



State of New York

Executive Chamber

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED AUG 16 1968

Mario M. Cuomo
Governor of the State

No. 111

E X E C U T I V E O R D E R

DIRECTING THE ATTORNEY GENERAL TO INQUIRE INTO MATTERS OF BIAS-RELATED CRIMES

WHEREAS, violent criminal acts directed against persons or groups because of their race, ethnicity, national origin, religion, sex, age, disability, or sexual orientation are an especially pernicious form of criminal conduct that damages the fundamental precepts that support and make effective our democratic, pluralistic society;

WHEREAS, such criminal acts require the immediate and swift attention of law enforcement officials because they have a potential to instill fear for personal and family security in the affected groups, provoke countermeasures that may lead to further violence, and create an environment of hostility and division that is dangerous and counterproductive;

WHEREAS, the investigation and prosecution of such criminal acts are facilitated by the involvement of personnel especially trained and experienced in such matters and the availability of such personnel helps to assure that such criminal acts are forcefully deterred through effective prosecution on a consistent basis;

WHEREAS, it is therefore appropriate and in the best interest of the citizens of this State to provide for a body of experts, including prosecutors and investigators, specifically trained in the area of crimes motivated by bias that may be called upon by any district attorney in the State to assist in the investigation and prosecution of such crimes.

NOW, THEREFORE, I, MARIO M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, and particularly by subdivision eight of section sixty-three of the Executive Law, and in accordance with the statute and law in such case made and provided, find it to be in the public interest to require that the Attorney General inquire, in the circumstances and manner hereafter provided, into matters concerning the public peace, public safety and public justice with respect to possible criminal acts committed in violation of any laws of this State that may be bias-related crimes.

When making an inquiry pursuant to this order, the Attorney General shall assist in the investigation of bias-related crimes in cooperation with the district attorney of the county wherein the offense or a portion thereof is alleged to have been committed, and assist in the prosecution of such crimes upon the request of the district attorney. In providing such assistance the attorney general shall only exercise such powers and perform such duties as are approved by such district attorney. Where such assistance is provided the district attorney shall retain exclusive authority to direct the investigation and prosecution of the case.

For the purposes of this Executive Order the term "bias-related crimes" shall mean acts or threatened or attempted acts of intimidation, harassment or physical force directed against any person, or group, or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, sex, age, disability, or sexual orientation, with the intention of deterring the free exercise or enjoyment of any rights or privileges secured

by the Constitution or the laws of the United States or the State of New York whether or not performed under color of law.

The Attorney General is hereby so directed in person or by his or her assistant or deputies to have the powers and duties specified in such subdivision eight for the purpose of this order.

The Director of Criminal Justice is hereby designated and directed to receive any information obtained upon such inquiry from any office participating therein including such information as is contained in the weekly report required to be transmitted to me pursuant to subdivision eight of section sixty-three of the Executive Law. The Director of Criminal Justice is further directed to transmit to the Special Prosecutor Review Committee established pursuant to Executive Order 109 information obtained upon such inquiry as is relevant to any pending request for the appointment of a Special Prosecutor or which should be reviewed by such Committee.



G I V E N under my hand and the Privy Seal of the State in the City of Albany this 11th day of August in the year one thousand nine hundred eighty-eight.

BY THE GOVERNOR

Guadalupe C. Rosier
Secretary to the Governor

Warren M. Dew

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DEPARTMENT OF STATE

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Secretary of State

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