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OFFICE OF THE
DEMOCRATIC MINORITY



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Inter-Departmental Memo

To: Michael C Pulitzer, Clerk of the Legislature

From: Peter J. Clines, Esq., Minority Counsel *PJC*

CC: Hon. Richard Nicoletto, Presiding Officer

Hon. Kevan Abrahams, Minority Leader

Date: May 7, 2019

Re: A LOCAL LAW TO AMEND NASSAU COUNTY ADMINISTRATIVE CODE IN
RELATION TO INCREASED POLICE MONITORING AND PROTECTION OF
HOUSES OF WORSHIP.

Attached please find the above referenced proposed resolution which has been approved as to form per the Rules of the Legislature. Kindly distribute a copy to Presiding Officer Richard Nicoletto along with our request that this item be placed on the next available legislative agenda.

Kindly provide a time stamped hard copy acknowledgement of your receipt.

Thank you.

RECEIVED
NASSAU COUNTY
CLERK OF THE LEGISLATURE
2019 MAY - 7 P 1:48

Introduced by: Legislator Arnold W. Drucker

PROPOSED LOCAL LAW NO. -2019

A LOCAL LAW TO AMEND NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO INCREASED POLICE MONITORING AND PROTECTION OF HOUSES OF WORSHIP.

PETER J. CLINES
MINORITY COUNSEL

APPROVED AS TO FORM

RECEIVED
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BE IT ENACTED by the County Legislature of the County of Nassau, as follows:

Section 1. Legislative Intent. The purpose of this law to improve the safety and well-being of Nassau County residents by expanding the statutorily-defined duties of the Nassau County Police Department to enhance police protection for houses of worship and religious institutions.

Recent acts of horrendous violence both at home and abroad have underscored the vulnerability of worshipers who gather together to exercise their right to religious liberty and free exercise of religion and accentuated the need for enhanced security at houses of worship. This Legislature recognizes that freedom of worship and the free exercise of religion are inalienable constitutional and human rights of the highest importance. The Legislature finds that such rights are severely inhibited unless worshipers are physically secure and free from fear, harassment and intimidation while attending their houses of worship and religious institutions. It is equally essential that such religious facilities, including religious cemeteries and educational institutions, are protected from vandalism and desecration. The Legislature further finds that there has been an increase in threats

and acts of intolerance and violence against houses of worship based on religious beliefs, expression and affiliation. Heightened police protection and monitoring of churches, temples, synagogues, mosques and other houses of worship are therefore essential to the security and well-being of Nassau County residents and to their full enjoyment of their right to religious freedom. Accordingly, it is fitting and proper that the duties of the Nassau County Police Department as set forth in the Nassau County Administrative Code be amended to expressly include a duty to concentrate police resources so as to prioritize the protection of houses of worship and religious institutions.

Section 2. Title A of Chapter VIII of the Nassau County Administrative Code, §8-22.0, is amended to read as follows:

§ 8-22.0 **Duties of police department.** It shall be the duty of the police department within the boundaries of the police district to:

1. Preserve the public peace.
2. Prevent crime.
3. Detect and arrest offenders.
4. Protect the rights of persons and property.
5. Guard the public health.
6. Preserve order at elections and all public meetings and assemblages.
7. Remove nuisances existing in public streets, roads, places and highways and arrest all street mendicants and beggars.
8. Regulate the movement of vehicular traffic in streets, roads, places and highways and install or authorize the installation of traffic signal lights for said purposes.
(Subdivision a amended by Local Law No. 5-1964, in effect August 19, 1964.)
9. Provide proper police attendance at fires. (Subdivision 10 and 11 repealed by Local Law No. 3-1945, in effect July 9, 1945.)

10. Enforce and prevent the violation of all laws and ordinances in force in such district, and for these purposes with or without warrant, to arrest all persons guilty of violating any law or ordinance for the suppression or punishment of crime and offenses. (Subd. 12 renumbered as subd. 10 by Local Law No. 3-1945, in effect July 9, 1945.)
11. **Concentrate police resources so as to prioritize the protection of houses of worship and religious institutions and the lives, security and safety of those attending religious services and engaging in activities related to the free exercise of their religious beliefs. As used in this subsection, religious institutions shall include, but not be limited to, parochial and religious schools and religious cemeteries and burial grounds. Enhanced police protection of religious institutions, houses of worship and worshipers shall be carried out without discrimination or favoritism based on creed, denomination or religious affiliation.**

Section 3. 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 4. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its

implementing regulations, Part 617 of 6 N.Y.C.R.R. and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.


Section 5. Effective Date. This Local Law shall take effect immediately.

Introduced by: Legislator Arnold W. Drucker

LOCAL LAW NO. -2019

A LOCAL LAW TO AMEND NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO INCREASED POLICE MONITORING AND PROTECTION OF HOUSES OF WORSHIP.

PETER J. CLINES MINORITY COUNSEL



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actions which do not have a significant effect on the environment; and no further review is required.

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