

STRICKEN END OF YEAR 2021
AMENDED COPY AS OF 9/21/2021

Intro. Res. No. 1566-2021

Laid on Table 7/27/2021

Introduced by Legislators McCaffrey and Mazzarella

**RESOLUTION NO. -2021, ADOPTING LOCAL LAW
NO. -2021, A LOCAL LAW TO AMEND THE COUNTY HUMAN
RIGHTS LAW TO PROTECT PUBLIC SAFETY WORKERS
FROM HARASSMENT AND INTIMIDATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on July 27, 2021, a proposed local law entitled, "**A LOCAL LAW TO AMEND THE COUNTY HUMAN RIGHTS LAW TO PROTECT PUBLIC SAFETY WORKERS FROM HARASSMENT AND INTIMIDATION**"; 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 COUNTY HUMAN RIGHTS LAW
TO PROTECT PUBLIC SAFETY WORKERS FROM HARASSMENT
AND INTIMIDATION**

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 Suffolk County has a robust human rights law to protect vulnerable populations from discrimination.

This Legislature also finds and determines that over the past two years there has been an increase in cases of harassment, both physical and verbal, targeting public safety workers – particularly law enforcement and first responders.

This Legislature further finds and determines that it is reprehensible to harass, intimidate and/or assault someone based solely on their actual or perceived status as a public safety worker.

This Legislature further determines that to protect our law enforcement officers and first responders, it should be a violation of the County's human rights law to harass, intimidate and/or assault an individual based upon knowledge or belief that they are a public safety worker.

Therefore, the purpose of this law is to amend the County Human Rights Law to prohibit the harassment, intimidation and/or assault of public safety workers.

Section 2. Amendments.

Chapter 528 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 528. Human Rights

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Article II. Unlawful Discriminatory Acts

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§528-6. Definitions

PROTECTIVE HAIR STYLE – Includes, but is not limited to, such hairstyles as braids, locks, and twists.

PUBLIC SAFETY WORKER – any of the following individuals:

1. police officers, as defined under New York Criminal Procedure Law §1.20(34),
2. peace officers, as defined under New York Criminal Procedure Law §2.10,
3. emergency medical services personnel; and
4. volunteer fire personnel.

PUBLICLY ASSISTED HOUSING ACCOMMODATIONS – All housing accommodations within Suffolk County in: ...

* * * *

§ 528-12. General provisions defining unlawful discriminatory practices.

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- F. It shall be an unlawful discriminatory practice for any person to engage in discrimination against another person based on any actual or perceived relationship of that person to the spread of the COVID-19 virus based on a person's race, ethnicity, or other protected status. COVID-19 discrimination includes: intimidation, threats, assault as defined in Article 120 of New York Penal Law, harassment as defined in Article 240 of New York Penal Law, menacing as defined in Article 120 of New York Penal Law, inflicting emotional or physical harm, or inflicting injury upon such person.
- G. It shall be an unlawful discriminatory practice for any person to engage in discrimination against another person based on the belief that the person is a public safety worker. Such discrimination includes intimidation, threats, assault as defined in Article 120 of New York Penal Law, harassment as defined in Article 240 of New York Penal Law, menacing as defined in Article 120 of New York Penal Law, inflicting emotional or physical harm, or inflicting injury upon such person.
- H. No person shall knowingly, with the purpose to expose another to harassment or risk of harm to life or property, or in reckless disregard of the probability of such exposure, post or publish on the internet, or repost, republish, or otherwise make available, the home address, unpublished phone number, or unpublished personal email address of any active, formerly active or retired public safety worker who lives and/or works in the County of Suffolk.
- I. Nothing contained in this article shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational

purposes, which is operated, supervised or controlled by or in connection with a religious organization, from limiting participation in any activity, including, but not limited to, employment, education, sales, lease, or rental of housing accommodations, land or commercial space, or granting admission to, or giving preference to individuals of the same religion or denomination or taking such action as is calculated by such organization to promote the religious principles for which it is established or maintained.

J. Nothing in Paragraphs G and H shall be construed to limit an individual's and/or group's First Amendment Right of freedom of expression and association, including but not limited to, the right to engage in peaceful protest. As this law relates to the First Amendment, it shall only regulate speech intended to and likely to incite imminent illegal activity.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. 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 5. 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)(26), (27) and (33) 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 in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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 6. Effective Date.

This law shall take effect immediately upon its 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: