

**STATEMENT OF CHRIS M. KWOK
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TO THE

**NEW YORK CITY COUNCIL
COMMITTEE ON PUBLIC SAFETY**

T2021-7260

Oversight - New York City Police Reform and Reinvention Collaborative Draft Plan

March 16, 2021

REMOTE HEARING (VIRTUAL ROOM 2)

1. Introduction

Good afternoon, my name is Chris Kwok and I am a Board Director of the Asian American Bar Association of New York (“AABANY”). I also serve as Chair of the Issues Committee, which advises AABANY’s Board on issues that affect the Asian American & Pacific Islander community in New York. AABANY is a professional membership organization that is comprised of Asian American attorneys, judges, law professors, legal professionals, and law students serving New York. Since its incorporation in 1989, AABANY has advanced issues involving the Asian American & Pacific Islander community, improved the study and practice of law, and ensured the meaningful participation of Asian Americans in our legal system. AABANY currently has nearly 1,600 members in the city and state of New York and is the largest affiliate of the National Asian Pacific American Bar Association. We are among the largest affinity bar associations in the country. We are grateful to the Public Safety Committee for holding this hearing and including AABANY.

AABANY is participating in today’s hearing to express our firm commitment to championing two changes to the New York Police Department’s Asian Hate Crimes Task Force (Task Force). First, the Task Force needs sufficient funding so that it can execute its stated objectives and intended functions effectively. Second, NYPD should assign full-time officers to the Task Force, as opposed to relying on the efforts of volunteer officers. AABANY was the first to offer publicly these two recommendations in its Report titled, *A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes, Solutions*.¹

¹ See generally Asian American Bar Association of New York & Paul, Weiss, Rifkind, Wharton & Garrison LLP, *A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes, Solutions* (2021), https://cdn.ymaws.com/www.aabany.org/resource/resmgr/press_releases/2021/A_Rising_Tide_of_Hate_a

Specifically, AABANY wrote that while “[t]he NYPD has made a commendable effort to create the Asian Hate Crimes Task Force,” further steps are needed, such as making “the head of the Asian Hate Crimes Unit a commanding officer, with a recurring budget and office assigned to it” and “assign[ing] lieutenant sergeants and detectives to the Asian Hate Crimes Task Force” instead of relying on a volunteer task force.²

2. AABANY condemns the unrelenting assaults on members of the Asian-American community in New York City, which continue with alarming frequency.³

AABANY through its report has recounted numerous attacks and harassment against Asian Americans in New York over the course of the COVID-19 pandemic. More recently, the following incidents have been reported in the press and media:

- Filipino man was slashed in the face on the subway
- Asian American mother was shoved to the ground at a bakery in Flushing, Queens
- Group of teenagers attacked a 51-year-old woman on an MTA bus in the Bronx

Just this week:

- “Go back to China” verbal harassment in Kips Bay⁴
- Aggressor spat on Asian mother and her baby, calling the mother a “Chinese virus”⁵

3. Since AABANY’s Report was published on February 11, 2021, media outlets, community leaders, and politicians have adopted AABANY’s position vis-à-vis increasing funding for and formally staffing the Task Force.

- February 25, 2021 Asian Community Leaders Meeting. In a response to a question by Chris Kwok, Deputy Inspector of the Asian Hate Crimes Task Force Stewart Loo confirmed that the Task Force would be better able to perform its job if it were fully funded and formally staffed.
- March 6, 2021 Community Forum. AABANY co-sponsored a community forum entitled “Asian Voices: Advocating for our Rights in NYC,” sponsored by Chinese Christian Herald Crusades, NYC Commission on Human Rights, Mayor’s Office of Immigrant Affairs, NYPD-Asian Hate Crime Taskforce, and the Office for the Prevention of Hate

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² *Id.* at 22.

³ Asian American Bar Association of New York & Paul, Weiss, Rifkind, Wharton & Garrison LLP, *A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes, Solutions* 3-5 (2021) (collecting instances of anti-Asian violence).

⁴ NYPD Asian Hate Crimes Task Force, <https://twitter.com/nypdasianhctf?lang=en>.

⁵ ABC7, *Asian Americans told to “go back to China” in racist rant in New York City* (Mar. 15, 2021), <https://abc7ny.com/amp/asian-hate-crime-maria-ha-dan-anti-asian/10419611/>.

Crimes, and NYC Council BLAC. Many elected officials joined the Zoom meeting, including Congresswoman Grace Meng. Early in the meeting, this exchange took place, stressing the need for full and adequate funding of the NYPD Asian Hate Crime Taskforce:

14:18:11 From Jerry C : Understand the Asian a crime task force is all volunteer. Wh[en] can we have a permanent team focusing on Asian hate crime.

...

14:20:58 From NYPD-Asian HCTF to All panelists : Good afternoon Jerry, that is something we are working on with City Hall and the Dept

14:21:52 From NYPD-Asian HCTF : Good afternoon Jerry, that is something we are working on with City Hall and the Dept

14:24:34 From Chris Kwok to All panelists : AABANY is proud to have highlight this in our report and we have been pushing for Asian HCTF funding and full time assignment

14:24:48 From Jerry C : Reporting a crime on 911 is difficult for people who don't speak English. We need a solution for that issue.

14:25:07 From Chris Kwok to All panelists : we need the community to make this known to Mayors office and electeds.

- New York City mayoral candidate Andrew Yang stated earlier this month that “I would take the increase in anti-Asian violence very, very seriously” and “I would fully fund the Asian Hate Crimes Task Force. It would not be a volunteer force.”⁶
- At a March 10 Candidates’ Forum for City Council elections for District 1, all candidates expressed support for funding the Task Force in response to a question submitted by Chris Kwok.
- Media Reports
 - On February 26, 2021, the New York Times reported and recognized that “[t]he Asian American Bar Association of New York recently issued recommendations for ways to address the attacks, including clearer reporting mechanisms for victims and formalizing the Asian Hate Crime Task Force as a funded unit.”⁷
 - On February 12, 2021, NBC New York cited Chris Kwok and AABANY’s recommendation to make the NYPD Asian Hate Crime Task Force permanent and not rely solely on the services of volunteer officers.⁸

⁶ Cameron Jenkins, *Andrew Yang Condemns Attacks against Asian Americans*, THE HILL (Mar. 5, 2021), <https://thehill.com/homenews/campaign/541854-andrew-yang-condemns-attacks-against-asian-americans>.

⁷ Alexandra E. Petri and Daniel E. Slotnik, *Attacks on Asian-Americans in New York Stoke Fear, Anxiety and Anger*, NY TIMES (Feb. 26, 2021), <https://www.nytimes.com/2021/02/26/nyregion/asian-hate-crimes-attacks-ny.html?action=click&module=Top%20Stories&pgtype=Homepage>.

⁸ Zijia Eleanor Song & Jennifer Vazquez, *Study Shows Rise of Hate Crimes, Violence against Asian Americans during the Pandemic*, NBC NEW YORK (Feb. 12, 2021), ,

- Other articles also referenced AABANY’s recommendations for increased funding and formal staffing.⁹
- On Feb. 19, 2021, ABC7 quoted community leader Don Lee, who questioned the efficacy of the Task Force because it consisted only of volunteer personnel.¹⁰ ABC7 subsequently reported that the Task Force is “unfunded and an all-volunteer force” and that “Mayor De Blasio and the Human Rights Commission is working and meeting with Asian community leaders this week on the next measures the city needs to take.”¹¹
- Many other articles voice concerns over the current structure of the Task Force¹² and note that the officers presently on the Task Force are volunteers with other full-time jobs in the NYPD.¹³

4. Why a Fully-funded and Full-time Task Force are Needed

In order to foster trust with the Asian American community and encourage reporting, there needs to be accountability for violence and harassment committed against Asian Americans. Calls to inform the police and be vocal have been heeded by the community. Yet time again we hear from members of the community that these reports are not taken seriously by

<https://www.nbcnewyork.com/news/local/crime-and-courts/study-shows-rise-of-hate-crimes-violence-against-asian-americans-in-nyc-during-covid/2883215/>.

⁹ See Kay Dervishi, *What can be done to stem hatred against Asian Americans*, CITY & STATE NEW YORK (Mar. 3, 2021) (“The NYPD anti-Asian hate crimes task force should be funded and have officers assigned to it full time, instead of being volunteers.”); NYPR The Takeaway, *Amid COVID-19 Pandemic, Anti-Asian Violence Spikes Across the U.S.* (Feb. 15, 2021),

<https://www.wnycstudios.org/podcasts/takeaway/segments/amid-covid-19-pandemic-anti-asian-violence-spikes-across-us> (“Well, they created an anti-Asian task force and we applaud them for that. Our recommendation was that they go further along. They made it permanent recently but we think that-- Right now it's a volunteer task force, which means that the detectives are serving full-time on another role and then take this on on a volunteer basis. We think it should be a full-time assignment and the commander be given a budget and have this exist until there's no need for it.”).

¹⁰ CeFaan Kim, *NYPD task force provides answers on violent attacks against Asian*, ABC7 (Feb. 19, 2021), <https://abc7ny.com/asian-hate-crimes-subway-attacks-americans-task-force/10355594/>.

¹¹ ABC7 Eyewitness News, *Mayor de Blasio says Asian Hate Crime Task Force working to combat slew of bias crimes in NYC*, ABC7 (Feb. 23, 2021), <https://abc7ny.com/queens-hate-crimes-asian-americans/10364245/>.

¹² Kimmy Yan, *Critics fear NYPD Asian hate crime task force could have unintended consequences*, WSJ (Sept. 2, 2020), <https://www.nbcnews.com/news/asian-america/critics-fear-nypd-asian-hate-crime-task-force-could-have-n1239012>.

¹³ Shan Li & Ben Chapman, *NYPD Forms Asian Hate Crime Task Force*, WSJ (Oct. 18, 2020), (noting that “[t]he officers are loaned to the task force as needed, but also have full-time jobs elsewhere in the department”);

Taylor Romine, *NYPD creates Asian Hate Crime Task Force after spike in anti-Asian attacks during Covid-19 pandemic*, CNN (Aug. 18, 2020),

<https://www.cnn.com/2020/08/18/us/nypd-asian-hate-crime-task-force/index.html> “The task force will be permanent ... and other culture-based task forces may be considered in the future.”).

the NYPD, possibly due to language and cultural barriers. Creating a Task Force within the NYPD to handle anti-Asian hate crimes is a move in the right direction, with police officers who have the language skills and cultural competence to deal with complaints and reports. However, adequate funding and full-time staffing are needed for the Asian Hate Crimes Task Force to carry out its roles and responsibilities effectively. Failing to do so would make it an empty exercise. We urge the City Council to take immediate steps to fully fund the NYPD Asian Hate Crimes Task Force and to staff it with full-time personnel rather than make it a volunteer position.

Appendix

Articles that have referenced AABANY's Report

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- Mark Magnier and Owen Churchill, *"Greater Asian-American representation in leadership ranks needed to stem hate crimes in the US, says report,"* SOUTH CHINA MORNING POST (Feb. 12, 2021), <https://www.scmp.com/news/china/article/3121518/greater-asian-american-representation-leadership-ranks-needed-stem-hate>
- Marco Poggio, *NY Bar Group Tackles Pandemic-Fueled Anti-Asian Crimes*, LAW360 (Feb. 16, 2021), <https://www.law360.com/pulse/articles/1354591>
- Jake Offenhartz, *Brooklyn Man Charged With Hate Crime In Alleged Stabbing Of Asian Man In Lower Manhattan*, GOTHAMIST (Feb. 26, 2021), <https://gothamist.com/news/brooklyn-man-charged-hate-crime-alleged-stabbing-asian-man-lower-manhattan> (referencing AABANY Report and Task Force).
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- Betty Casazza, Belissa Ho, Laura Judd, Julie Kim, Sharon Kwong, Jennifer Lien, Pakou Ly, & Sharon Yung, *Local View: Don't brush off COVID-fueled anti-Asian hate*, DULUTH NEWS TRIBUNE (Feb. 23, 2021), <https://www.duluthnewstribune.com/opinion/columns/6899246-Local-View-Dont-brush-off-COVID-fueled-anti-Asian-hate>

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- Gwynedd Stuart, *Anti-Asian Hate Crimes Spiked in L.A. Last Year*, L.A. MAGAZINE (Mar. 3, 2021),
<https://www.lamag.com/citythinkblog/anti-asian-hate-crimes-los-angeles-2020/>
- Ryan General, *Police Data Shows 150% Increase in Hate Attacks on Asians Across Major Cities in 2020*, NEXTSHARK (Mar. 5, 2021),
<https://news.yahoo.com/police-data-shows-150-increase-195216687.html>

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- Rodrigue Gozoa, *Violence contre les asiatiques aux USA : Nancy Pelosi s'insurge*, LA NOUVELLE TRIBUNE (Feb. 19, 2021),
<https://lanouvelletribune.info/2021/02/violence-contre-les-asiatiques-aux-usa-nancy-pelosi-sinsurge/?cn-reloaded=1>
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- Christine Chung, *Anti-Asian Hate Crime Surge Fuels Demands for Systemic and Sensitive Responses*, THE CITY (Feb. 11, 2021), <https://www.thecity.nyc/2021/2/11/22279407/anti-asian-hate-crime-surge-fuels-demands-for-systemic-and-sensitive-responses>
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