



Public Safety

BOL Meeting Minutes - Final

Committee Chair: Terry Clements

800 Michaelan Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, May 2, 2022

1:00 PM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Legislation and Health

This meeting will be held pursuant to Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, which authorize any public body to meet and take such action authorized by law without permitting in public-in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. To access the meeting, please visit:

<https://westchestercountyny.legistar.com>

With a quorum present, Vice-Chair Smith called the meeting to order at 1:18 PM.

Present: Committee Chair Clements, Legislator Cunzio, Legislator Johnson, Legislator Pierce and Committee Vice-Chair Smith

Remote: Legislator Alvarado, Legislator Barr, Legislator Borgia and Legislator Woodson-Samuels

MINUTES APPROVAL

Tuesday, April 5, 2022 at 4:00 PM Minutes

On motion of Legislator Cunzio, seconded by Committee Chair Clements, the minutes were approved. The motion carried unanimously.

Monday, April 18, 2022 at 10:00 AM Minutes

On motion of Legislator Cunzio, seconded by Committee Chair Clements, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

1. [RES-2022-77](#) **PH - Gun Store Warning Label Law**

A Public Hearing on "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 529 in relation to the posting of notices warning of the dangers of weapons or firearms." [Public Hearing set for May 23, 2022 at 7:30 p.m.] LOCAL LAW INTRO: 2022-159.

Submitted by: COMMITTEES ON LEGISLATION AND HEALTH

Joint with LEG and HEALTH.

Guests: Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Jason Whitehead, Senior Assistant County Attorney; Department of Public Safety - Terrance Raynor, Deputy Commissioner

Ms. Dolgin-Kmetz spoke about the changes to the legislation which included changing “presence of” to “access to” throughout the legislation, changing the National Suicide Hotline number to 988 throughout the legislation, and implementing graduating fines for repeat violations, while removing prison. Legislator Cunzio asked who would oversee this and a discussion ensued, with the consensus being reached that it would be up to the local police departments to oversee this. Deputy Commissioner Raynor said that once the County passes a law it incumbent on the municipalities to know and enforce them. Legislator Cunzio asked who would collect the fines and Ms. Dolgin-Kmetz confirmed that the municipalities would. Legislator Borgia asked about monitoring of lockbox laws and Deputy Commissioner Raynor confirmed that it would operate in much the same way as this legislation. He continued that he tried to find potential issues with this law and that he was unable to. Legislator Barr asked who was responsible for the signage used at the stores, and Deputy Commissioner Raynor said that as long as the signs comply with the specifications, the store owners could print them. Legislator Maher voiced his support of the legislation and hoped other legislators would, too.

On motion of Legislator Johnson, seconded by Legislator Alvarado, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Clements, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Cunzio, Legislator Johnson, Legislator Pierce, Committee Vice-Chair Smith and Legislator Woodson-Samuels

2. **LL - Gun Store Warning Label Law**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 529 in relation to the posting of notices warning of the dangers of weapons or firearms.

Submitted by: COMMITTEES ON LEGISLATION, PUBLIC SAFETY AND HEALTH

Joint with LEG and HEALTH.

Guests: Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Jason Whitehead, Senior Assistant County Attorney; Department of Public Safety - Terrance Raynor, Deputy Commissioner

Please refer to item #1.

On motion of Legislator Johnson, seconded by Legislator Alvarado, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Clements, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Cunzio, Legislator Johnson, Legislator Pierce, Committee Vice-Chair Smith and Legislator Woodson-Samuels

3. **RES-2022-80 PH-Reporting of Hate Incidents**

A Public Hearing on "A LOCAL LAW amending Chapter 273 of Laws of Westchester County to require local municipal police departments to report all incidents involving conduct, which is or appears to be motivated, all or in part, by a person's actual or perceived membership in a protected class." [Public Hearing set for May 23, 2022 at 7:30 p.m.]. LOCAL LAW INTRO: 2022-195.

Submitted by: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY

Joint with LEG.

Guests: Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Jason Whitehead, Senior Assistant County Attorney; Human Rights Commission - Tejash Sanchala, Executive Director, Valerie Daniele, Deputy Director; Department of Public Safety - Terrance Raynor, Deputy Commissioner

Mr. Whitehead spoke on the amendments to the legislation, which included and defined familial status, changes to subdivision four regarding unlawful acts, and the inclusion of a reminder to local law enforcement to the department of public safety. Legislator Cunzio raised concerns over the definition of a hate incident, relaying concerns from municipalities about the perceived ambiguity. A discussion ensued over the practicalities of reporting with Vice-Chair Smith reiterating that their investigations of hate incidents and crimes would not change, and Ms. Dolgin-Kmetz added that this is simply a reporting statute. Vice-Chair Smith said that once this legislation goes into effect, the Departments of Public Safety and the Human Rights Commission would be able to work together to determine if changes need to be made. Mr. Whitehead reiterated the legislative intent and noted that the Department of Public Safety will exercise their discretion when determining to refer potential incidents to the Human Rights Commission. Legislator Clements added that even if incidents reported were found to not be criminal in nature they might help law enforcement discover patterns. Legislator Cunzio asked if minors were covered by this legislation and it was confirmed that there was no carve out, and that it would remain as a juvenile proceeding in family court. Mr. Sanchala said that the importance of this legislation is that it helps the County better understand what's happening, and that even if something doesn't rise to a criminal level it can have a chilling impact in the community. He also referenced recent legislation passed by the Board of Legislators regarding discriminatory harassment and reiterated wanting to address these issues before they escalate. Deputy Commissioner Raynor spoke briefly about protocols for how law enforcement handles alleged hate incidents and crimes and explained what they do with the information they capture. Legislator Barr posed a hypothetical about something that would or wouldn't constitute a crime but explained the purpose of creating an obligation to inform the County about this. A brief discussion ensued on the investigative procedures used by local law enforcement with Legislator Borgia stating that the point of this legislation isn't to suggest that law enforcement doesn't take this seriously, but to promote information sharing since what happens in one municipality might be of interest to others. Legislator Cunzio spoke about an upcoming capital project for a records management system that this information would likely be used in and hoped that her colleagues would support that. Legislator Barr mentioned that the short title needed to be changed to accurately reflect the intent of the law and it was agreed to make that change.

On motion of Legislator Johnson, seconded by Committee Chair Clements, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Clements, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Cunzio, Legislator Johnson, Legislator Pierce, Committee Vice-Chair Smith and Legislator Woodson-Samuels

4. [LL 7-2022](#) **LOCAL LAW-Reporting of Hate Incidents**

A LOCAL LAW amending Chapter 273 of the Laws of Westchester County to require local municipal police departments to report all incidents involving conduct, which is or appears to be motivated, all or in part, by a person's actual or perceived membership in a protected class.

Submitted by: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY

Joint with LEG.

Guests: Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Jason Whitehead, Senior Assistant County Attorney; Human Rights Commission - Tejash Sanchala, Executive Director, Valerie Daniele, Deputy Director; Department of Public Safety - Terrance Raynor, Deputy Commissioner

Please refer to item #3.

On motion of Legislator Johnson, seconded by Committee Chair Clements, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Clements, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Cunzio, Legislator Johnson, Legislator Pierce, Committee Vice-Chair Smith and Legislator Woodson-Samuels

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Cunzio, seconded by Legislator Alvarado, the Committee adjourned at 2:12 PM.