

SARAH LAWRENCE COLLEGE



Reporting and Investigating Hate Crimes on Campus

Policy Regarding Reporting and Investigating Hate Crimes on Campus

1. Introduction

Bias crimes, also known as hate crimes, are criminal activities motivated by the perpetrator's bias toward certain actual or perceived personal characteristics of the victim. Sarah Lawrence College policy and federal and state law prohibit crimes motivated by bias on the basis of race, color, creed, sex or gender, gender identity or expression, age, ancestry, national origin, caste, religious belief or practice, disability, sexual orientation, pregnancy, military status, or political persuasion. The College is required to report all hate crimes to the Yonkers Police Department in a timely fashion as per Article 129A NYS Education Law, as well as report annually on the statistical incidence of bias crimes on or around campus as part of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act – Federal Law. The College will separately and clearly post on its website the hate crime data from its most recently published Annual Security Report. See <https://www.sarahlawrence.edu/media/security/pdf/slc-annualsecurityreport.pdf>.

Reported – NO Reported Hate Crimes in 2024 as of June 20, 2024

SLC IR #	MAXIENT INCIDENT #	DATE (reported)	TIME (reported)	CLASSIFICATION	LOCATION	DESCRIPTION	DISPOSITION

Not all expressions of hate or group bias rise to the level of hate crime as defined in state and federal statutes. Derogatory words or epithets directed against an individual because they are a member of a particular group are not considered hate crimes if not accompanied by a threat or other crime. Such hate-related bias incidents may, however, violate Sarah Lawrence College policies, standards, and norms and should be reported through the Bias Incident Reporting Form.

Additionally, Sarah Lawrence College is firmly committed to educating students, faculty, and staff about preventing all expressions of bias and hate through impactful trainings, seminars, discussion groups, and presentations.

See <https://www.sarahlawrence.edu/about/diversity/reporting/prevention.html>.

By fostering open discussions and encouraging the Sarah Lawrence community to promptly report such incidents, we can enhance our ability to effectively prevent them and encourage community interactions consistent with our mission and standards.

Note: Tracking and analyzing hate incidents provides the needed information for the community to identify potential threats and assess the level of tension in their community. Please report hate crimes

to the Sarah Lawrence College Office of Campus Safety, to a campus official, or to the Yonkers Police Department.

2. Federal Law

The Clery Act defines hate crimes as any of the crimes otherwise reportable under the Clery Act or any bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

3. New York State Law

New York State Education Law Sections 6433, 6434, and 6435 require the reporting and investigation of certain bias and hate crimes, as well as specific disclosure and training to help prevent such crimes. The College shall notify the Yonkers Police Department as soon as practicable, but in no case more than 24 hours after a report of a hate crime.

New York Penal Law Section 485.05 specifies that a person commits a hate crime when he or she commits a specified offense and either intentionally selects the person against whom the offense is committed or is intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of the person, regardless of whether the perception or belief is correct, or intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception with respect to the categories enumerated above. The specified offenses applicable under this legislation are spelled out in New York Penal Law Section 485.05, Section 3.

For purposes of this policy, New York Penal Law Section 485.05, Section 4 defines the following:

- (a) the term “age” means 60 years old or more;
 - (b) the term “disability” means a physical or mental impairment that substantially limits a major life activity;
 - (c) the term “gender identity or expression” means a person’s actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristics regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender,
- or any attempt or conspiracy to commit any of the foregoing offenses.

When a person is convicted of a hate crime where the specified offense is a violent felony offense, the hate crime shall be deemed a violent felony offense. When a person is convicted of a hate crime where the specified offense is a misdemeanor or a class C, D, or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

4. Policy and Procedure

Any Sarah Lawrence College community member who believes they may have been the victim of a hate crime or may have witnessed a hate crime should contact the Sarah Lawrence College Office of Campus Safety at 914-395-2222 or the Yonkers Police Department via 911. Campus Safety is located in Swinford Annex and is staffed 24 hours a day, seven days a week, 365 days a year.

When Sarah Lawrence Campus Safety receives a report of a hate crime, the Yonkers Police will be notified and will initiate an investigation. Sarah Lawrence College is in the process of establishing a Memorandum of Understanding with the Yonkers Police to investigate any hate crime, in addendum to the

established Memorandum of Understanding for all Violent Felony Incidents and Missing Person Reports on Campus. Campus Safety will assist Yonkers Police in the investigation of a hate crime, violent felony, or missing person. Campus Safety may also conduct an investigation and refer the matter to the appropriate college administrator or supervisor for student conduct or other action.

There are times when an individual may believe that they have been a victim of or witnessed an act of biased activity, but there has been no apparent crime committed. In those incidents, victims or witnesses may submit a report through the Bias Incident Reporting Form, which will be reviewed by the Bias Incident Response Team.

5. Educating Our Community

In accordance with Section 6436 of the New York State Education Law, and in order to inform the college community about bias-related and hate crime prevention and reporting procedures, the College utilizes a series of methods to educate our community, including during the onboarding of all new students and employees via new student and new employee orientations. In addition, the Campus Safety Management Team received added training in hate crimes led by the Westchester County District Attorney's Office in fall 2023 and by the NY State Police in January 2024. Also, Campus Safety hosted a one-day training on NYS Education Law Articles 129A, 129B, and the Federal Clery Law – with an emphasis on the new NYS Hate Crimes related to the Education Law – which was attended by staff from Student Life, Campus Safety, Diversity, Equity & Inclusion, and Title IX in January 2024.

6. Reporting

Under the Campus Security Act, a hate crime is a crime that is committed because of the victim's race, religion, ethnicity, disability, gender, or sexual orientation.

While Sarah Lawrence College takes all bias-related conduct seriously, the Campus Security Act identifies only certain crimes as potential hate crimes:

- Aggravated Assault
- Arson
- Burglary
- Destruction to Property, Damage to Property, and Vandalism
- Intimidation
- Larceny – Theft
- Manslaughter (Negligent)
- Murder/Non-Negligent Manslaughter
- Motor Vehicle Theft
- Robbery
- Sex Offenses – Forcible
- Sex Offenses – Non-Forcible
- Simple Assault

Reporting hate crimes and incidents, even those that you might not consider “serious,” is important to monitoring and stopping future incidents. By keeping detailed information on incidents, you can strengthen the case for official action.

Responsible Office: Campus Safety

Effective Date: June 20, 2024