

Connecticut Hate Crimes Advisory Council  
November 12, 2021 – 2:15 pm ET (Virtual)  
Minutes

1. Welcome and Call to Order (Hon. Douglas Lavine and Amy Lin Meyerson, Co-Chairs)

A meeting of the Connecticut Hate Crimes Advisory Council was held on Friday, November 12, 2021. The meeting convened at 2:16 p.m. EDT. Co-Chairs Amy Lin Meyerson and Hon. Douglas Lavine presided. Luke Reynolds served as Secretary.

2. Roll Call

Council members present were: Douglas Lavine, Amy Lin Meyerson, Michael Bloom, Corrie Betts, Jason Chang, Rabbi Farbman, Andrew Feinstein, Steven Ginsburg, Steven Hernandez, Rathanak Keo, Diana Lombardi, Tamara Lanier, Gary MacNamara, Duane Lovello, John Merz, Fernando Muniz, Aida Monsoor, MD Rahman, Precious Price, Jonathan Slifka, Richard Wilson, Tashun Bowden-Lewis, James Rovella, Cecil Thomas, Makana Ellis, Rashmi Chandra, and Michelle Querijero.

Also in attendance were: Brett Salafia, Sofia Rodriguez, Abby Willauer, Devon Fray, Hallie Tingstad, Rebecca Oestreicher, Luke Reynolds, Sebastian Ullman, Laura's and Michael (unknown participants)

3. Approval of Minutes

Minutes from the October 22, 2021 meeting were tabled to the December meeting.

4. Presentation on FBI Civil Rights Program Addressing Hate Crimes by FBI Special Agent in Charge Anish Shukla and Agent Ron Offutt (Civil Rights Coordinator).

See attached document provided by Agent Shukla. The key focus of the FBI Hate Crimes Program is to increase awareness and reporting of hate crimes; then to combat hate crimes. In Connecticut, allegations brought to law enforcement are consistent with national trends – there is a tremendous percentage increase and many allegations are race and ethnic background-based. One question is whether there are fewer hate crimes occurring or if they are occurring and not reported.

When investigating, the FBI and prosecutors first have to determine whether something is a true threat or by and large a first amendment protected category. Hate Crimes require hate speech and criminal acts. The FBI needs the Council's help to educate victims as to why hate speech is not a crime if it does not elevate to a true threat. Furthermore, most people confuse the fact that the FBI does not make a charging decision, they investigate and report. The FBI used the example of how in a Stratford hate crimes investigation (involving Christopher Rascoll), the FBI was able to extract information from the victim's phone, look into past criminal activity which included different threats, serve subpoenas in coordination with the U.S. Attorney's Office, and work with a courageous victim to ultimately secure a conviction.

Attorney Feinstein asked if education-based harassment in school districts is under the FBI's jurisdiction. The special agents responded that if a federal crime is committed, then it would be in their jurisdiction, but often cases do not rise to such. Nonetheless, education focused on reporting potential hate crimes is something the FBI is putting more thought into as a potential deterrent.

The FBI, ultimately, is looking to the Council to help bring hate crimes to its attention and is hoping to work closely with prosecutors on decisions whether to charge for a hate crime and how to educate victims.

## 5. Subcommittee Reports

Hate Crimes Reporting and Analysis: Co-Chairs Wilson and Lanier reported the subcommittee had its second meeting and went through reporting processes and form 3-2-3 that no longer exists for bias crimes. The subcommittee discussed using a uniform reporting system across the state and may model it after a similar system used in Santa Clara, CA. There were also discussions about having an officer in all police departments who are trained in responding to hate crimes. The subcommittee is still working on building out its collective knowledge before making action items or recommendations to the Council. The subcommittee plans to next look at how schools report incidents and how best to provide victims an opportunity to explain the process as they experienced it.

Community Awareness: Co-chairs Betts, Chang, and Ginsburg reported that a survey was sent out to discuss what community means and its charge. Jason Chang will share results with the Council. The subcommittee meeting on November 2nd focused on reviewing the survey, how different ethnic and racial communities coordinate with law enforcement, and how interactions are not all the same. The subcommittee discussed the many actions that do not rise to be a hate crime, like microaggressions, and how to tackle them from different angles - such as collaborating with schools and other trusted community partners. The subcommittee explored how the disability community does not have the same modes of reporting. Finally, the subcommittee created a list of goals and objectives like best curriculums, resources, practices, etc., and is looking to design a framework for legislative priorities. Tamara Lanier stated that to move forward, subcommittees will need to collaborate to determine what policies and initiatives are valid and should be implemented.

Law Enforcement Training and Best Practices: Chair MacNamara noted that there will be a lot of overlap but the subcommittee's focus is looking at the challenges and barriers that prevent law enforcement from identifying hate crimes. The subcommittee wants to look at training to identify and investigate hate crimes and work with the prosecutors. Hate crime legislation should be modified to assist law enforcement in investigating hate crimes. The subcommittee also wants to collect more information regarding what resources are currently available. Finally, the subcommittee is looking at other statewide programs that have worked for hate crimes or similar programs. There is an idea to have a person in each department who is a quasi-expert in hate crimes.

Restitution Programs and Sentencing: Chair Lavine reported that the subcommittee met with Linda Cimino, Director of Connecticut's Office of Victim Services, and discussed the special harm suffered by victims of hate crimes and the harm done to the victim's community. She discussed the issue of restorative justice and stressed that it will only be effective when it is victim-centered (victims cannot be coerced). Linda Cimino also discussed the victim compensation fund, which is funded by fines and fees in Connecticut, and how it is available for those who are generally physically injured, but it is not available for victims of property crimes. The next subcommittee meeting is on December 2nd.

Administrative: No report as Chair Samy was not present.

## 6. New Business

None.

## 7. Other Business

None.

8. Announcements

The next meeting is scheduled for December 10, 2021, at 2:15 pm ET.

9. Adjournment

The meeting on November 12, 2021, adjourned at 3:40 p.m. EDT.