



Hate Crime in New York State 2012 Annual Report

Introduction

This report meets the statutory reporting requirements of the Hate Crimes Act of 2000 and details the findings of a statistical analysis of New York State hate crime incidents, arrests and dispositions.

The report is based upon hate crime incidents and arrests that occurred during 2012, and dispositions for those arrests, reported as of August 2013. Data sources analyzed in this report include incident reports submitted by local and state police and arrest and disposition data derived from the Computerized Criminal History (CCH) system at the Division of Criminal Justice Services (DCJS).

The report has three components. The first describes 2012 hate crime incidents reported by law enforcement. Hate crime incidents are detailed by offense, bias motivation and demographic characteristics of known offenders. The second component details arrests made in 2012 for hate crime offenses and the disposition of those arrests through Aug. 21, 2013. (These arrests may not be related to the incidents reported for 2012). The third component is a comparison of hate crime incident data from 2010 through 2012 presented as a series of appendices.

Additional information about hate crime reporting and efforts to improve data quality may be accessed at the following link: <http://www.criminaljustice.ny.gov/crimnet/ojsa/crimereporting/hatecrimedataquality.htm>.

Major Findings

- ◆ A total of 720 hate crime incidents were reported for 2012 in New York State, a 30% increase from 2011. This increase was primarily due to a rise in reported property crimes in Suffolk County and New York City.
- ◆ New York City reported 374 hate crime incidents (up 54.5% from 2011) and 148 hate crime arrests. The Rest of the State reported 331 incidents (up 17.8%) and 138 arrests.
- ◆ Hate crimes against property (409) increased 48.2% in 2012, while hate crimes against persons (311) increased by 11.9%.
- ◆ The most frequently reported bias motivations for hate crimes against property in 2012 were anti-Jewish (64.5%) and anti-Black (13.7%).
- ◆ The most frequently reported bias motivations for hate crimes against persons in 2012 were anti-sexual orientation (26.4%), anti-Black (25.4%) and anti-Jewish (21.9%).
- ◆ Most hate crime incidents involved criminal mischief (53.1%) or simple assault (38.6%).
- ◆ Of the 113 offenders convicted from a hate crime arrest as of Aug. 21, 2013, 31.8% received a jail or prison sentence, and 4.4% were sentenced to probation.

Reported Hate Crime Incidents

Under New York Penal Law Section 485.05, a person commits a hate crime when one of a specified set of offenses is committed targeting a victim because of a perception or belief about their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, or when such an act is committed as a result of that type of perception or belief. Hate crimes can be perpetrated against an individual, a group of individuals, or against public or private property. Table 1 shows hate crime incidents reported for 2012 by the type of offense.

- The 720 offenses reported as hate crimes for 2012 represent a tiny fraction of all crimes reported to the police in New York State. In 2012, 451,054 Index crimes – murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny and motor vehicle theft – were reported. Also reported last year were thousands of lesser offenses, known as Part II crimes, such as harassment and vandalism.

Table 1. Hate Crime Incidents by Offense Type 2012

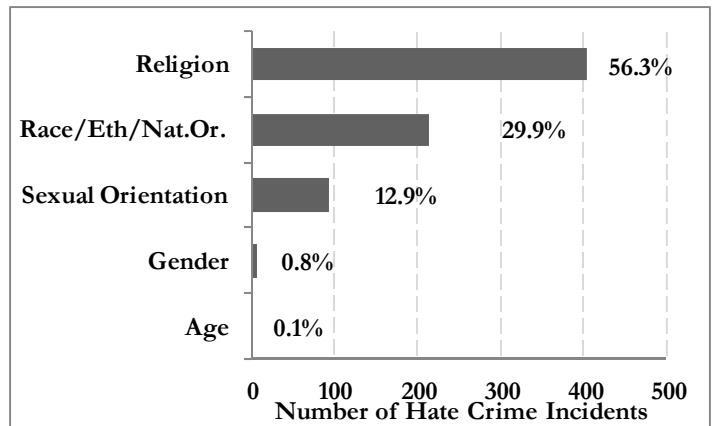
Offense Type	Number	Percent
TOTAL	720	100.0%
Crimes Against Persons	311	43.2%
Murder or Manslaughter	1	0.1%
Robbery	13	1.8%
Aggravated Assault	15	2.1%
Simple Assault	278	38.6%
Other Sex Offense	4	0.6%
Property Crimes	409	56.8%
Arson	6	0.8%
Burglary	8	1.1%
Larceny-Theft	13	1.8%
Criminal Mischief	382	53.1%

- Of the 720 total 2012 hate crime incidents reported, 311 (43.2%) involved crimes against persons and 409 (56.8%) were property crimes.
- Simple assault (278) accounted for 89.3% of crimes against persons and 38.6% of all hate crime incidents.

- Criminal mischief (382) accounted for 93.4% of property crimes and 53.1% of all hate crime incidents.
- A total of 720 hate crime incidents were reported for 2012 in New York State, a 30% increase from 2011. This increase was primarily due to a rise in reported property crimes in Suffolk County and New York City

The investigating officer initially identifies an offense as a hate crime and, when reporting, specifies the bias motivation. Figure 1 shows the number of hate crime incidents reported for 2012 by major bias type and shows the percentage of all hate crimes that fall within each category.

Figure 1. Hate Crime Incidents by Bias Type 2012



- For 2012, the most commonly reported types of bias motivation in hate crime incidents were religion (56.3%), race/ethnicity/national origin (29.9%) and sexual orientation (12.9%).
- During 2012, there were 405 hate crime incidents involving religion, a 59.4% increase from 254 in 2011.
- Incidents with a race/ethnicity/national origin bias increased 18.1% in 2012 to 215 as compared to 182 in 2011.
- Incidents with a sexual orientation bias decreased 13.9%, from 108 in 2011 to 93 in 2012.
- Three-year trends for 2010, 2011 and 2012 can be found in Appendix Table 1.

Table 2 shows detailed bias motivation for crimes against persons and property crimes among the 720 total hate crime incidents reported for 2012.

- Anti-Jewish hate crimes accounted for 82% (332) of 405 religious bias incident reports.
- Bias against blacks represented 62.8% (135) of the 215 reported anti-race/ethnicity/national origin hate crimes.
- Of the 93 anti-sexual orientation hate crimes, 74.2% (69) targeted male homosexuals.
- These percentages are similar to prior years.

Crimes Against Persons

- The number of hate crime incidents against persons increased 11.9%, from 278 in 2011 to 311 incidents in 2012.
- Bias against race/ethnicity/national origin was the motivating factor reported in 43.1% (134) of the 311 crimes against persons, sexual orientation bias in 26.4% (82) and religious bias in 28.6% (89).
- Anti-black (79), anti-Jewish (68) and anti-male homosexual (62) crimes were the most frequently reported crimes against persons.
- Within the anti-religion category, Jewish bias accounted for 76.4% (68 of 89 incidents). In 2012, incidents motivated by Islamic bias increased to 18, up four from the previous year.
- Within the anti-race/ethnicity/national origin category, anti-black bias accounted for 59% (79 of 134) of reported hate crime incidents.
- Within the anti-sexual orientation category, male homosexual bias accounted for 75.6% (62 of 82 incidents).

Table 2. Bias Motivation by Offense Type 2012

Bias Motivation	Crimes Against Persons		Property Crimes		Total Crimes	
	#	%	#	%	#	%
TOTAL	311	100.0%	409	100.0%	720	100.0%
Anti-Gender	6	1.9%	0	-	6	0.8%
Gender Identity Expression	4	1.3%	0	-	4	0.6%
Female	1	0.3%	0	-	1	0.1%
Male	1	0.3%	0	-	1	0.1%
Anti-Religion	89	28.6%	316	77.3%	405	56.3%
Jewish	68	21.9%	264	64.5%	332	46.1%
Catholic	1	-	19	4.6%	20	2.8%
Islamic (Muslim)	18	5.8%	13	3.2%	31	4.3%
Other Religion	1	0.3%	2	0.5%	3	0.4%
Protestant	0	0.0%	1	0.2%	1	0.1%
Multi-Religious Groups	1	0.3%	17	4.2%	18	2.5%
Anti-Race/Ethnicity/National Origin	134	43.1%	81	19.8%	215	29.9%
Black	79	25.4%	56	13.7%	135	18.8%
Hispanic	20	6.4%	5	1.2%	25	3.5%
Other Ethnicity/National Origin	4	1.3%	10	2.4%	14	1.9%
White	17	5.5%	3	0.7%	20	2.8%
Arab	4	1.3%	2	0.5%	6	0.8%
Multi-Racial Groups	0	0.0%	3	0.7%	3	0.4%
Asian/Pacific Islander	10	3.2%	2	0.5%	12	1.7%
Anti-Sexual Orientation	82	26.4%	11	2.7%	93	12.9%
Male Homosexual	62	19.9%	7	1.7%	69	9.6%
Female Homosexual	15	4.8%	1	0.2%	16	2.2%
Homosexual (Male and Female)	5	1.6%	3	0.7%	8	1.1%
Anti-Age	0	0.0%	1	0.2%	1	0.1%

Note: Totals may not equal 100% due to rounding.

Property Crimes

- Hate crime incidents involving property increased 48.2%, from 276 in 2011 to 409 in 2012.
- Of the 409 reported hate crime incidents involving property crimes, 77.3% (316) were motivated by a bias against religion, up 69% from 187 incidents in 2011.
- Anti-Jewish bias accounted for 83.5% (264 of 316) of reported property hate crimes against religion. Property crimes involving bias against Jews increased by 78.4%, from 148 in 2011 to 264 in 2012.
- Anti-black bias accounted for 13.7% (56) of property hate crime incidents reported for 2012.
- Appendix Table 1 shows three year trends.

Offenders as Reported by Their Victims

Reporting of offender demographic characteristics by the victim or another party is often incomplete. Offender demographic information was most likely to be missing in crimes that did not involve direct contact between victim and perpetrator, which includes most property crimes.

Table 3 presents the gender, age and race/ethnicity as reported by the victim or other party for the 229 incidents in 2012 in which at least one attribute of offender demographic information was available. A total of 344 offenders were reported; a single incident could have multiple offenders.

Table 3. Gender, Age, and Race/Ethnicity of Known Offenders 2012

	Number	Percent
TOTAL	344	100.0%
Gender		
Male	312	90.7%
Female	32	9.3%
Age¹		
15 & under	43	12.5%
16 to 19	40	11.6%
20 to 24	40	11.6%
25 to 29	19	5.5%
30 to 34	22	6.4%
35 to 39	25	7.3%
40 to 44	14	4.1%
45 to 49	0	-
50 to 54	0	-
55 to 59	0	-
60 to 64	0	-
65 & older	0	0.0%
Unknown	141	41.0%
Race/Ethnicity²		
White	132	38.4%
Black	135	39.2%
Hispanic	34	9.9%
Asian/Pacific Islander	16	4.7%
Other	1	0.3%
Unknown	26	7.6%

¹ Age was reported for 203 of the 344 offenders.

² Race/ethnicity was reported for 318 of the 344 offenders.

- Males comprised 90.7% (312) of the 344 known offenders.
- Age was reported for 203 offenders. Among offenders whose age was known, 60.6% (123) were less than 25 years old.
- Among known offenders, 135 were black, 132 were white and 34 were Hispanic.

For incidents in which the offenders were known, the majority of incidents (72.9%) involved only one offender. Table 4 presents the number of offenders involved in 2012 hate crime incidents.

Table 4. Number of Offenders per Incident 2012

# Offenders Involved	Incidents		Total Offenders	
	Number	Percent	Number	Percent
TOTAL	229	100.0%	344	100.0%
One	167	72.9%	167	48.5%
Two	28	12.2%	56	16.3%
Three	16	7.0%	48	14.0%
Four	17	7.4%	68	19.8%
Five	1	0.4%	5	1.5%

- Lone offenders accounted for 48.5% (167) of the 344 offenders for whom demographic information was available.
- Two or more offenders were reported in 27.1% (62) incidents, involving a total of 177 offenders. Of these, one incident involved five offenders and 17 involved four offenders.
- Of the 720 total hate crime incidents, 491 involved unknown offenders. Of these incidents, 357 were criminal mischief, 111 were simple assault and nine were larceny.
- Among incidents with unknown offenders, 59.1% (290) were motivated by anti-Jewish bias.

County of Reported Hate Crime Incidents and Arrests 2012

Table 5 shows that in 2012, 50 of the 62 counties in New York State reported hate crime incidents or arrests. The remaining 12 counties, in which no incidents or arrests were reported, are excluded from the table.¹ Arrest counts represent a hate crime charge being brought at the time of the arrest, as reported by the arresting agency.

Table 5. Hate Crime Incidents and Arrests by County 2012

County	Incidents	Arrests	County	Incidents	Arrests	County	Incidents	Arrests
TOTAL	720	286	Franklin	2	2	Chenango	1	0
Non-New York City	331	138	Washington	2	1	Wayne	0	2
Suffolk	117	6	Putnam	2	1	Sullivan	0	2
Nassau	61	4	Oneida	2	0	St. Lawrence	0	2
Erie	49	34	Rensselaer	1	5	Montgomery	0	2
Westchester	21	14	Ulster	1	4	Steuben	0	1
Dutchess	9	1	Onondaga	1	4	Schenectady	0	1
Madison	7	0	Seneca	1	2	Orleans	0	1
Monroe	6	11	Cortland	1	2	Genesee	0	1
Rockland	6	9	Warren	1	1	Delaware	0	1
Tompkins	6	2	Otsego	1	1	New York City	374	148
Orange	5	5	Jefferson	1	1	Kings	157	55
Albany	5	3	Fulton	1	1	New York	93	31
Cayuga	4	0	Clinton	1	1	Queens	70	33
Saratoga	3	4	Cattaraugus	1	1	Bronx	28	24
Broome	3	4	Oswego	1	0	Richmond	26	5
Niagara	3	1	Lewis	1	0	Multiple Counties*	15	0
Schoharie	3	0	Columbia	1	0	Multiple County	15	0

*The Metropolitan Transportation Authority (MTA) Police Department covers multiple counties.

- Nine counties reported hate crime arrests in 2012, but no incidents that year. A direct relationship between arrests and incidents in the table should not be drawn; arrests may not be made in connection with some incidents or may occur in different years than the associated incidents.²
- Of the 286 hate crime arrests in 2012, 275 were for incidents occurring that year, while nine arrests were for crimes that occurred in 2011. The two other incidents occurred in 2009 and 2010.
- The five counties that comprise New York City — Bronx, Kings, New York, Queens and Richmond — accounted for 51.9% (374 of 720) of all reported hate crime incidents and 51.7% (148 of 286) of all hate crime arrests in 2012.
- Four counties — Suffolk, Nassau, Erie and Westchester — accounted for 74.9% of hate crime incidents and 48% of arrests outside of New York City last year.

¹The following 12 counties reported no hate crime incidents or arrests in 2012: Allegany, Chautauqua, Chemung, Essex, Greene, Herkimer, Livingston, Ontario, Schuyler, Tioga, Wyoming and Yates.

²The following nine counties reported hate crime arrests for 2012 but no incidents: Delaware, Genesee, Montgomery, Orleans, Schenectady, St. Lawrence, Steuben, Sullivan and Wayne.

Hate Crime Arrests

Offenses designated as hate crimes are detailed in New York State Penal Law Section 485.05. Table 6 shows the most serious Penal Law offense charged as a hate crime for the 286 arrests made in 2012. In 2012, felony arrests accounted for 68.2% (195) of all arrests for hate crime offenses and misdemeanors 31.8% (91). A hate crime offense was the most serious charge in 87.8% (251) of these arrests.

Table 6. Arrests for Hate Crime by NYS Penal Law 2012

New York State Penal Law	Number	Percent	New York State Penal Law	Number	Percent
TOTAL	286	100.0%	Larceny		
Robbery			Grand Larceny-2nd	1	0.3%
Robbery-1st	5	1.7%	Grand Larceny-3rd	3	1.0%
Robbery-2nd	4	1.4%	Grand Larceny-4th	2	0.7%
Robbery-3rd	2	0.7%	Petit Larceny	1	0.3%
Assault & Related Offenses			Burglary		
Assault-1st	4	1.4%	Burglary-1st	1	0.3%
Assault-2nd	38	13.3%	Burglary-2nd	10	3.5%
Assault-3rd	29	10.1%	Burglary-3rd	2	0.7%
Menacing-1st	1	0.3%	Criminal Trespass-3rd	2	0.7%
Menacing-2nd	7	2.4%	Criminal Mischief		
Menacing-3rd	5	1.7%	Criminal Mischief-2nd	7	2.4%
Strangulation 2nd	1	0.3%	Criminal Mischief-3rd	7	2.4%
Reckless Endangerment-2nd	4	1.4%	Criminal Mischief-4th	11	3.8%
Stalking-3rd	1	0.3%	Offenses Against Public Order		
Stalking-4th	1	0.3%	Harassment-1st	3	1.0%
Other Violent Offenses			Aggravated Harassment-1st	34	11.9%
Conspiracy 4th	1	0.3%	Aggravated Harassment-2nd	97	33.9%
Murder 2nd	1	0.3%			
Arson 3rd	1	0.3%			

- The most frequent Penal Law hate crime arrest charges were Aggravated Harassment-2nd (97), a misdemeanor; Assault-2nd (38), a felony; Aggravated Harassment-1st (34), a felony; and Assault-3rd (29), a misdemeanor.

Hate Crime Dispositions

Dispositions

As of Aug. 21, 2013, a final disposition had been reported to DCJS for 70.3% (201) of the 286 hate crime arrests occurring during 2012. Dispositions were not available for the remaining 29.7% (85) of the hate crime arrests.

Dispositions for the 201 disposed cases are presented in Table 7.

- Of the 201 reported dispositions, convictions were reported in 140 cases. In all but one of those cases, the conviction to either a felony, misdemeanor or non-criminal violation was the result of a guilty plea.
- In the remaining 61 cases, all but three had a favorable outcome for the defendant.

Table 7. Adjudication Outcomes of 2012 Hate Crime Arrests with dispositions reported as of August 21, 2013.

Disposition	Number	Percent
Total	201	—
Conviction (70% of total)	140	100.0%
Conviction by Plea	136	97.1%
YO Adjudication, Plea	3	2.1%
Conviction type unknown	1	0.7%
No Conviction (30% of total)	61	100.0%
Dismissal	44	72.1%
Covered by Another Case	3	4.9%
Prosecution Denied	10	16.4%
No True Bill	2	3.3%
Other	2	3.3%

Convictions

Table 8 shows the most serious disposition charge for 140 convictions that were reported as of Aug. 21, 2013.

Table 8. Convictions from Hate Crime Arrests 2012

Top Disposition Charge	Number	Percent
TOTAL CONVICTED	140	100.0%
Non-Criminal Violation After Guilty Plea (67)		
Disorderly Conduct	38	27.1%
Harassment-2nd	29	20.7%
Misdemeanor After Guilty Plea (45)		
Aggravated Harassment-2nd	17	12.1%
Criminal Mischief-4th	11	7.9%
Assault-3rd	10	7.1%
Resisting Arrest	1	0.7%
Criminal Possession of Weapon-4th	1	0.7%
Obstructing Governmental Administration	1	0.7%
Menacing 2nd	1	0.7%
Criminal Trespass-2nd	1	0.7%
Making Graffiti	1	0.7%
Aggravated Unlicensed Operation of Motor Vehicle	1	0.7%
Felony After Guilty Plea (27)		
Aggravated Harassment-2nd / As Hate Crime	1	0.7%
Criminal Mischief-4th / As Hate Crime	1	0.7%
Assault-2nd	6	4.3%
Assault-3rd / As Hate Crime	4	2.9%
Robbery-2nd	1	0.7%
Burglary-2nd	5	3.6%
Strangulation-2nd	1	0.7%
Conspiracy-4th	2	1.4%
Grand Larceny-2nd / As Hate Crime	1	0.7%
Grand Larceny-4th	1	0.7%
Criminal Possession of Controlled Substance-5th	1	0.7%
Making a Terroristic Threat	1	0.7%
Reckless Endangerment-1st	1	0.7%
Reckless Endangerment-2nd / As Hate Crime	1	0.7%
Conviction type unknown (1)		
Top Charge Missing	1	0.9%

- Among the 140 convictions, there were 67 convictions for a non-criminal violation, 45 misdemeanor convictions and 27 felony convictions. One case had a missing disposition category, so the outcome is unknown.
- Offenders were convicted of a designated hate crime offense, as specified in Penal Law Section 485.05, in eight of 140 cases.
- When a person is convicted of a hate crime and the specified offense is a misdemeanor or a Class C, D or E felony, the hate crime is deemed to be one class higher—or more serious—than the specified conviction offense. As a result, some of the conviction offenses listed in Table 8 in the felony category are Penal Law misdemeanors elevated to a felony because of the hate crime conviction.

Sentences for Those Convicted

Sentences reported for convictions from hate crime arrests are shown in Table 9.

Table 9. Sentences from Hate Crime Arrests 2012

Sentence	Number	Percent
Total	140	100.0%
Conditional Discharge	42	30.0%
Jail or Time Served	37	26.4%
Fine	23	16.4%
Sentence Pending	18	12.9%
Prison	11	7.9%
Probation	7	5.0%
Other	2	1.4%

- Of the 140 convictions, a conditional discharge was the most common sentence (42), representing 30% of the total.
- Forty-eight of the 140 resulted in a sentence to prison (11) or jail (37), representing 34.3% of the total.
- There were 27 felonies among the 140 convictions. Of those 27, 11 were sentenced to prison, five received sentences of jail or time served, one received probation, none were conditionally discharged and 10 were pending sentence as of Aug. 21, 2013.

Appendix Table 1: Bias Motivation for Hate Crime Incidents for 2010 - 2012

This table shows the number of reported hate crime incidents by bias motivation category and specific bias type for 2010, 2011 and 2012. The table also breaks down the number of hate crimes by crime against persons and crimes against property.

Bias Motivation	Crimes Against Persons			Property Crimes			Total Crimes		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
TOTAL	464	278	311	239	276	409	703	554	720
Anti-Gender	1	4	6	1	0	0	2	4	6
Gender Identity Expression	0	4	4	1	0	0	1	4	4
Female	0	0	1	0	0	0	0	0	1
Male	1	0	1	0	0	0	1	0	1
Anti-Religion	120	67	89	156	187	316	276	254	405
Jewish	90	49	68	130	148	264	220	197	332
Catholic	2	0	1	6	24	19	8	24	20
Islamic (Muslim)	22	14	18	7	5	13	29	19	31
Other Religion	4	4	1	10	9	2	14	13	3
Protestant	0	0	0	2	1	1	2	1	1
Multi-Religious Groups	2	0	1	1	0	17	3	0	18
Anti-Race/ Ethnicity/National Origin	221	114	134	65	68	81	286	182	215
Black	97	68	79	43	52	56	140	120	135
Hispanic	55	11	20	3	3	5	58	14	25
Other Ethnicity/National Origin	14	9	4	3	4	10	17	13	14
White	28	12	17	4	0	3	32	12	20
Arab	6	8	4	0	1	2	6	9	6
Multi-Racial Groups	5	2	0	8	6	3	13	8	3
Asian/Pacific Islander	16	4	10	4	1	2	20	5	12
American Indian/Alaskan Native	0	0	0	0	1	0	0	1	0
Anti-Sexual Orientation	121	88	82	17	20	11	138	108	93
Male Homosexual	105	70	62	9	15	7	114	85	69
Female Homosexual	11	12	15	2	3	1	13	15	16
Homosexual (Male and Female)	5	6	5	6	2	3	11	8	8
Bisexual	0	0	0	0	0	0	0	0	0
Anti-Disability	1	3	0	0	0	0	1	3	0
Mental Disability	1	2	0	0	0	0	1	2	0
Physical Disability	0	1	0	0	0	0	0	1	0
Anti-Age	0	2	0	0	1	1	0	3	1

Appendix Table 2: Hate Crime Incidents by County for 2010 - 2012

This table shows the number of reported hate crime incidents by county for 2010, 2011 and 2012. There were 54 counties that reported at least one hate crime incident between 2010 and 2012, and eight counties reported no incidents in any of these three years¹.

County	2010	2011	2012	County	2010	2011	2012
Non-New York City	341	281	331	Otsego	2	7	1
Albany	15	10	5	Putnam	0	0	2
Broome	2	2	3	Rensselaer	2	1	1
Cattaraugus	0	1	1	Rockland	24	10	6
Cayuga	1	0	4	St. Lawrence	2	1	0
Chautauqua	1	1	0	Saratoga	5	3	3
Chemung	1	1	0	Schenectady	4	2	0
Chenango	3	0	1	Schoharie	0	0	3
Clinton	6	5	1	Schuyler	0	1	0
Columbia	2	1	1	Seneca	2	0	1
Cortland	4	1	1	Steuben	2	0	0
Dutchess	12	12	9	Suffolk	51	39	117
Erie	51	34	49	Sullivan	3	2	0
Essex	1	1	0	Tioga	1	0	0
Franklin	1	0	2	Tompkins	5	0	6
Fulton	0	0	1	Ulster	5	6	1
Herkimer	1	0	0	Warren	0	0	1
Jefferson	0	0	1	Washington	1	0	2
Lewis	0	0	1	Wayne	3	1	0
Livingston	0	3	0	Westchester	25	41	21
Madison	0	4	7	New York City	350	242	374
Monroe	14	9	6	Bronx	28	18	28
Nassau	62	62	61	Kings	135	106	157
Niagara	2	8	3	New York	94	60	93
Oneida	0	1	2	Queens	51	50	70
Onondaga	3	2	1	Richmond	42	8	26
Ontario	1	2	0	Multiple County²	12	31	15
Orange	11	4	5	MTA	11	31	15
Orleans	1	2	0	Finger Lakes (NYS Parks)	1	0	0
Oswego	9	1	1	TOTAL	703	554	720

1 The following nine counties did not report hate crime incidents in either 2010, 2011 or 2012: Allegany, Delaware, Genesee, Greene, Hamilton, Montgomery, Wyoming and Yates.

2 The Metropolitan Transportation Authority (MTA) Police Department and the Finger Lakes (New York State Parks Police) cover multiple counties.

Appendix Table 3: Hate Crime Incidents by Penal Law Offense for 2010 — 2012

This table lists all Penal Law offenses that can be prosecuted as a hate crime in New York State and shows the number of offenses reported for 2010 through 2012. Hate crime offenses totaled 703 in 2010, 554 in 2011 and 720 in 2012.

PL	Description	2010	2011	2012	PL	Description	2010	2011	2012
120.00	Assault 3rd	79	60	70	140.25	Burglary 2nd	4	0	3
120.05	Assault 2nd	39	22	11	140.30	Burglary 1st	1	0	0
120.10	Assault 1st	8	1	0	145.00	Criminal Mischief 4th	127	153	285
120.12	Aggravated Assault Person <11	0	0	0	145.05	Criminal Mischief 3rd	23	25	16
120.13	Menacing 1st	9	8	2	145.10	Criminal Mischief 2nd	0	3	11
120.14	Menacing 2nd	9	4	5	145.12	Criminal Mischief 1st	0	0	2
120.15	Menacing 3rd	1	2	7	150.05	Arson 4th	1	3	6
120.20	Reckless Endangerment 2nd	3	1	0	150.10	Arson 3rd	1	0	0
120.25	Reckless Endangerment 1st	0	1	0	150.15	Arson 2nd	0	0	0
120.45	Stalking 4th	0	0	0	150.20	Arson 1st	0	0	0
120.50	Stalking 3rd	0	0	1	155.25	Petit Larceny	5	9	9
120.55	Stalking 2nd	0	0	1	155.30	Grand Larceny 4th	2	0	4
120.60	Stalking 1st	0	0	0	155.35	Grand Larceny 3rd	0	0	0
121.11	Criminal Obstruction of Breathing or Circulation	0	0	0	155.40	Grand Larceny 2nd	0	1	0
121.12	Strangulation 2nd	0	0	0	155.42	Grand Larceny 1st	0	0	0
121.13	Strangulation 1st	0	0	0	160.05	Robbery 3rd	8	3	8
125.15	Manslaughter 2nd*	0	0	0	160.10	Robbery 2nd	23	4	4
125.20	Manslaughter 1st*	0	0	0	160.15	Robbery 1st	3	1	1
125.25	Murder 2nd	0	0	1	240.25	Harassment 1st	24	13	10
130.35	Rape 1st*	0	0	0	240.30	Aggravated Harassment 2nd	257	156	186
130.50	Criminal Sexual Act 1st*	0	0	2	Sub 00	Unspecified	27	8	11
130.65	Sexual Abuse 1st*	0	1	1	Sub 01	Communicate in Manner Likely to Cause Alarm	117	70	95
130.67	Aggravated Sexual Abuse 2nd*	0	0	0	Sub 02	Telephone w/o Legitimate Communication	5	3	4
130.70	Aggravated Sexual Abuse 1st*	0	0	1	Sub 03	Physical Contact Due to Race, Religion, etc.	106	73	75
135.05	Unlawful Imprisonment 2nd	0	0	0	Sub 04	Commit Harassment 1st w/ Prior Conviction	2	2	1
135.10	Unlawful Imprisonment 1st	1	0	0	240.31	Aggravated Harassment 1st	71	73	68
135.20	Kidnapping 2nd	0	0	0	Sub 00	Unspecified	1	0	0
135.25	Kidnapping 1st	0	0	0	Sub 01	Damage Religious Premises > \$50	18	11	22
135.60	Coercion 2nd	0	0	0	Sub 02	Commit Agg. Harass. 2nd w/ Prior Conv.	0	0	0
135.65	Coercion 1st	0	0	0	Sub 03	Place a Swastika on Property	50	58	45
140.10	Criminal Trespass 3rd	0	0	1	Sub 04	Set Cross on Fire in Public View	0	0	0
140.15	Criminal Trespass 2nd	0	0	0	Sub 05	Display a Noose on Property	2	4	1
140.17	Criminal Trespass 1st	0	0	0					
140.20	Burglary 3rd	4	5	4	TOTAL		703	554	720

* Only certain subsections of these Penal Law offenses can be classified as hate crimes.

Note: Aggravated harassment 1st and 2nd are presented separately and broken down by Penal Law subsection due to the relevant detail of the subsections.

Appendix Table 4: Hate Crime Incidents by Offense Type for 2010 - 2012

This table presents the number of hate crime incidents reported in 2010, 2011 and 2012 by offense type and offense. Overall, reported hate crimes increased by 30% between 2011 and 2012. Crimes against persons increased by 11.9% while crimes against property increased 48.2%.

Offense Type	2010	2011	2012	Difference from 11-12	Difference from 10-12
TOTAL	703	554	720	166	17
Crimes Against Persons	464	278	311	33	-153
Murder or Manslaughter	0	2	1	-1	1
Robbery ¹	34	8	13	5	-21
Kidnapping	1	0	0	0	-1
Aggravated Assault	48	26	15	-11	-33
Simple Assault	381	241	278	37	-103
Other Sex Offense	0	1	4	3	4
Property Crimes	239	276	409	133	170
Arson	2	3	6	3	4
Burglary	9	9	8	-1	-1
Larceny-Theft	7	10	13	3	6
Criminal Mischief	221	254	382	128	161

¹Although the Uniform Crime Reporting (UCR) system categorizes robbery as a property crime, for purposes of this report it is categorized as a crime against persons.

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