

ARIZONA CIVIL RIGHTS ADVISORY BOARD:
SUBCOMMITTEE ON HATE-BASED CRIMES AND ANTISEMITIC INCIDENTS

Minutes of Public Meeting (Held via Zoom)

May 9, 2025

Subcommittee Members Present (by Zoom)

Vice Mayor Holli Ploog (Chairperson)
Dr. Heather M. Ross (Vice Chairperson)
Det. Nancy Spina
Det. Michael Hillman

Staff Members Present (by Zoom)

Nate Anbar (Executive Office Liaison)
Adena Bernstein (AAG)

I. Call to Order

A quorum being present, Chairperson Ploog called the meeting to order at 2:01 pm. The meeting took place via Zoom.

II. Approval of Minutes

The minutes from several previous meetings, held on April 7, 2025; April 17, 2025; April 22, 2025; April 23, 2025; and May 6, 2025 were brought up for approval. The minutes were approved unanimously.

III. Introductory Remarks

Chairperson Ploog made brief introductory remarks. Subcommittee Staff introduced AAG Bernstein, who then introduced herself, noting areas of expertise relevant to the Subcommittee. AAG Bernstein highlighted in particular her prior experience prosecuting antisemitic crimes, work on swatting legislation, and Holocaust education work. Members quickly introduced themselves as well. Chairperson Ploog briefly explained the Subcommittee's formation process, mission, and ongoing efforts.

IV. Topics for Discussion and Possible Action

a. Recap and discussion of law enforcement stakeholder events.

Chairperson Ploog opened up the floor to members for a debrief of the law enforcement stakeholder events, noting in particular the explanation of statutory aggravating factors by representatives of the Maricopa County Attorney's Office (MCAO). AAG Bernstein stated that the existing law is not exactly a hate crimes statute. Chairperson Ploog described how the possibility of enacting a stronger statute was one of the items discussed during the events, and that for the most part attendees were favorable to the idea. Chairperson Ploog noted that at the third and final event some attendees were concerned that a stronger statute would cause the state to keep cases that should be federal, although a representative of the US Attorney's Office in attendance indicated he did not believe this would be an issue. Member Hillman discussed how a representative of MCAO had provided an estimated frequency of use for the statutory aggravating factor related to bias motivation. Member Hillman noted that he would like to better understand the data underlying that estimate. Member Spina and AAG Bernstein both concurred. Member

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Spina noted that how the bias aggravating factor is currently used may affect what the Subcommittee proposes with respect to strengthening the law. AAG Bernstein explained her involvement in prior efforts to explore this possibility and stated that a separate statute may be helpful to prosecutors.

Chairperson Ploog noted that with respect to the frequency of antisemitic crimes and incidents, discussion at the law enforcement events did not seem entirely consistent with other available information. Vice Chairperson Ross indicated that she would be requesting additional data from the Anti-Defamation League and that she has some concerns about different standards used for reporting data. AAG Bernstein echoed this concern, noting that some agencies have tried to improve reporting by adding a checkbox to allow for the designation of an incident as bias-motivated. Member Spina noted that local departments would not report bias crime data if the specific types of crime that actually match particular reporting standards do not occur within their jurisdiction. Likewise, she noted that county attorneys' offices would not receive most misdemeanor cases, and only felonies would be apparent in sentencing aggravator data. Member Spina also explained that for local departments, many misdemeanors may not be linked to a suspect with provable motivation, and that depending on reporting standards this can result in an undercount. Vice Chairperson Ross concurred and suggested that differing reporting standards between departments constitutes a significant obstacle to obtaining consistent data. Vice Chairperson Ross also expressed her sense that a "big picture" approach is needed to help improve reporting. Member Hillman agreed, but noted that local departments have to deal with resource considerations and primarily focus on basic policing. Chairperson Ploog acknowledged this but also noted the benefits of community engagement when possible. Members expressed their appreciation for law enforcement event attendees who seemed receptive to undertaking additional community engagement efforts.

b. Discussion regarding planned community survey, survey preamble, and contact list.

Staff discussed the draft survey preamble and made edits based on feedback from members. Staff discussed the status of the survey contact list and noted that they will add additional information to the contact list to the extent possible. AAG Bernstein offered to help add contact information to the list as needed. Vice Chairperson Ross confirmed that the survey can accommodate missing names and email addresses if necessary by using a generic greeting and/or generating a hyperlink that can be sent through a website contact form.

c. Discussion of upcoming changes to subcommittee staff, and subcommittee membership changes.

Chairperson Ploog noted that a new member of ACRA, Jordan Brunner, was recently appointed to the Subcommittee. Vice Chairperson Ross and Chairperson Ploog described Member Brunner's expertise. Chairperson Ploog noted that the Subcommittee will need a new staff member after current staff leave the office. Members discussed possible formal roles for AAG Bernstein either as a new member or as staff. AAG Bernstein indicated that she would assist in whichever way she can be most helpful.

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V. Staff Report

Staff noted that they will send the updated version of the survey preamble to members after the meeting. Staff will also work on finalizing the contact list with the aim of sending the survey out the week after this meeting.

VI. Call to the Public

No members of the public were in attendance.

VII. Adjournment

Chairperson Ploog called for a motion to adjourn. The motion was approved unanimously. The meeting was adjourned at 3:34 pm. The next regular meeting of the Subcommittee will be held on Monday, June 2 at 3:00 p.m.