

AMENDED COPY AS OF 6/16/2021

Intro. Res. No. 1488-2021

Laid on Table 6/8/2021

Introduced by the Presiding Officer on Request of the County Executive and Legislator Richberg

**RESOLUTION NO. -2021 ADOPTING LOCAL LAW NO. –
2021, A LOCAL LAW TO AMEND THE POWERS AND DUTIES
OF THE HUMAN RIGHTS COMMISSION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2021 a proposed local law entitled, “**A LOCAL LAW TO AMEND THE POWERS AND DUTIES OF THE HUMAN RIGHTS COMMISSION**” now, therefore, be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW No. –2021, SUFFOLK COUNTY NEW YORK

**A LOCAL LAW TO AMEND THE POWERS AND DUTIES OF THE HUMAN
RIGHTS COMMISSION**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk by Introductory Resolution No. 1150-2021 adopted the Suffolk County Police Reform Plan on March 30, 2021.

This Legislature further finds that one of the components of The Suffolk County Police Reform Plan is that the Suffolk County Human Rights Commission will review all police misconduct complaints that are under investigation by Internal Affairs.

This Legislature also finds and determines that The Suffolk County Police Reform Plan also recommends that the Human Rights Commission accept all complaints of police misconduct.

This Legislature further determines that Introductory Resolution No. 1199-2021 contains sufficient funding for the Human Rights Commission to hire the necessary investigators and clerical staff to implement this Local Law.

Section 2. Amendments

I. Chapter 119 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 119-3. Powers and Duties.

J. To accept any complaints brought against the Suffolk County Police Department for misconduct and refer the complaint to the Internal Affairs Division of the Suffolk County Police Department. For purposes of this Chapter, police misconduct shall include, but not be limited to, violations of the standards set forth in Policy 320 of the Suffolk County Police Department Policy

Manual as well as examples of misconduct contained within Policy 320 of the Suffolk County Police Department Policy Manual.

K. To review, in tandem, all police misconduct complaints that are under investigation by the Internal Affairs Division of the Suffolk County Police Department.

L. For any police misconduct complaints that are referred back to the precinct level, the Human Rights Commission will be notified and will review before complaint is sent to Precinct level

M. To offer recommendations on additional steps to be taken by Internal Affairs as part of a particular police misconduct investigation

Section 3. Personnel

The Executive Director of the Suffolk County Human Rights Commission is hereby authorized, empowered and directed to hire additional investigators and clerical staff as are necessary to implement the provisions of this Local Law.

Section 4. Regulations.

The Executive Director of the Suffolk County Human Rights Commission is hereby authorized, empowered and directed to promulgate and issue such rules and regulations as shall be deemed necessary to carry out the provisions of this law.

Section 5. Applicability.

This law shall apply to all complaints made and investigations occurring on or after the effective date of this law.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 7. Effective Date.

This law shall take effect on the ninetieth (90th) day immediately subsequent to filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language.
___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: