, recording, and processing of hate crimes.

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<sup>6</sup> Southern Poverty Law Center. 2009. *Climate of Fear: Latino Immigrants in Suffolk County, N.Y.* Montgomery, AL: SPLC.

- *Recommendation #8: Do Not Participate in Sweeping, Indiscriminate ICE Raids or 287(g) Memoranda of Understanding (MOUs)*

County officials should refrain from participating in efforts to remove undocumented immigrants from the County except for those who have committed serious crimes. Such participation erodes the trust that encourages immigrants (both documented and undocumented) to come forward to report hate crimes committed against them. Across the United States, local law enforcement agencies and umbrella organizations have expressed deep concerns about the negative consequences of sweeping, indiscriminate ICE raids upon their relationships with immigrant communities. The participation of Suffolk County police in these raids decreases the likelihood of witnesses and victims of crime coming forward. The raids also encourage the victimization and exploitation of immigrants by signaling that they are a population without rights or value. Participation strains local police budgets and resources. Because raids are often based upon racial profiling and faulty intelligence, they often violate the civil rights and civil liberties of erroneously targeted residents. Raids have also been used unlawfully to interfere with and disrupt union organizing efforts. In the process, local law enforcement agencies have become ensnarled in expensive and protracted litigation. Because of the myriad of ways that sweeping, indiscriminate ICE raids impede effective law enforcement and jeopardize public safety, SCPD should follow the lead of Nassau County police and refuse to cooperate or to participate.

- *Recommendation #9: Demonstrate that Hate Crime Enforcement Is a Top Priority*

The Suffolk County Sheriff, District Attorney, and Police as well as other law enforcement agencies should publicly state that: (1) protecting all residents from hate crimes is a top priority; (2) that hate crimes are taken seriously by the County and will be prosecuted to the fullest extent under the law; and (3) that hate crimes undermine public order and attack the fabric of community unity. As an important part of making enforcement a top priority, the District Attorney's office should establish a permanent Hate Crimes Unit that investigates all alleged hate crimes taking place in the County. As part of its duties, the Unit should maintain a website that offers a form where people can report a possible hate crime without having to go to a police station (for an example of such a form, visit [http://www.doj.state.or.us/hate\\_crime\\_report.shtml](http://www.doj.state.or.us/hate_crime_report.shtml)). The Unit should also submit an annual report to the permanent Hate Crimes Taskforce of the Suffolk County legislature documenting its efforts to prosecute hate crimes.

- *Recommendation #10: Fully Implement and Promote New Protocol for Identifying and Responding to Hate Crimes*

We are pleased to see that the Suffolk County Police Department has adopted a protocol for identifying and responding to hate crimes based upon the policy recommended by the International Chiefs of Police. To ensure that the new protocol is fully and consistently implemented, the Police Commissioner should speak at each precinct about the importance of properly handling hate crimes and make it clear that precinct commanders will be responsible for compliance. The Commanding Officer in each precinct must have responsibility for monitoring hate crimes, for providing ongoing training of police officers, and for ensuring that the law is being applied consistently, uniformly, and fairly. If there is even a suspicion that the offender's crime was motivated by hate or bigotry, the responding officer should immediately contact the supervising hate crime oversight officer so that there is always a double checking of the interpretation and implementation of the law by the responding officer.

It is our hope that local law enforcement agencies in Suffolk County will adopt a similar protocol. We believe that cooperation between the SCPD Hate Crimes Unit and local law enforcement agencies on specific investigations will facilitate this process. At present, multiple towns in the eastern part of the County do not receive assistance from SCPD-HCU. We request that the County continue to offer its assistance in this regard in the hopes that more law enforcement agencies will follow Southampton in agreeing to have the County oversee hate crimes investigations.

- *Recommendation #11: Adopt, Publicize and Strictly Enforce a Clear Confidentiality Policy*

After consulting with the Long Island Immigrant Alliance, County leadership also recently created a policy whereby “during the course of an investigation, a Member of the [Suffolk County Police] Service shall not inquire of a victim of a crime or a witness to a crime as to his/her immigration status” (Suffolk County Police Department Directive Order Number 09-54). We are very pleased with this development. However, the policy falls short in that it contains no prohibition whatsoever on sharing unsolicited information about victims or witnesses with ICE or other Federal agencies charged with civil immigration enforcement. The New York State Hate

Crimes Taskforce recommends that “any information about a person’s citizenship or legal status in the U.S. confidential.”<sup>7</sup>

Making sure that all residents feel comfortable and safe sharing information with their local police department is essential to effective crime suppression. To the extent local police are sharing information regarding place of birth, national origin, or immigration status that may be provided to them, without inquiry, by the victims or witnesses of hate crimes, members of the immigrant communities of Long Island are less likely to come forward as witnesses and victims of hate crimes. Creating a culture of silent victims will undermine the safety of all Long Islanders. For these reasons, and in order to foster trust with all residents of Suffolk County and to reassure all witnesses and victims of hate crimes that it is safe to fully cooperate with the police, we recommend that the Suffolk County Police Department adopt a Confidentiality Policy. Appendix H provides recommended language for this policy.

Furthermore, we recommend publishing this Confidentiality Policy in English, Spanish, and all other frequently spoken languages in the County. The Policy should be distributed throughout the County and provided to any agency that contract with the County. County agencies and agencies that contract with the County should prominently display the policy on their websites and in places of business. Police officers violating the policy should be subject to disciplinary action.

- *Recommendation #12: Ensure Cross-Cultural Competence in Law Enforcement*

Police officers should receive training in cultural competency in order to better respond to hate crime complaints. Such training includes understanding the lack of familiarity of immigrants with the U.S. legal system, the reasons for their mistrust of the police, and their relative powerlessness within the system. Moreover, the training must assist officers in recognizing and respecting cultural differences. For instance, the training could point out how the value placed upon conflict avoidance can lead some immigrant groups to perceive as aggressive behavior what officers consider to be standard, acceptable procedure when questioning victims of crimes.

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<sup>7</sup> New York State Division of Human Rights. *Hate Crimes Taskforce Recommendations*. 2009. Bronx, NY: NYSDHR. Available online at: [http://www.dhr.state.ny.us/pdf/hatecrimetaskforce\\_summary\\_2009.pdf](http://www.dhr.state.ny.us/pdf/hatecrimetaskforce_summary_2009.pdf).

The ability to speak a second language widely used in Suffolk County should be a criterion in hiring new officers. Existing officers should be supported in learning a second language and obtaining interpreter certification. Spanish-speaking officers should be on duty at all times to insure that reports of hate crimes from Latinos are not ignored due to a shortage of Spanish-speaking officers. For those languages which are less frequently used, officers can use language identification flashcards in order to help the limited English speaking individual to identify their native language.

In keeping with Title VI of the Civil Rights Act of 1964, signage and literature in police precincts advising limited English proficient individuals of their rights, including the right to an interpreter, should be in multiple languages as appropriate to the local limited English proficiency communities and prominently displayed in all entrance areas (for further information, visit [www.lep.gov/faqs/faqs.html](http://www.lep.gov/faqs/faqs.html) and [www.lep.gov/resources/tips\\_and\\_tools-9-21-04.htm#1](http://www.lep.gov/resources/tips_and_tools-9-21-04.htm#1)). Appendix I lists languages spoken in Suffolk County along with the degree of English Language Proficiency among those speaking other languages. The data suggest providing signage in two or three additional languages along with English can cover the majority of the Limited English Proficiency (LEP) population in Suffolk County. Posting County signs in Spanish, Italian, and Chinese would cover almost 73% of the LEP population. Additional research should be conducted on the local precinct level to determine which languages should be included on signage in police and other County buildings.

Quoting US Department of Justice Executive Order 13166, we recommend the following: “Telephonic interpretation is particularly useful for officers in the field, during 911 calls, or in other instances in which a range of languages could be encountered and swift response is necessary. Telephonic interpretation can be conducted utilizing a commercial telephonic interpretation service, professional interpreter, or trained bilingual staffer who cannot be available onsite (e.g., a police call at 3:00 a.m.). Commercial telephonic interpretation services are helpful where in-house language capacity is insufficient or unavailable. Telephone interpretation services are immediately available when crisis management is required in a range of languages. Such services can provide a per-minute rate in a broad range of languages.” However, we recognize that it is preferable, whenever possible, to have the interpreter available in person so that body language and facial expressions can be properly recognized. In addition, adequate translation of written documents is also essential. In the event of the absence of an

interpreter, law enforcement officials should be trained in locating an interpreter in a timely fashion with the assistance of Language Identification Flashcards to confirm the language spoken of the victim and/or witnesses of the hate crime or incident. These flashcards should be obtained from the US Census Bureau or the Empire Justice Center.

In addition to language training and development, new training protocols need to be established to assist victims. A failure to mandate law enforcement training in this area is often a weakness in hate crimes legislation.<sup>8</sup> The New York State Hate Crime Taskforce suggests further efforts in responding to the needs of the victims and their families without additional trauma. Furthermore, the California Attorney General Civil Rights Commission on Hate Crimes recommends a “Community Intergroup Relations Act” that includes the development of a standardized directory of services for victims of hate crimes and hate incidents.

- *Recommendation #13: Establish Valid Measures of Hate Crimes and Hate Incidents*

A recent study by Sacred Heart University/WSHU Public Radio Poll found, 7% of respondents residing in Suffolk County were victims of hate crimes.<sup>9</sup> The findings suggest that the underreporting of hate crimes and hate incidents severely limit the ability of the Suffolk County Police to reduce hate crime, to arrest perpetrators, and to reduce victims’ trauma. The Suffolk Police should partner with an institution of higher learning to establish rigorous methods for accurately assessing levels, types, locations, targets, and perpetrators of hate crimes and hate incidents. An ongoing research affiliation between police and an academic institution could receive funding support (e.g., see [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm)).

Recommendations by the International Association of Chiefs of Police (1999) call for the development of shared definitions of hate incidents and hate crimes.<sup>10</sup> One of the causes of underreporting of hate crimes is that people may not be aware of what constitutes a hate crime, and may not mention that they believe hate or bias motivated the offense committed against

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<sup>8</sup> Shively, Michael. 2005. *Of Literature and Legislation on Hate Crime in America*. Washington, D.C.: National Institute of Justice. Available online at <http://www.ncjrs.gov/pdffiles1/nij/grants/210300.pdf>.

<sup>9</sup> Zachary R. Dowdy. 02/27/09. “Hate Crimes Worry Long Islanders.” *Newsday*.

<sup>10</sup> International Association of the Chiefs of Police. 1999. *Hate Crime in America Summit Recommendations*. Alexandria, VA.: IACP. Available at: [www.theiacp.org/PublicationsGuides/ResearchCenter/Publications/tabid/299/Default.aspx?id=139&v=1](http://www.theiacp.org/PublicationsGuides/ResearchCenter/Publications/tabid/299/Default.aspx?id=139&v=1).

them.<sup>11</sup> Clear definitions and valid measures of hate crimes and hate incidents would assist in removing this impediment.

- *Recommendation #14: Publish Hate Statistics on a Monthly Basis*

In order to act effectively to eliminate hate, all County residents and employers must know the facts. Statistics on both hate crimes and hate incidents should be readily available and should be published on a monthly basis in compliance with Federal regulations on reporting hate crime. A hate incident is an act that appears to be motivated by a bias intention but does not reach the level of a hate crime, as defined by Federal, State, or County law, because the act is either not included as an underlying crime for which a hate crime charge may be brought, or because there is not enough evidence to support a bias motivation to charge the act as a hate crime.<sup>12</sup> Large scale collection efforts to collect data related to hate crimes lag behind comparable efforts on most other types of crime.<sup>13</sup> Reports should include all allegations of hate crimes and hate incidents reported even if an investigation has not been concluded. In particular, the statistics should include: (1) how many potential hate crimes and hate incidents have been reported, (2) how many reported hate crimes and hate incidents have had such statuses ruled out, including ; (2) how many of the hate crimes have resulted in prosecutions, and (3) what were the ultimate dispositions of all prosecuted hate crimes.

- *Recommendation #15: Distribute Hate Crimes Pamphlet to All County Personnel*

All county personnel including elected officials must sign and acknowledge receipt and review of a hate crimes pamphlet. The pamphlet should contain the following information:

1. A strong statement of the County's position on hate crimes
2. Clear definitions of hate crimes and hate incidents
3. Reinforcement of mandated reporter requirements (see Recommendation #16)
4. Who to call to report an alleged hate crime or hate incident

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<sup>11</sup> Shively, Michael. 2005. *Of Literature and Legislation on Hate Crime in America*. Washington, DC: National Institute of Justice. Available online at <http://www.ncjrs.gov/pdffiles1/nij/grants/210300.pdf>.

<sup>12</sup> For the Federal definition, see Public Law #103-322A. For the State definition, see New York Penal Law § 485.05. For Suffolk County's definition, see County of Suffolk Police Department Rules and Procedures, Chapter 24, Section 6, Article IIIA.



- *Recommendation #16: Create a Mandated Reporter System*

LIIA recommends that all County personnel and County contractors be required to sign an agreement to report any allegation or cause to suspect that a hate crime or hate incident has been committed or is in the process of commission. In addition, all employees of institutions such as schools, hospitals, medical centers, and social service agencies should be asked to sign an agreement. Those signing the agreement must be certified by the Permanent Taskforce as receiving training in how to identify and respond to hate crimes and hate incidents. To facilitate reporting, the County should establish and extensively publicize both a website and a phone hotline that can be used by mandated reporters. All reports should be filed with the County Police and then forwarded to the District Attorney's Hate Crime Unit, the Standing Committee on Hate Crimes, and the County's Agency for Immigrant Integration.

- *Recommendation #17: Educate the Public on Hate Crimes and Document Efforts*

According to Bouman (2003), "many citizens do not understand hate/bias crime laws, investigation procedures, or the time required to complete a successful investigation. Thus, investigators need to work as liaisons between their agency and the community... moreover, education could become a valuable investment in future prevention or response to such crimes."<sup>14</sup> To mitigate the perception of police indifference to hate crime, there should be an educational unit in each precinct that, in partnership with teachers and social workers, presents to the public the crucial role that hate plays in exacerbating ethnic tensions and mistrust and the necessity of reporting hate crimes and hate incidents to strengthen community safety. The International Association of Chiefs of Police (1999) engages in several initiatives to increase public awareness, including educating young people and adults as well as community groups and leaders.<sup>15</sup> Just as the DARE program promoted the message about the effects of drugs on neighborhoods and the lives of its people, so too must the message about the effects of hate crimes and hate incidents be brought openly and seriously into the schools and other institutions by police in each precinct. Nassau County has a 15 minute film distributed to every high school.

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<sup>14</sup> Bouman Walter. .2003. "Best Practices of a Hate/Bias Crime Investigation. *FBI Law Enforcement Bulletin* 72(3):21-5.

<sup>15</sup> International Association of the Chiefs of Police. 1999. *Hate Crime in America Summit Recommendations*. Alexandria, VA:: IACP. Available at: [www.theiacp.org/PublicationsGuides/ResearchCenter/Publications/tabid/299/Default.aspx?id=139&v=1](http://www.theiacp.org/PublicationsGuides/ResearchCenter/Publications/tabid/299/Default.aspx?id=139&v=1).

The film provides an opportunity for youth to engage in honest and candid dialogue about their cultural and socio-economic differences, to identify sources of inter-group conflict, and to develop skills for nonviolently resolving these conflicts. Presentations should provide clear legal definitions of hate crimes and hate incidents, highlight the causes and consequences of hate, and encourage concrete, specific preventative and responsive actions. Along with films, the police should develop a pamphlet on hate crimes. The pamphlet should be distributed to all middle schools, high schools, colleges, and universities in Suffolk County (visit the following website for an example: <http://www.justice.gov/usao/dc/Partnerships/Files/HateCrimes.pdf>).

LIIA would like to work with the Permanent Taskforce and County law enforcement authorities to develop these programs and materials. The Police Commissioner and Chiefs should visit every high school each semester to meet with administration and teachers as well as to join with them in speaking in a program assembly. Law enforcement should also hold forums to inform immigrants of their rights and responsibilities under the law. The Commanding Officer in each precinct must have responsibility for planning and evaluating hate crime education.

Law enforcement officials can further demonstrate their concern by developing a record of measurable ways that they are prioritizing education on hate crimes. There should be quarterly reports given to the County Police headquarters by each precinct Commanding Officer on specific educational activities undertaken. In addition, the County Police Commissioner should issue an annual report, detailing meetings with community leaders as well as affiliated groups such as ethnic associations, LGBT groups, NAACP, and immigrant rights advocacy organizations. The meetings should assist the Commissioner in keeping abreast of what is happening in the County and ways that law enforcement officials are strengthening community cohesion.

- *Recommendation #18: Recognize Officers Who Fight Hate Effectively*

Police officers who have demonstrated their commitment to fighting hate crime should be recognized for their efforts. Promotion in the ranks should take into significant account the efficacious efforts of officers to reduce hate crime by their work in the community. Officers should be made aware of the latest findings from researchers at universities, police institutes and academies, the published proceedings of the International Association of Chiefs of Police yearly conferences, and the U.S. Department of Justice. As seen in Brockton Massachusetts, police

officers are more likely to recognize the seriousness of hate crimes when these crimes are taken seriously by the Police Commissioner, police chiefs, and precinct captains.

- *Recommendation #19: Utilize Immigrant Advocacy Organizations for Monitoring, Reporting, and Responding to Hate Crimes*

The underreporting of hate crimes against immigrants reflects a fear and distrust of law enforcement agencies. Victims of hate crimes are more likely to come forward if they can first approach advocacy organizations with proven records of defending their rights. The presence of a nongovernmental organization advocating for the rights of victims increases hate crime reporting.<sup>16</sup> Accordingly, we recommend that the County publicize a list of LIIA affiliates that hate crimes victims may contact for assistance in pursuing justice (see Appendix B). Once contacted, LIIA affiliates will then assist victims in reporting crimes to the proper authorities. As part of this process, the County Sheriff, Police Commissioner, and District Attorney's Office should appoint permanent liaisons who will regularly communicate with LIIA affiliates about possible hate crimes and hate incidents that have been reported to us.

We further recommend that a list of agencies that have been certified by the Permanent Taskforce as receiving training in identifying and responding to hate crimes be created and maintained by Suffolk County Law enforcement agencies. These certified agencies should be contacted when a hate crime is identified by law enforcement officers so as to increase support for witnesses and victims as well as to ensure a fair, consistent, and complete response.

- *Recommendation #20: Take Steps to Protect the Rights of Immigrant Women*

Immigrant women are among the most marginalized populations in Long Island. Undocumented victims of domestic abuse or human trafficking are particularly vulnerable. For an abused immigrant woman married to a US citizen or legal permanent resident, almost every aspect of her life is dominated by her abuser, including her immigration status, ability to work to support herself and her children, her eligibility to travel, to drive, to obtain housing, identification, bank accounts or credit, her eligibility for social services, her very survival. The enslavement of

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<sup>16</sup> McVeigh, Rory, Michael Welch, and Thor Bjarnason. 2003. "Hate Crime Reporting as a Successful Social Movement Outcome." *American Sociological Review* 68(6): 843-67. Grattet, Ryken, and Valerie Jenness. 2008. "Transforming Symbolic Law into Organizational Action: Hate Crime Policy and Law Enforcement Practice." *Social Forces* 87(1):501-28.

persons against their will is amongst the most severe human rights violations and a problem on Long Island as evidenced by recent high-profile cases.<sup>17</sup>

The vulnerability of abused and trafficked immigrant woman makes them less likely to report hate crimes committed against them or against others. Accordingly, we make three specific recommendations aimed at empowering all immigrant women in Suffolk County.

First, we recommend that initial police academy training be refreshed on an annual basis to ensure up-to-date knowledge on the remedies and protections available under the U and T visas when dealing with victims of domestic violence and human trafficking. The trainings should be conducted in collaboration with New York Department of Criminal Justice Services and the Office of Temporary Disability Assistance. All law enforcement agencies in the County should participate, including the Suffolk County Police Department, the Suffolk County Sheriff's Department, and East End police departments.

Second, not all victims will have unexpired, government issued identification with a photograph such as a driver's license or passport. Accordingly, we recommend that all law enforcement agencies in Suffolk County allow immigrant crime victims to use a Cedula or other reliable identification that shows the likeness of the person even if the identification has expired.

Third, we recommend that Suffolk County Police Officers log and report every alleged instance of battery, sexual assault, or human trafficking. Extreme care should be exercised when dealing with these cases. Given the extreme vulnerability of victims of these crimes, cases should not necessarily be dismissed because the victims do not wish to proceed for fear of reprisal. To facilitate reporting, neutral interpretation assistance should be provided during every interaction with law enforcement (see Recommendation #11).

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<sup>17</sup> See, for instance, Andrew Strickler. 2010. "Prostitution ring charges; Officials: LI nail salon owner coerced women; First Suffolk case in '07 state law on sex trafficking." *Newsday* June 30. Bart Jones. 2004. "Smuggled Peruvian Immigrants; Victims get temporary legal status." *Newsday* July 13.

### Section III: Educators

The teaching of acceptance is a year-round endeavor. In addition to Recommendations 16 and 17 above, we recommend the following:

- *Recommendation #21: Create a County-Wide Conflict Resolution Curriculum*

We call upon the County to work with teachers, BOCES Superintendents, and area universities to create a conflict resolution curriculum for our schools. The curriculum can provide opportunities for youth to engage in honest and candid dialogue about their cultural and socio-economic differences, to identify sources of inter-group conflict, and to develop skills for nonviolently resolving these conflicts.

- *Recommendation #22: Sponsor “Crossing Great Divides” and other Community Events that Serve as Rituals of Inclusion*

Rituals of inclusion are events that celebrate diversity as a defining value and asset of the community.<sup>18</sup> We recommend that the County as well as towns work with LIIA and educators to sponsor events such as Fourth of July Parties that celebrate a multicultural, inclusive vision of the United States as a nation of immigrants. Plays and literature can highlight the historic contributions of immigrants.

We further recommend that the County assist LIIA and educators in holding events that encourage those from different socio-economic and cultural backgrounds to forge long-term relationships with one another. These events may be held in a variety of locations including nursing homes, public libraries, schools and universities, houses of worship, and union hiring halls. Putnam (2009) observes that we have underinvested in understanding and replicating use of the “bonding social capital” in ethnic associations as a foundation from which to connect other ethnic and racial groups with one another.<sup>19</sup> The message will be that getting to know those who are different from us enriches our lives and strengthens our communities.

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<sup>18</sup> Sanjek, Roger. 2000. *The Future of Us All: Race and Neighborhood Politics in New York City*. Ithaca, NY: Cornell University Press.

<sup>19</sup> Putnam, Robert D. 2009. “Diversity, Social Capital, and Immigrant: Integration Introductory Remarks.” *National Civic Review*. 98 (1): 3-5.

In addition, event organizers will develop ongoing activities that provide regular opportunities for sustained interaction. Possible events include monthly cookouts, bowling leagues, parent get-togethers, bike trips, walks, tending to a shared plot at a community garden, and doing volunteer work at a local co-op.

#### **Section IV: Accountability Mechanisms**

- *Recommendation #23: Goals, Timelines, and Ongoing Evaluation*

To ensure that recommendations made by the Taskforce translate into effective action, we recommend the creation of goals and timelines. We also recommend that an independent, external evaluative researcher be hired to assess the County's progress in meeting its obligations as well as the effectiveness of the County's interventions in reducing hate crimes.

#### **Conclusion**

By implementing our recommendations, the Suffolk County government will send a strong message to all of its residents, both immigrant and US-born, that our County stands for inclusion, equality, and acceptance, rather than exclusion, discrimination, and hatred. The Long Island Immigrant Alliance is ready and eager to assist the County in implementing these recommendations through the provision of expert advice, research, trainings, and outreach. We look forward to the Taskforce's recommendations.

## **Appendix A**

### **Mission Statement of the Long Island Immigrant Alliance**

*Preamble:* The Long Island Immigrant Alliance was formed in response to the beating of two Mexican immigrants in September, 2000, and to the rise of anti-immigration hate groups on Long Island.

*Mission Statement:* The Long Island Immigrant Alliance (LIIA) is an alliance of diverse community, religious, labor, and immigrant organizations working together in solidarity with all immigrants who are an integral part of our Long Island communities. We support them in their struggle wherever they live on Long Island, and we affirm their legal and human rights. We are committed to shared leadership, and to using our collective strength to oppose hatred so that the communities involved can have their needs and concerns met peacefully, fairly, and justly. The alliance will engage all Long Islanders in order to overcome the voices of extremism, division, and hatred.

*LIIA Purpose:* To increase the effective self-organization, collaboration, voice, and civic participation of the immigrant population on Long Island; and to increase among the non-immigrant population the understanding, acceptance, respect, incorporation, and celebration of our immigrant population on Long Island.

## **Appendix B**

### **List of Long Island Immigrant Alliance Organizational Members & Affiliates**

American Friends Service Committee

American Jewish Committee

CARECEN

Casa Mary Johanna - St. Brigid's Westbury

Catholic Charities

Center for Independent Living

Centro Corazon de Maria

Centro Cultural Hispano of Oyster Bay

Centro Salvadoreno of New York

Circulo de la Hispanidad

Daughters of Wisdom

Dominican Sisters of Amityville

Empire Justice Center

Farmingdale Citizens for Viable Solutions

Haitian Apostolate

Hispanic Americans

Hispanic Apostolate of South Fork

Hispanic Counseling Center

Human Solidarity

Horace Hagedorn Foundation

Interfaith Nutrition Network



Islamic Center of Long Island

La Fuerza Unida

La Fuente

LI Community Foundation

LI Council of Churches

LI Korean American Association

LI Labor Religion Coalition

LI Progressive Coalition

LI School of the Americas Watch

LI Unitarian Universalist Fund

LION (Long Island Organizing Network)

National Association of Puerto Rican-Hispanic Social Workers

Nassau/Suffolk Migrant Education Outreach Program

New York Civil Liberties Union-Suffolk County

New York Immigration Coalition

New York Committee for Occupational Safety and Health (NYCOSH)

North Fork Spanish Apostolate

OLA of Eastern Long Island

Peconic Community Council

St. Elizabeth Ann Seton

1199 SEIU

SEIU Local 32BJ

Suffolk County Community Council

Workplace Project

## Appendix C

### **Resolution Affirming Suffolk County as a County that Welcomes and Respects the Innate Dignity of All People**

*WHEREAS*, The residents of Suffolk County believe that being a hospitable and inclusive county is central to who we are, living in diverse communities with neighbors that hail from across town and across the globe. These residents contribute to the shared responsibility of welcoming new community members and treating them with decency and common courtesy, creating vibrant communities; *and*,

*WHEREAS*, Long Island is additionally a community originally settled by and built by the work of immigrants. Today, many Long Islanders are from immigrant families, and recognize the importance of immigrants to strengthening and revitalizing a community. Immigrants have and continue to strengthen Long Island with their values of hard work, strong family ties and faith. New waves of immigrants are continuing to make Long Island their home, renewing the American Dream for us all; *and*,

*WHEREAS*, To mark the one year anniversary of the killing of Marcelo Lucero and remember the many other incidents of harassment, violence and abuse against our immigrant neighbors; *and*,

*WHEREAS*, The failure of the U.S. Congress and the White House to enact responsible, sensible and humane immigration reform has created a vacuum at the state and local level, leaving Long Island governments without polices that help communities integrate and maximize the contributions of immigrants.; *and*,

*WHEREAS*, Suffolk County is committed to recognizing the humanity in all persons, to raising the level of discourse concerning immigration and to creating public policies that reflect the many contributions that immigrants make in our communities; *and*,

*WHEREAS*, The politics of division, isolation and hate that are currently dominating the immigration conversation must end. Long Islanders, and all people, are deserving of a higher level of discourse that recognizes the basic equality that our country was founded on;

*NOW, THEREFORE BE IT RESOLVED*,

That we, the members of the Suffolk County Legislature and the County Executive, support the principles of the Welcoming Long Island Pledge, thereby committing to work towards just, workable and humane immigration policies that are anchored in America's finest ideals and core values.

We honor all victims of hate crimes and the memory of Marcelo Lucero by establishing Suffolk County as a community that welcomes all people. Suffolk County is a place where there is a commitment to support educational initiatives that foster appreciation and respect for the diversity of all people. We urge all residents of Suffolk County to make our community a more welcoming community for all.

## Appendix D

### Civility Statement

The **BOARD OF TRUSTEES** of the Incorporated Village of Patchogue, duly convened in REGULAR session, do hereby resolve as follows:

**WHEREAS**, we, as Patchogue Village officials recognize the varying views on the current immigration debate, declare our commitment to the following principles:

- 1) We believe that full and wide-ranging policy debates about this important and difficult issue are essential, but that thoughtful discourse can only occur in an environment free of hatred and vilification;
- 2) We recognize that debates about immigration are inevitably about human beings, not just abstract principles, no matter how important;
- 3) We understand the danger that some may use this difficult issue as a vehicle, either intentionally or unintentionally, to demonize, dehumanize, marginalize, or stigmatize groups of people, and we are aware of the harm this causes not only to the targeted groups, but also to our entire social fabric;
- 4) We know that we cannot change what has happened in the past, but we commit to working together so that we can create a positive climate for the future.

**NOW THEREFORE**, be it **RESOLVED** by the Board of Trustees:

That we commit ourselves as follows:

- 1) We will be careful when we discuss immigration issues to avoid language and actions which tend to dehumanize or demonize human beings, whether by promoting stereotypes, fears, or bigotry;
- 2) We will respect and support the right of people with whom we disagree to bring up thoughtful concerns and proposals about any aspect of the immigration debate;
- 3) And we pledge to temper the debate to avoid the intentional or unintentional violation of the principles and commitments herein.

## Appendix E

### Anti-Nepotism Policy

Suffolk County Legislature recognizes that decisions concerning the prevention and response to hate crimes should be based in every instance on considerations of individual merit; and favoritism based on family or personal relationships between members of the Suffolk County Permanent Taskforce on Hate Crimes (the “Taskforce”) devalues the merit principle. This policy is intended to supplement but not replace any state and federal laws governing anti-nepotism applicable to County legislative bodies.

#### *Article I: Anti-Nepotism Policy*

1. No person, related to any person who has within the last year been a member of the Taskforce, the Suffolk County Legislature, the Suffolk County Executive, or the Suffolk County Police Department, shall be appointed to except with the approval of a majority of the Taskforce members. Majority approval will be determined by vote at a regular meeting of the Taskforce and entered into the minutes of that meeting. In the event that a Taskforce member is the person related to the applicant, that Taskforce member’s vote may not be one required for the minimum number of votes that may constitute majority approval.
2. Every appointment candidate must disclose to the Taskforce all relationships to any person who has within the last year been employed by the County or has been a member of the Taskforce.

#### *Article II: Definitions*

##### 1. Related Persons

For the purposes of this policy, persons will be considered related when they are linked through:

- (a) Blood lineage such as parents, children, cousins, or any other person who is a descendant of the great grandparents of the individual,
- (b) Marriage, including spouses, in-laws and step-parent/child relationships,
- (c) Amorous or romantic courtship, this exists when two persons are dating, engaged or involved in a sexual relationship,
- (d) Legally structured relationships such as legal guardian, ward, trustees, or
- (e) Relationships cultivated through memberships or associations such as fraternal organizations, civic and neighborhood associations, PTAs, public councils, concurrent employment at the same job site, and similar activities; with a duration of more than two years, and involving an amount of personal interaction between the applicant and the person employed by the County significant enough to create the presumption of a personal bond between the two.

The determination of “related persons” according to the preceding clauses, (a)-(e), shall be made after the Taskforce, sitting as a whole, has made an investigation into the circumstances surrounding the relationship. The appointment candidate shall be given the opportunity to disclose all material facts to the Taskforce concerning the relationship before the Taskforce’s decision. This determination requires a majority vote by the Taskforce.

## **Conflict of Interest Policy**

The purpose of the conflict of interest policy is to protect the interests of the Suffolk County Permanent Taskforce on Hate Crimes (the “Taskforce”) when it is contemplating entering into a transaction or contract that may produce a benefit to a member of the Taskforce. The Taskforce acknowledges that a transparent and impartial procedure will alleviate the appearance of favoritism which will, in turn, decrease frustration and strife in the community. This policy is intended to supplement but not replace any state and federal laws governing conflict of interest applicable to county legislative bodies.

### *Article I: Definitions*

#### 1. Interested Person

Any Taskforce member who has an interest (as defined below) in any contract, transaction or arrangement with the Taskforce, where the person, individually or as a member of the Taskforce, has the power or duty to:

- (a) Negotiate, prepare, authorize, or approve the contract or authorize or approve payment under the contract,
- (b) Audit bills or claims under the contract, or
- (b) Appoint an officer or employee who has any of the powers or duties set forth in the preceding subsections (a) and (b).

Taskforce members are considered officers for the purposes of this policy.

#### 2. Interest

A Taskforce officer or employee has an interest if that person has a direct or indirect pecuniary or material benefit accruing to them as a result of an investment, contract, business, or familial tie. An officer or employee shall be deemed to have an interest in the contract of:

- (a) Their spouse, children and dependents, and any other individual related by blood, marriage or affinity,
- (b) A firm, partnership or association of which the officer or employee is a member or employee,
- (b) A corporation when the officer or employee is also an officer, director or employee of the corporation,
- (c) A corporation where the officer or employee owns or controls stock directly or indirectly in the corporation,
- (d) A compensation arrangement with the corporation, firm, partnership, or association, or any entity or individual with which the corporation, firm, partnership or association does business, is negotiating a transaction, contract, or has another arrangement.

This is not an exhaustive list.

An interest is not necessarily a conflict of interest. An officer or employee who has an interest may have a conflict of interest only if the Taskforce decides that a conflict of interest exists. (See *infra*, Article II, 2. Determining Whether a Conflict of Interest Exists)

### 3. Compensation

Compensation includes direct and indirect remuneration as well as gifts and favors; this includes anything worth more than \$0.00.

### 4. Meeting

As used in this policy, a meeting consists of the official convening of the Taskforce members according to the schedule they set at the Annual Organization Meeting, except as modified by the Taskforce later in the year. These meetings are public and their minutes become public record.

## *Article II: Procedures*

### 1. Duty to Disclose

Any Taskforce officer or employee who has, will have, or later acquires an interest in any actual or proposed contract, transaction or agreement with the Taskforce must publicly disclose the nature and extent of the interest to the Taskforce in writing as soon as the officer or employee has knowledge of the interest. This written disclosure shall be made part of and set forth in the minutes of the Taskforce. The officer or employee shall then be given the opportunity to disclose all material facts to the Taskforce considering the contract, transaction or agreement. Although certain interests may not be prohibited by law, they are still subject to the disclosure requirement. Competitive bidding likewise does not exempt an officer or employee from the disclosure requirement.

### 2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, that person shall leave the meeting while the determination of a conflict of interest is discussed and voted upon by the Taskforce. The remaining Taskforce members shall decide if a conflict of interest exists by a simple majority vote.

### 3. Procedures for Addressing the Conflict of Interest

(a) An interested person may make a presentation at the meeting, but after the presentation, the person shall leave the meeting during the discussion and vote on the possible conflict of interest.

(b) The Taskforce shall appoint a disinterested person or committee to investigate alternatives to the proposed transaction, contract or arrangement.

(c) After exercising due diligence, the Taskforce shall determine whether the County can obtain with reasonable efforts a more advantageous contract, transaction or arrangement from a different person or entity.

(d) If a more advantageous contract, transaction or arrangement is not reasonably possible under circumstances not producing conflicts of interest, the Taskforce shall determine by a simple majority of the disinterested members whether the contract, transaction or arrangement is in the best interests of the County, for its own benefit, whether it is fair and reasonable, and whether to enter into the contract, transaction or agreement.

### 4. Violations of Conflicts of Interest Policy

(a) If the Taskforce has reasonable cause to believe that an officer or employee has failed to disclose actual or possible conflicts of interest, it shall inform the officer or employee of the basis for its belief and afford the officer or employee an opportunity to explain the alleged failure to disclose.

(b) If, after hearing the officer or employee's response and after making further investigation as warranted by the circumstances, the Taskforce determines the officer or employee has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

(c) Any contract willfully entered into by or with the County in which there is an interest prohibited by the Conflict of Interest Policy shall be void and unenforceable.

(d) Any officer or employee who willfully and knowingly violates these provisions may be guilty of a misdemeanor.

(e) Any person who shall knowingly and intentionally violate this policy may be suspended or removed from office or employment. In addition, where applicable, an officer or employee who violates specific prohibitions may be fined in the manner provided by law.

*Article III: Recordings of Proceedings*

The minutes of the Taskforce meetings shall contain:

(a) The names of the individuals who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Taskforce's decision as to whether a conflict of interest in fact existed.

(b) The names of persons who were present for discussions and votes relating to the contract, transaction, or arrangement, the content of the discussion, including any alternatives to the proposed contract, transaction, or arrangement, and a record of any votes taken in connection with the proceedings.

## Appendix F

### Agency for Immigrant Integration—Potential Funding Sources\*

- Carnegie Corporation of New York- Democracy Civic Engagement  
<http://carnegie.org/programs/democracy-and-civic-integration/immigrant-civic-integration/>
- The Ford Foundation <http://www.fordfound.org/grants>
- The Haas, Jr. Fund- Immigrant Right and Integration  
[http://www.haasjr.org/index.php/visitor/our\\_grantmaking/immigrants](http://www.haasjr.org/index.php/visitor/our_grantmaking/immigrants)
- Hagedorn Foundation [http://www.hagedornfoundation.org/index.php/what\\_we\\_fund/immigration/](http://www.hagedornfoundation.org/index.php/what_we_fund/immigration/)
- The German Marshall Fund of the United States- Immigration  
<http://www.gmfus.org/grants/index.cfm>
- John F. Kennedy Library Foundation- Abba P. Schwartz Research Fellowship  
<http://www.jfklibrary.org/JFK+Library+and+Museum/Kennedy+Library+Foundation/Programs+and+Library+Support/Research+Grants+and+Fellowships/Abba+P.+Schwartz+Research+Fellowship.htm>
- Long Island Community Foundation- Progressive Social Change Grants  
<http://www.licf.org/grant-seekers.html>
- Open Society Institute- Equality and Opportunity Fund  
[http://www.soros.org/grants/application/grant\\_apply\\_step\\_5\\_view?country\\_id=226&grant\\_type=organizational&initiative\\_id=usprograms&initiative\\_name=U.S.+Programs&grant\\_id=50&x=60&y=6](http://www.soros.org/grants/application/grant_apply_step_5_view?country_id=226&grant_type=organizational&initiative_id=usprograms&initiative_name=U.S.+Programs&grant_id=50&x=60&y=6)
- Tides Foundation- Jane Bagley Lehman Awards  
<http://www.tidesfoundation.org/jblawards/index.html>
- U.S. Citizenship and Immigration Services- Citizenship and Integration Grant Program  
<http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=ea0e0b89284a3210VgnVCM100000b92ca60aRCRD&vgnnextchannel=ea0e0b89284a3210VgnVCM100000b92ca60aRCRD>

\*This list is by no means exhaustive; this list is an example of a wide array of possible funding opportunities.



## Appendix G

### Links to Public Service Announcements Promoting the Acceptance of Immigrants

[Hate- Crossing the Line](#), by the Nassau County Police Department

Available online by clicking the link above or by visiting:

<http://www.pjads.com/ncpd-hatevideo.htm>

[Taught To Hate](#), by James Garcia Sotomayor

Available online by clicking the link above or by visiting: <http://www.taughttohate.com/>

[Respect & Responsibility](#), Nassau County Police Department and Long Island Wins

Available online by clicking the link above or by visiting:

[http://www.longislandwins.com/index.php/blog/in\\_the\\_news/video\\_respect\\_responsibility.php](http://www.longislandwins.com/index.php/blog/in_the_news/video_respect_responsibility.php)

[Farmingville](#), by Carlos Sandoval and Catharine Tambini

For more information visit: <http://www.farmingvillethemovie.com/aboutMovie.html>

[Running Wild: Hate and Immigration on Long Island](#), by Tamara Bock & Angel Ramon Canales

Available online by clicking the link above or by visiting:

<http://runningwild1.wordpress.com/>

[9500 Liberty](#), film about tension over immigration in a Virginia county (screening now)

Available online by clicking the link above or by visiting: <http://www.9500liberty.com/>

[Smile. Stop Hate.](#), by Claudia Aupart, winner of the Speak Out/Stop Hate video contest

Available online by clicking the link above or by visiting:

[www.longislandwins.com/index.php/blog/in\\_the\\_news/speak\\_outstop\\_hate\\_video\\_contest\\_2.php](http://www.longislandwins.com/index.php/blog/in_the_news/speak_outstop_hate_video_contest_2.php)

## **Appendix H**

### **Suffolk County Community Policing Pledge**

#### **I. PREAMBLE**

Suffolk County is one of the safest counties in the United States. The exceptional county, town, and village police forces that serve Suffolk County have made dramatic gains in crime reduction through policing strategies and tactics, including community policing, that serve as a model nationwide. The police forces of Suffolk County have the singular goal of creating the safest, most crime-free living environment possible for all county residents.

Suffolk County police forces are committed to working collaboratively with all branches of federal law enforcement on all criminal enforcement matters. However, engaging in civil immigration enforcement undermines traditional criminal law enforcement in several ways.

Suffolk County is home to an extremely diverse population of residents. Making sure that all residents feel comfortable and safe sharing information with their local police department is essential to effective crime suppression. To the extent local police are involved in routine civil immigration enforcement, members of the immigrant communities of Long Island are less likely to come forward as witnesses and victims of crime. Creating a culture of silent victims will undermine the safety of all Long Islanders.

Moreover, diverting Long Island's police scarce resources away from their traditional crime fighting function to engage in routine civil immigration enforcement, means fewer officers on the street to address issues of violent and property crimes. In addition, the complexity of immigration laws, limitations on local enforcement authority, and the risk of civil liability for civil immigration enforcement activities all mitigate in favor of leaving routine immigration enforcement matters in the hands of the federal authorities.

## II. THE PLEDGE

For all of the foregoing reasons, and in order to foster trust with all residents of Suffolk County and to reassure all witnesses and victims of crime that it is safe to fully cooperate with the police, the undersigned Suffolk County police departments do hereby pledge:

- A. Our officers will continue to assist federal law enforcement in all criminal matters, immigration and otherwise, when called upon to do so.
- B. Our officers will not to inquire about the immigration status of crime victims, witnesses, or others who call or approach the police seeking assistance. To the extent our officers learn the immigration status of, or other confidential information<sup>20</sup> about, victims and witnesses of crime, we will not share that information with federal government unless required by law or necessary to further a criminal investigation.
- C. No person shall be detained solely on the belief that he or she is not present legally in the United States, a civil violation, or that he or she has committed some other civil immigration violation. It is not the policy of the undersigned police departments to contact ICE regarding any person, unless that person is arrested on a criminal charge.
- D. Our officers will not execute or assist in executing civil immigration arrests.
  1. Accordingly, our officers will not participate or provide on site logistical support in the execution of civil administrative immigration warrants by the U.S. Immigration and Customs Enforcement agency or other federal authorities.
  2. Accordingly, our officers will not detain or arrest individuals based solely on the presence of a civil administration immigration warrant contained in the National Crime Information Center (NCIC) database.

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<sup>20</sup> As used herein, “confidential information” means any information relating to an individual’s sexual orientation, status as a victim of domestic violence, status as a victim of sexual assault, status as a crime witness, recipient of public assistance, or immigration status, and shall include all information contained in any person’s income tax or other financial records, including but not limited to Social Security numbers.

## Appendix I

### Languages Spoken in Suffolk County

Suffolk County top Languages 2009	Total Population	Speak English Very Well	Less Than Very Well (LEP*)	Percentage LEP
All languages	1,416,527			
Speak only English	1,150,843			
Other Languages	262,615	146,064	116,551	44%
Spanish	143,257	68,975	74,282	52%
Italian	21,592	15,975	5,619	26%
Chinese	10,885	5,967	4,918	45%
Polish	9,353	4,518	4,835	52%
French Creole	8,356	4,104	4,252	51%
German	6,592	5,462	1,130	17%
Portuguese	6,112	3,094	3,018	49%
Greek	5,983	4,445	1,538	26%
Other Indic languages	5,844	3,544	2,300	39%
Other Asian Languages	5,815	3,217	2,598	45%

Source: U.S. Census, 2008 ACS, Custom Table, Population by Ability to Speak English

\*Notes: LEP = Limited English Proficiency