

HATE/BIAS-RELATED CRIME POLICY

POLICY STATEMENT:

The New York State Legislature found and determined that "criminal acts involving violence, intimidation, and destruction of property based upon bias and prejudice" have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes," victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable, physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the groups to which the victims belong. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to a healthy democratic process. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them.

Pace University's Guiding Principles of Conduct clearly and unequivocally states that "membership in the University community is accompanied by the responsibility to maintain and foster an environment characterized by freedom of expression, inquiry and exchange of ideas and respect for the dignity and uniqueness of each individual." In addition, the University has established standards of behavior to ensure the safety of all members of the University community. The commission of a crime of violence, intimidation, or destruction of property by a member of the Pace community is unacceptable. The commission of such a crime out of bias or prejudice is repugnant and will not be tolerated. The University, through its discrimination, sex-based misconduct, disciplinary or employment policies, procedures and practices and/or by referral to local law enforcement officials, will seek appropriate redress including criminal prosecution against any student, staff, or faculty member who violates this policy. The University will also refer to local law enforcement officials, violations of this policy by contractor and vendor personnel, licensees, invitees and visitors, and reserves the right to eject and or bar those violators from University premises and activities.

Definition: Under the New York State Hate Crimes Act of 2000 (codified as Article 485 of the New York State Penal Law), a person commits a hate crime when he or she commits an offense specified in the Act and either:

- A.** intentionally selects the person against whom the offense is committed or 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 a person, regardless of whether the belief or perception is correct, or
- B.** intentionally commits the act or acts constituting the offense 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 a person, regardless of whether the belief or perception is correct.

Copies of applicable current University policies and procedures; applicable federal, state, and local laws as well as applicable regulations concerning hate crimes; and the penalties under New York State law for commission of hate crimes are available in the offices of Security, the Affirmative Action Officer, the Dean for Students, Student Affairs, Human Resources, and the Counseling Center on each campus. These offices offer brochures, workshops, and seminars to educate the campus community. From time to time, special notices and articles are also posted, distributed or appear in student newspapers and other University publications.

HATE/BIAS RELATED CRIME REPORTING

There are numerous ways available within the University to report a hate/bias-related crime. Hate/Bias crimes may be reported to the Affirmative Action Officer (AAO), who is the University official delegated with responsibility to investigate all reports of discrimination within the University.

The Title IX Coordinator/AAO, Arletha (Lisa) Miles, has an office in New York City (212) 346-1310 or amiles@pace.edu located at 163 William St., 10th Floor, Room 2017, New York, New York 10038; and can be reached in Westchester at (914) 923-2610. All crimes, including hate/bias-related crimes, may be reported to the Campus Security Office, Dean for Students, Office of Multicultural Affairs (New York City) or Diversity Programs (Westchester) or the Human Resources Offices. All crime emergencies on campus may be reported to the Pace Campus Security via the Intra University Emergency Phone, extension 777.

If you are unsure as to whether a hate/bias-related crime may have occurred, or desire to speak with someone confidentially, you may contact the Counseling Centers in New York City (212) 346-1526 or Westchester (914) 773-3710.

The University is required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. §1092(f), to report all hate/bias-related crimes to the United States Department of Education as part of its annual crime statistics reporting. You can find these statistics on the Pace University website at www.pace.edu (select "S" from the A–Z index, Safety and Security, Campus Statistics). When a hate/bias-related crime occurs on campus, the University community will be notified at the time and in the manner described in the section on Safety and Security, Crime Reporting, which is in this handbook.

PROCEDURES FOR HANDLING HATE/BIAS-RELATED CRIMES

Complaints involving hate/bias-related crimes may be initiated as appropriate, through the University Policy and Procedure Non Sex-Based Discrimination, Harassment and Retaliation: <http://www.pace.edu/sites/default/files/files/affirmative-action/PACE-UNIVERSITY-POLICY-AND-PROCEDURE-DISCRIMINATION.pdf>

the University Sex-Based Misconduct Policy and Procedure: <http://www.pace.edu/sites/default/files/files/SexualMisconductPolicy/SexualMisconductPolicy.pdf>

or the University Disciplinary Procedures: <http://www.pace.edu/student-handbook/university-policies-disciplinary-and-grievance-procedures/student-disciplinary-procedures-and-hearings>, which are described in the handbook. Complaints involving faculty or staff should be initiated through the AAO [see above] or the Human Resource Office. Any complaint involving a bias-related crime may be made directly to local law enforcement agencies.

PENALTIES FOR COMMISSION OF A HATE/BIAS-RELATED CRIME

Internal University sanctions against a student, student group or organization can include a wide range of penalties as enumerated in the handbook including actions such as warning, restitution, probation, and up to and including expulsion (permanent separation) from the University. Penalties against faculty and staff are determined through established employment practices and may include up to termination.

In addition, the New York State Hate Crimes Act of 2000 revised the State Penal Law to impose criminal penalties for hate crimes. Such penalties include incarceration.

HATE/BIAS-RELATED CRIME PREVENTION INFORMATION

Pace University is intent on insuring a safe and secure environment, free from bias and prejudice for all its community members. The University provides to new students each year, information on bias-related crime, alcohol and drug use, Sex-Based Misconduct (including sexual harassment and sexual assault), and general crime prevention through various means including orientations, this handbook, and in other relevant publications and brochures. The University also provides information and encourages discussion of these and related topics through workshops, seminars, discussion groups, media presentations, and a wide variety of activities, events, and programs sponsored by the University departments and student organizations. Students are also exposed to these issues through the curriculum of University 101, the required extended orientation course taken by all freshmen. Counseling and Support Victims and/or witnesses to hate/bias-related crimes may obtain counseling and support from the University Counseling Center, University offices of Multicultural Affairs or Diversity Programs, or the Dean for Students. Faculty and staff may seek counseling and support through the University Employee Assistance Program. The above policy, information and procedures are in compliance with the New York State Hate Crimes Act of 2000 and section 6436 of the New York State Education Law.