

Health

BOL Meeting Minutes - Final



Committee Chair: Jewel Williams-Johnson

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

Monday, May 23, 2022

1:00 PM

Committee Room

CALL TO ORDER

Joint with the Committee on Legislation

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, Chair Williams Johnson called the meeting to order at 1:12 PM.

Others in Attendance: LAW: John Nonna, Stacey Dolgin-Kmetz, Shawna MacLeod and Jordan (intern); GUESTS: Constance Considine, BOL: Legislator Margaret Cunzio, Legislator Damon Maher, Legislator David Tubiolo (remote), Legislator Tyrae Woodson Samuels (remote), Legislator Benjamin Boykin (remote), Legislator Catherine Parker (remote), Melanie Montalto (remote), Lisa Hochman, Marcello Figueroa, Amy Vele, Anand Singh and Dayana Gómez

Present: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi and Legislator Smith

Remote: Committee Vice-Chair Pierce and Legislator Shimsky

MINUTES APPROVAL

1. Tuesday, April 19, 2022 1:00pm

On motion of Legislator Gashi, seconded by Committee Vice-Chair Pierce, the above item was approved. The motion carried unanimously.

2. Monday, April 25, 2022 1:00pm

On motion of Legislator Gashi, seconded by Committee Vice-Chair Pierce, the above item was approved. The motion carried unanimously.

3. Tuesday, April 26, 2022 1:00pm

On motion of Legislator Gashi, seconded by Committee Vice-Chair Pierce, the above item was approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

1. [RES-2022-93](#) PH - Clinic Access Legislation

A Public Hearing on "A LOCAL LAW adding Chapter 425 to the Laws of Westchester County to ensure safe access to reproductive health care facilities." [Public Hearing set for June 13, 2022 at 7:30 p.m.] LOCAL LAW INTRO 2022-258.

Submitted by: COMMITTEES ON LEGISLATION AND HEALTH

Guests:

Department of Law - John Nonna, County Attorney, Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Shawna MacLeod, Senior Assistant County Attorney; **All Women's Healthcare** - Constance Considine, Chief Medical Administrator; **WCLA Choice Matters** - Catherine Lederer-Plaskett, President; **Planned Parenthood Hudson Peconic** - Vincent Russell, President & CEO

Chair Williams Johnson and Legislator Smith opened both committees and spoke about supporting articles for this measure. Afterwards, the guests were invited to share their input on these items.

Ms. Considine spoke about issues that her staff faced in a recent altercation at All Women's Healthcare. Extremists managed to enter the building and subsequently harass her staff, who already felt intimidated and unprotected from these individuals. Although security attempted to keep protesters outside of the premises, they found a way to breach the rear entrance where the doctor's offices are. Mr. Russell shared his perspective

Legislator Cunzio clarified that responding officers cannot issue consequences, referencing the item's language citing consequences for anyone who violates this local law. Ms. Lederer-Plaskett emphasized that despite a judge being the one who issues consequences, it is still important to note that it can still work as a deterrent to those individuals breaching the facilities.

Ms. Lederer-Plaskett spoke and shared a video of extremists breaching the entrance to their facility under the guise of being patients. The video shows them gathering and on occasion blocking the door. The footage also showed that once the police arrived, nothing was done. Mr. Russell asked how many people were there and Ms. Lederer-Plaskett responded that they are unsure because they were focused on what was happening indoors. Additional footage shows the intruders intimidating staff members in order to allow themselves upstairs. Emphasizing that trespassing on this type of facility

Chair Williams Johnson asked if there is anything they can do to prevent people from making sham appointments. Ms. Considine is unsure how to properly do that. Also the extremists that entered the premises did so under their real names as well. Chair Williams Johnson asked Mr. Russell if he's received sham appointments made, which he confirmed. He added that there seems to be no actual way to stop people from making fake appointments.

Legislator Maher asked if those who make appointments to allow others in are covered under this law, such as with aiding and abetting, despite leaving the premises afterwards. Ms. Lederer-Plaskett added that the responding law enforcement officers are not trained to deal with these issues. She also clarified that this typically only happens to reproductive health facilities not the others.

Legislator Pierce emphasized that the extremists have been posting openly and clearly what they are doing, their identities and the things they say. She added that they also brag that “the good guys won,” which is essentially taunting to the authority and those individuals who are directly affected by them.

Legislator Shimsky added that this law is not only allowing for a buffer zone between extremists and facilities, but it also sets a precedent to help circumvent issues like the ones discussed and protect them as much as possible.

Ms. Lederer-Plaskett offered some language changes at the end of section 425.21 to read “... and roadway and other access way between the foregoing that encompasses...” Mr. Nonna clarified feasible alternatives to her suggestion and asked what she meant by “foregoing,” to which Ms. Lederer-Plaskett just wants to include any space or roadway between the facility and the road. She added that the way it is currently reading does not properly remedy the issue. Mr. Nonna offered to include “one hundred feet out, including the roadway” and asked if that is suffice to include the roadway in the situation she spoke about earlier.

Another suggested amendment by Ms. Lederer-Plaskett is in 425.31i – adding the word “object” with the intention to note that anything can be used as an item for assault. Legislator Smith suggested to specify an item being used to assault someone. Mr. Nonna will draft some suggestions and circle back.

Both committees decided to move forward with voting for the public hearing only.

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

Aye: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi, Committee Vice-Chair Pierce, Legislator Shimsky and Legislator Smith

2. [2022-258](#) LL - Proposed Clinic Access Legislation

A LOCAL LAW adding Chapter 425 to the Laws of Westchester County to ensure safe access to reproductive health care facilities.

Submitted by: COMMITTEES ON LEGISLATION AND HEALTH

Guests:

Department of Law - John Nonna, County Attorney, Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Shawna MacLeod, Senior Assistant County Attorney; **All Women's Healthcare** - Constance Considine, Chief Medical Administrator; **WCLA Choice Matters** - Catherine Lederer-Plaskett, President; **Planned Parenthood Hudson Peconic** - Vincent Russell, President & CEO

Please see previous item for discussion.

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Gashi, seconded by Legislator Smith, the Committee adjourned at 2:55pm.