

**James Nolan**

Minority Whip, Legislator, 15<sup>th</sup> District  
Chair, Committee on Veterans, Seniors & Youth



# SI 2025-224

Committee Assignments:  
Labor & Human Rights  
Legislation  
Parks & Environment

To: Vedat Gashi, Chairwoman of the Board of Legislators  
Sunday Vanderberg, Clerk of the Board of Legislators

From: James Nolan, Legislator, District 15

Date: May 15, 2025

Re: First Responder Zone of Protection Act

Please place the attached proposal, First Responder Zone of Protection Act, on the agenda for the May 19, 2025 meeting of the Westchester County Board of Legislators so that it may be referred to the appropriate committees.

Thank you

cc Marcelo Figueroa, Legislative Director  
Dylan Tragni, Chief of Staff

BE IT ENACTED by the County Legislature of the County of Westchester as follows:

Section 1. A new title is hereby added to Chapter III of the Administrative Code of Westchester County

FIRST RESPONDER ZONE OF PROTECTION ACT

Section	1	Legislative Intent
Section	2	Definitions
Section	3	Approaching a First Responder Engaged in the Lawful Performance of Their Duties after a Warning

**§1 Legislative Intent.** This Legislature finds that first responders are often called to work in high stress, crowded and potentially dangerous situations. This Legislature further finds that any attempt to interfere with, harass, or threaten first responders that are engaged in a lawful performance of their duties endangers public safety and potentially hinders timely and effective emergency response, putting the lives of first responders and those they are attempting to aid at substantial risk of injury or death. This Legislature further finds that allowing first responders that are engaged in the lawful performance of their duties to establish a fifteen (15) foot zone whereby non first responder personnel are prohibited from entering will enhance public safety and will protect first responders from threats and physical interference during inherently dangerous or high-stress situations. This Legislature further finds that establishing a fifteen-foot zone of protection balances both the rights of bystanders to view the work of first responders while ensuring that bystanders do not intentionally or unintentionally endanger or interfere with first responders that are performing their lawful duties.

**§ 2 Definitions.** As used in this title:

- (a) "First Responder" shall mean a Police Officer as defined by Criminal Procedure Law §1.20(34), a certified first responder, emergency medical technician, or advanced emergency medical technician as defined by §3001 of the Public Health Law, supervising fire inspectors, fire inspectors, the fire marshal and assistant fire marshals, firefighters, and probation officers.

**§3. Approaching a First Responder Engaged in the Lawful Performance of Their Legal Duties After a Warning.**

- (a) A First Responder may issue a warning to keep a distance of 15 feet to a person who approaches such First Responder who reasonably believes that such person presents a threat to the safety of the First Responder, bystanders, or others or otherwise may interfere with or obstruct the First Responder's lawful performance of his or her duties.
- (b) It shall be unlawful for a person, after receiving a warning not to approach, pursuant to subsection (a) above, from a person he or she knows or reasonably should know is a First Responder who is actively engaged in the lawful performance of an arrest, emergency response, rescue, investigation, interrogation, traffic stop, while securing property, establishing a safe perimeter, or maintaining public order, to knowingly and willfully violate such warning and approach or remain within 15 feet of the First Responder.
- (c) Nothing in this section shall prevent the right of the public to photograph or video a First Responder who is engaged in the performance of the acts set forth in paragraph (b).
- (d) Any person that violates any provision of this law shall be guilty of a misdemeanor punishable by a fine of not more than one thousand (\$1,000) dollars or imprisonment of not more than one (1) year, or both.

#### **§ 4. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this local 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 order or judgment shall be rendered.

#### **§ 5. SEQRA Determination**

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The proposed Act does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617.

#### **§ 6. Effective Date**

This law shall take effect immediately after becoming a law.